

SYMPOSIUM
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OF DEMOCRACY



MODELS OF INCLUSION AND
EXCLUSION IN DEMOCRACY ANCIENT
AND MODERN:
A RESPONSE TO PAUL CARTLEDGE'S
DEMOCRACY: A LIFE

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**Models of Inclusion and Exclusion in
Democracy Ancient and Modern:
A Response to Paul Cartledge's
*Democracy: A Life***

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There is a tension within *Democracy: A Life* between the biographical metaphor of the title, and the obvious discontinuities within the history of democracy: the failure of Athenian democracy, the attenuated democracy of Hellenistic cities under imperial rule, the long periods between antiquity and the relatively recent past when democracy was not a significant element of top-level politics. On the other hand, the biographical metaphor provides a useful warning that democracy's continuing existence is not to be taken for granted. Democracies die, and democracy itself may die too; the publication of *Democracy: A Life* was followed by many other works focused on the end imagined for democracy, rather than the beginnings which are at the heart of the former (for example

Levitsky and Ziblatt 2018; Runciman 2018).¹ The epilogue to the paperback edition of *Democracy* strongly asserts the importance of distinguishing between the democracy of the classical Greek polis and that of the modern nation state, but (Cartledge 2018, 316, cf. Cartledge 2016b).

The biographical metaphor generates personifications. In his *How Democracy Ends*, a contribution to the flourishing genre of expressions of concern for democracy's well-being, David Runciman plays down the idea of democracy on its death-bed, and suggests instead that it is undergoing a 'mid-life crisis' (Runciman 2018: 5). He genders this experience through his analogy with a middle-aged man buying a powerful motorcycle; although the man may be foolish, his underlying maturity will, in Runciman's analogy, prevent serious damage ensuing. The masculine gender of democracy in the analogy is itself something of a surprise, given the familiarity of feminine personifications of abstract concepts from Greek and Roman culture. The image from an Athenian legal inscription (the Decree of Eucrates, 337/336 BCE, *SEG* xii 87/RO 79) of a divine female figure, often identified as the personified *Demokratia*, crowning the mature adult male citizen, identified as personifying *Demos*, is familiar to all students of

¹ This response draws on two papers; firstly, 'The Fragility of Democracy', presented at St Hugh's College, Oxford, November 2017, at various schools and university open days thereafter, and as 'The Fragility of Democracy in the Classical Now', in the Classical Now seminar series, Faculty of Classics, Oxford, in October 2018, and secondly "'A pattern for others": exploring contemporary crises of democracy through the example of classical Athens', first presented at the workshop 'Democracy, Now and Then' hosted by the Philosophy department at the University of Uppsala, and later developed in a review article for *History of Political Thought* (Atack 2017). I am grateful to discussants at all these presentations, especially Anders Dahl Sørensen and Oda Tvedt, and to Mathura Umachandran.

ancient Greek politics.² This image itself deploys personification at a time of crisis, or perceived crisis, as the decree it decorated was itself intended as a warning against the risks of political upheaval and the seizure of power by elite factions. Democracy was being celebrated and depicted – by the Athenians – precisely because she was thought to have become insecure in a political climate of internal and external threats.

This response pursues those two images of democracy as evidence that our conceptualisation of democracy is not straightforward, and that the term is invoked to name quite distinctive political phenomena and structures. It argues that thinking about these differences, and the social ontologies and hierarchies of power which they represent, can be highly productive for our understanding both of ancient and modern politics. It considers the consequences of asserting continuity with democracy's ancient past, and also the consequences of the opposite approach, of accepting the differences, but choosing to make contemporary democracy more like its ancient predecessor. In particular, boundaries of exclusion and inclusion, and the hierarchy of humans this generates, deserve more attention. These practices of exclusion and inclusion generate a complex ontology; this paper argues that approaches drawing on intersectional theory and standpoint ethics can be used to generate an account of Athenian democracy which focuses on the experience and situation of non-citizens, both as abstract entities within a theoretical framework and as lives lived, often in adversity.

