

The Athenian Constitution 1

Part 1-6

Athenian Aristotle

Translated by Sir Frederic G. Kenyon,

Part 1

...[They were tried] by a court empanelled from among the noble families, and sworn upon the sacrifices. The part of accuser was taken by Myron. They were found guilty of the sacrilege, and their bodies were cast out of their graves and their race banished for evermore. In view of this expiation, Epimenides the Cretan performed a purification of the city.

Part 2

After this event there was contention for a long time between the upper classes and the populace. Not only was the constitution at this time oligarchical in every respect, but the poorer classes, men, women, and children, were the serfs of the rich. They were known as Pelatae and also as Hectemori, because they cultivated the lands of the rich at the rent thus indicated. The whole country was in the hands of a few persons, and if the tenants failed to pay their rent they were liable to be haled into slavery, and their children with them. All loans secured upon the debtor's person, a custom which prevailed until the time of Solon, who was the first to appear as the champion of the people. But the hardest and bitterest part of the constitution in the eyes of the masses was their state of serfdom. Not but what they were also discontented with every other feature of their lot; for, to speak generally, they had no part nor share in anything.

Part 3

Now the ancient constitution, as it existed before the time of Draco, was organized as follows. The magistrates were elected according to qualifications of birth and wealth. At first they governed for life, but subsequently for terms of ten years. The first magistrates, both in date and in importance, were the King, the Polemarch, and the Archon. The earliest of these offices was that of the King, which existed from ancestral antiquity. To this was added, secondly, the office of Polemarch, on account of some of the kings proving feeble in war; for it was on this account that Ion was invited to accept the post on an occasion of pressing need. The last of the three

offices was that of the Archon, which most authorities state to have come into existence in the time of Medon. Others assign it to the time of Acastus, and adduce as proof the fact that the nine Archons swear to execute their oaths 'as in the days of Acastus,' which seems to suggest that it was in his time that the descendants of Codrus retired from the kingship in return for the prerogatives conferred upon the Archon. Whichever way it may be, the difference in date is small; but that it was the last of these magistracies to be created is shown by the fact that the Archon has no part in the ancestral sacrifices, as the King and the Polemarch have, but exclusively in those of later origin. So it is only at a comparatively late date that the office of Archon has become of great importance, through the dignity conferred by these later additions. The Thesmothetae were many years afterwards, when these offices had already become annual, with the object that they might publicly record all legal decisions, and act as guardians of them with a view to determining the issues between litigants. Accordingly their office, alone of those which have been mentioned, was never of more than annual duration.

Such, then, is the relative chronological precedence of these offices. At that time the nine Archons did not all live together. The King occupied the building now known as the Boculium, near the Prytaneum, as may be seen from the fact that even to the present day the marriage of the King's wife to Dionysus takes place there. The Archon lived in the Prytaneum, the Polemarch in the Epilyceum. The latter building was formerly called the Polemarcheum, but after Epilycus, during his term of office as Polemarch, had rebuilt it and fitted it up, it was called the Epilyceum. The Thesmothetae occupied the Thesmotheteum. In the time of Solon, however, they all came together into the Thesmotheteum. They had power to decide cases finally on their own authority, not, as now, merely to hold a preliminary hearing. Such then was the arrangement of the magistracies. The Council of Areopagus had as its constitutionally assigned duty the protection of the laws; but in point of fact it administered the greater and most important part of the government of the state, and inflicted personal punishments and fines summarily upon all who misbehaved themselves. This was the natural consequence of the facts that the Archons were elected under qualifications of birth and wealth, and that the Areopagus was composed of those who had served as Archons; for which latter reason the membership of the Areopagus is the only office which has continued to be a life-magistracy to the present day.

