The Development of the Athenian Constitution

The Pre-Solonian Constitution

<table>
<thead>
<tr>
<th>Level of Government</th>
<th>Description of Body/Offices</th>
<th>Eligibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive</td>
<td>Annual magistracies, chiefly the nine archons:</td>
<td>Aristocracy</td>
</tr>
<tr>
<td></td>
<td>Archon eponymos (chief officer of the state)</td>
<td>(the ‘Eupatrids’)</td>
</tr>
<tr>
<td></td>
<td>Archon basileus (the “king archon”; largely religious duties)</td>
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<tr>
<td></td>
<td>Archon polemarchos (the “war-leader”)</td>
<td></td>
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<tr>
<td></td>
<td>The six thesmothetai (legislators)</td>
<td></td>
</tr>
<tr>
<td>Council</td>
<td>Areopagos Council, made up of ex-archons</td>
<td>Aristocracy</td>
</tr>
<tr>
<td>Assembly</td>
<td>The Ekklesia</td>
<td>All Athenian citizens,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>including the aristocracy</td>
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</table>

Solon (594/3)

The Solonian Property-Classes:

Participation in government was now based on wealth. Athenian citizens were divided into four property classes, the topmost class eligible for all political activity, the lowest class eligible for much less:

<table>
<thead>
<tr>
<th>Property-Class</th>
<th>Eligibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pentakosiomedimnoi</td>
<td>Eligible for all offices except treasurer. This class and the one above it may have served in a military capacity as the cavalry, a service which required wealth and continued, even under the later democracy, to have aristocratic overtones.</td>
</tr>
<tr>
<td>Hippeis</td>
<td>Eligible to be a member of the Boule. This class may have been roughly equivalent to the hoplite soldiery.</td>
</tr>
<tr>
<td>Zeugitai</td>
<td>Eligible to vote in the Ekklesia. This class tended to serve either as light-armed infantry, or, in the Classical age, as rowers in the Athenian fleet.</td>
</tr>
<tr>
<td>Thetes</td>
<td></td>
</tr>
</tbody>
</table>

The Solonian Constitution:

<table>
<thead>
<tr>
<th>Body</th>
<th>Membership and Functions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive (Archons)</td>
<td>Archons now drawn from the upper two property-classes. Ex-archons continue to join the Areopagos.</td>
</tr>
<tr>
<td>Areopagos Council</td>
<td>Ex-archons (hence upper two property-classes). Still the bastion of conservatism.</td>
</tr>
<tr>
<td>Boule</td>
<td>New ‘popular’ council perhaps introduced by Solon. 400 members (100 from each of the traditional tribes), picked by lot from all classes but the thetes. Prepared business for the Ekklesia.</td>
</tr>
<tr>
<td>Assembly (Ekklesia)</td>
<td>Open to all property-classes. Sitting in a judicial capacity, the members of the Ekklesia formed the popular court of appeal, later termed the Heliaia.</td>
</tr>
</tbody>
</table>
Kleisthenes (Cleisthenes) (508/7)

The Formation of the Kleisthenic Tribes:

1. Attica divided into 3 regions: the central plain (*pedia*), including the city (*astu*); the coastal area (*paralia*); and the interior (*mesogaia*). See the map in Demand (p. 173).

2. Each of these 3 regions then further subdivided into 10 smaller regions called a *trittys* (singular), for a total of 30 *trittyes* (plural).

3. 10 new tribes then formed by taking 1 trittys from each of the 3 basic regions, and enrolling the inhabitants of these 3 disparate trittyes in one tribe (*phyle*); this explains the use of the term trittys (‘a third’). Thus any one tribe, each containing 3 trittyes, would comprise people from the city, from the interior, and from the coastal area, all of them equal citizens in Athenian law.

4. From now on, the 10-tribe system was used for administrative convenience; but the social unit to which a citizen felt his primary loyalty was the more natural unit of the *deme*. Each trittys contained at least one, and usually more than one, deme. The deme was essentially a village or similar community; within the city, there were several demes – here, they might be better understood as ‘neighbourhoods’. The deme was now a central focus in the life of a citizen. One of its important functions was to keep the citizen roll; the mark of Athenian citizenship was to belong to a deme, and all Athenian citizens were entered on their deme-rolls when they reached the age of 18.

5. Each of the 10 new tribes became the administrative unit for military organization and the selection of officials:
   - 1 archon (for a total of 10) elected from each tribe
   - 1 *strategos* (general) elected from each tribe
   - 50 councillors from each tribe, chosen by lot to form the restructured *Boule* (now consisting of 500 members)

With officials now chosen in this fashion, an ambitious politician who wished to be elected by his tribe to a position of importance could no longer rely on traditional regional loyalties and obligations; he would have to appeal to people in widely scattered parts of Attica.

Ostracism

Kleisthenes was also thought to have been responsible for another significant addition to Athenian politics and government: the institution of ostracism. Every year the Athenians could vote to exile (‘ostracize’)\(^1\) one individual. This individual would be free to return to Athens after a period of 10 years, with no loss of civic rights or property. The idea was to remove temporarily any person who was becoming too influential or powerful. The practice was allegedly meant to be a safeguard against tyranny, but in reality was probably geared more to putting down continuous aristocratic strife.

\(^1\) The term comes from the Greek word *ostrakon*, a broken piece of pottery on which the candidate’s name would be written.
Changes after Kleisthenes

<table>
<thead>
<tr>
<th>After 490</th>
<th>The generals (strategoi) replace the archon polemarchos as the chief military officers.</th>
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<tr>
<td>487/6</td>
<td>Sortition (choosing someone by lot) now used for appointment to the archonship. Note that the Athenians considered <em>election</em> to office to be an elitist, oligarchic procedure; to them, sortition was much more democratic.</td>
</tr>
<tr>
<td>462/1</td>
<td>The ‘revolution’ of Ephialtes (and Pericles). Powers of the Areopagos, last bastion of exclusive government, severely reduced. Traditional jurisdiction over homicide cases and other crimes with a religious association retained, but the popular Boule took over any administrative functions, and the system of popular courts, which had by now replaced the simple Heliaia, now heard all court cases (other than homicide, etc.).</td>
</tr>
<tr>
<td>457/6</td>
<td>Zeugitai now eligible for archonship.</td>
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</tbody>
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Periclean Democracy

One of the more significant democratic reforms attributed to Pericles is that of payment for public service: the courts, military service, the Boule, the magistracies. Such a move meant that the poorer sections of the population could now afford to take part in the running of the state more fully.

<table>
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| Executive  | 10 annual archons with various public duties, and several minor officials. A system of public vetting and scrutiny was in effect to ensure that no magistrate abused his office.  
10 generals (strategoi) elected annually; technically had only military authority, but the position of strategos tended to be one through which political influence was wielded. |
| Councils   | The Areopagos: ex-archons continued to fill it; only powers those left to it by Ephialtes. 
The Boule: primary administrative organ of the state. 500 annual members drawn by lot from all citizens, including thetes by the end of the 5th century; the 50 members from each tribe served in rotation (for 1/10 of the year) as a steering committee, the *pytany*. Drafted legislation, prepared business for the Ekklesia, day-to-day business of the state. General control of all magistrates. Note: the Boule was strictly administrative; all vital policy decisions went to the Ekklesia. |
| Assembly   | The Ekklesia, composed of all citizens. 40 statutory meetings a year, giving it fully effective executive powers. |