² See Cartledge 2016a, 208-09; classic interpretations are Ostwald 1955, 119-28 and Wallace 1989; see also Lawton 1995 for more on the visual language of Athenian decrees.

I

Time and periodisation in the history of ancient democracy

As Paul has noted in his *Statement*, the period immediately following the publication of the book in 2016 was an eventful one in which many certainties about how modern democracy operated were tested, both in regard to elections and the direct participation of the electorate in direct consultations. While in previous decades it was possible to write a teleological history of the road to democracy, in which linear processes led unwaveringly to the universal triumph of a form of government discovered by the Greeks and regained through struggle and reform, now the assertion of democracy had begun to look more like the less confident posturing of the Athenian inscription, aware of potential threats at home and abroad.

But even that response might be something of a phantom, as Runciman's characterisation of a mid-life crisis rather than end-of-life terminal illness suggests. The fears expressed by the Law of Eucrates never quite materialised, although there was an upsurge in factionalism as Athens faced the loss of its political hegemony and indeed independence.³ Past historians of democracy have seen Athens' defeat by the Macedonians and incorporation into empire and kingdoms as marking an end-point, while historians now assert continuity of Athenian political institutions and practice into the Hellenistic age.

³ Although one might argue that the *politeia* introduced under Phocion (Plutarch *Phocion* 27.3, Cartledge 2016, 241), which contained a property qualification, brought an end to the democracy of the classical period, it might be better to see this as a reconfiguration in which more adult males joined the many other adults of citizen and non-citizen status excluded from political participation.

The problem here is in the definition of democracy, which turns out to be more slippery and fluid than ancient historians have acknowledged. If by democracy you mean the precise system of Athens and insist on self-sufficiency and separateness of the polis as a self-governing community, Athens ceases to be a democracy after 323 BCE. If by democracy you mean collective and collaborative decision-making with established procedures for participation, Athenian democracy continued to thrive for some considerable time. Asking what the Athenians meant by *demokratia* is not particularly helpful; as the first three chapters of *Democracy: A Life* suggest, there is no clear starting point by which a specific set of political practices were labelled with that name.

But the fluidity of democracy's character should be seen as a productive starting point for posing and answering questions both about what the Athenians valued in their political arrangements and what we value in ours. What is it that is valuable about democracy? Is it the self-sufficient autarky and independence from any greater political entity, being the top element in any hierarchy? The wreath which *Demokratia* places on *Demos*' head on the Law of Eucrates suggests a special, almost hieratic or even godly status for the democratic citizen, just like the status claimed by Aristophanes' rascally juror Philocleon almost a century earlier (*Wasps* 548-9, cf. the chorus of jurors at 619-24). No one is to be of greater authority than the citizen. The citizens are the ultimate decision-making body, as indeed they are to the Brexiteers asserting the permanence of the 'will of the people'. Cartledge rightly criticises this conception and points to the disastrous incompatibility of the citizenry-wide referendum with the workings of representative democracy.

But it is surely the conception of the democracy as a monadic entity which underlies the claim to sovereignty that is more dangerous. Again, it is not the minutiae of ancient democratic

practice that reward investigation, but the political and social ontology that is more clearly visible in the political theorising of Aristotle and Plato. What are the characteristics of a democracy? If only an entity with the characteristics of autarkic self-sufficiency idealised by Aristotle (in the face of contemporary developments) counts as a democracy, almost all modern nation-state democracies fail the test, given that they participate in and benefit from international military, economic and political organisations, and have ceded the impossibility of political isolation and economic autarky for the benefits of partnership and cooperation. This might be a conceptualisation of democracy which has as its descendant the sovereignty which the Brexiteers wish to protect (Cartledge 2016, 2018).⁴ And indeed, many of their arguments exemplify what might be labelled as an anachronistic form of democratic primitivism, wedded to a deeply simplistic political ontology.