Part 4

Such was, in outline, the first constitution, but not very long after the events above recorded, in the archonship of Aristaichmus, Draco enacted his ordinances. Now his constitution had the following form. The franchise was given to all who could furnish themselves with a military equipment. The nine Archons and the Treasurers were elected by this body from persons

possessing an unencumbered property of not less than ten minas, the less important officials from those who could furnish themselves with a military equipment, and the generals [Strategi] and commanders of the cavalry [Hipparchi] from those who could show an unencumbered property of not less than a hundred minas, and had children born in lawful wedlock over ten years of age. These officers were required to hold to bail the Prytanes, the Strategi, and the Hipparchi of the preceding year until their accounts had been audited, taking four securities of the same class as that to which the Strategi and the Hipparchi belonged. There was also to be a Council, consisting of four hundred and one members, elected by lot from among those who possessed the franchise. Both for this and for the other magistracies the lot was cast among those who were over thirty years of age; and no one might hold office twice until every one else had had his turn, after which they were to cast the lot afresh. If any member of the Council failed to attend when there was a sitting of the Council or of the Assembly, he paid a fine, to the amount of three drachmas if he was a Pentacosimedimnus, two if he was a Knight, and One if he was a Zeugites. The Council of Areopagus was guardian of the laws, and kept watch over the magistrates to see that they executed their offices in accordance with the laws. Any person who felt himself wronged might lay an information before the Council of Areopagus, on declaring what law was broken by the wrong done to him. But, as has been said before, loans were secured upon the persons of the debtors, and the land was in the hands of a few.

Part 5

Since such, then, was the organization of the constitution, and the many were in slavery to the few, the people rose against the upper class. The strife was keen, and for a long time the two parties were ranged in hostile camps against one another, till at last, by common consent, they appointed Solon to be mediator and Archon, and committed the whole constitution to his hands. The immediate occasion of his appointment was his poem, which begins with the words:

I behold, and within my heart deep sadness has claimed its place,

As I mark the oldest home of the ancient Ionian race

Slain by the sword.

In this poem he fights and disputes on behalf of each party in turn against the other, and finally he advises them to come to terms and put an end to the quarrel existing between them. By birth and reputation Solon was one of the foremost men of the day, but in wealth and position he was of the middle class, as is generally agreed, and is, indeed, established by his own evidence in these

poems, where he exhorts the wealthy not to be grasping.

But ye who have store of good, who are sated and overflow,

Restrain your swelling soul, and still it and keep it low:

Let the heart that is great within you be trained a lowlier way;

Ye shall not have all at your will, and we will not for ever obey.

Indeed, he constantly fastens the blame of the conflict on the rich; and accordingly at the beginning of the poem he says that he fears 'the love of wealth and an overweening mind', evidently meaning that it was through these that the quarrel arose.

Part 6

As soon as he was at the head of affairs, Solon liberated the people once and for all, by prohibiting all loans on the security of the debtor's person: and in addition he made laws by which he cancelled all debts, public and private. This measure is commonly called the Seisachtheia [= removal of burdens], since thereby the people had their loads removed from them. In connexion with it some persons try to traduce the character of Solon. It so happened that, when he was about to enact the Seisachtheia, he communicated his intention to some members of the upper class, whereupon, as the partisans of the popular party say, his friends stole a march on him; while those who wish to attack his character maintain that he too had a share in the fraud himself. For these persons borrowed money and bought up a large amount of land, and so when, a short time afterwards, all debts were cancelled, they became wealthy; and this, they say, was the origin of the families which were afterwards looked on as having been wealthy from primeval times. However, the story of the popular party is by far the most probable. A man who was so moderate and public-spirited in all his other actions, that when it was within his power to put his fellow-citizens beneath his feet and establish himself as tyrant, he preferred instead to incur the hostility of both parties by placing his honour and the general welfare above his personal aggrandisement, is not likely to have consented to defile his hands by such a petty and palpable fraud. That he had this absolute power is, in the first place, indicated by the desperate condition the country; moreover, he mentions it himself repeatedly in his poems, and it is universally admitted. We are therefore bound to consider this accusation to be false.

Απάντηση 1: Τίτλος σχόλιου 2-1

Όνομα Επίθετο, 2012-06-02

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Απάντηση 2: Τίτλος σχόλιου 2-2

Όνομα Επίθετο, 2012-06-06

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Εκτύπωση στις 2015-04-18

Από την ιστοσελίδα **e-Belysning**

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