In a revised model of democratic participation, linked to cooperative interaction with international bodies, negotiation with allies, and a framework in which polis self-government is one layer of a more complex system, Hellenistic democracy begins to look like a more useful model for modern political systems than the isolated, autarkic classical polis. This poses a challenge to the framing of the Cartledge account of ‘Hellenistic Democracy’, exemplified by the question mark appended to the phrase in the title of his Chapter 14, and subtitle ‘Democracy in Deficit c. 323-86 BCE’ (Cartledge 2016a, 231).⁵ But rather than mourn the loss of Athens’ independence, the historian might benefit from seeing

⁴ See Kinch Hoekstra’s exploration of the possibility that the popular majority in democratic Athens provided a form of sovereignty (Hoekstra 2016).

⁵ On Hellenistic political thought and the awareness of adaptations of democracy and its gradual emergence as a component within mixed constitutions equivalent to Aristotelian *politeia*, see the essays in Canevaro and Gray 2018, especially Ma 2018 on Hellenistic Athens.

the more complex and nuanced forms of polis governance and interdependency that developed in the early Hellenistic world.⁶

As more details of the self-governance of Hellenistic cities across the Greek world emerge from a closer focus on epigraphic evidence, the claim long made by historians such as Philippe Gauthier, that the early Hellenistic period saw the high-water moment of democracy in antiquity, becomes harder to dismiss; acknowledging the diversity of cities in size, wealth and degree of subjection, he nonetheless concludes that from 330-300 BCE “la démocratie était le régime normal, voire ancestral, de toute cité libre” (Gauthier 1993, 218).⁷ The incorporation of newly published or newly re-interpreted inscriptions into the histories of Greek cities continues to enable new insights into the institutions and practices of polis life in a wide variety of cities.⁸

Another chapter in the history of ancient democracy’s reception illuminates the point that the focus on the isolated polis was an unproductive dead-end in constitutional thinking and practice. Wilfried Nippel points to Droysen’s analysis of the career of Alexander the Great and the parallel he drew between Macedon and Prussia, at a point where Prussia’s dominance was creating a new nation-state. Athens, in Droysen’s analysis, had missed its opportunity to exercise leadership over a larger group of states.⁹ The drive towards federalism rather than the exercise of empire, the world of Hellenistic Greece rather than the classical Delian League, was a more relevant comparator from the perspective of a

⁶ Defenders of Hellenistic democracy concede that the rise of Rome and its growing power over an expanding region led to an eventual reduction in and even an end to democracy within many cities.

⁷ More on the relative fates of democracy and oligarchy in the Hellenistic world in Simonton 2017, 275-86.

⁸ See Papazarkadas 2017 and Mackil 2014 for two examples, relating to Athens and Boeotia respectively.

⁹ Nippel 2015, 245-46, citing Droysen 1925.

Prussian commentator, in a historical context where a similar process was underway. This example underscores the importance of standpoint and perspective in the use of Athenian democracy and its history; different elements and episodes will speak to different audiences at different times.

II

Inclusion and exclusion

A second ontological question arises from questions of inclusion and exclusion; who gets to participate in democracy, and what constitutes the kind of participation that counts? Again, the relief on the Law of Eucrates provides a helpful illustration. The ‘people’ of democracy it depicts is determinedly and singly masculine (and also quite mature). Athenian democracy permitted a larger proportion of free male citizens to participate in the political and legal life of the city than many other cities. Yet it is an important feature of modern democracy that it is universal and inclusive, enfranchising all adult citizens. That at least is the aspiration, but the exclusions from citizenship and participation in ancient Athenian democracy offer another point of comparison that is productive. Thinking about the exclusions of Athenian democracy may provide a way to think about the continuing exclusions in modern democracies which limit and hedge universalism.

It has become a standard practice when teaching ancient democracy to issue a series of disclaimers, recognising some of the key differences between ancient democracy and modern. Although there may be an element of performance in this, of the kind decried by conservatives as ‘virtue-signalling’, making such a disclaimer notes important differences that should be of concern. Versions of this can be found across many introductory texts, and there is a

version in *Democracy: A Life* too. Halfway through chapter 8, Paul observes:

So far, by and large the discussion in this and the preceding chapter has been confined to the male half of the Athenian citizen population. What about the female half? A good question, and a difficult one to answer. (Cartledge 2016a, 133)

Over the next four pages, the problematic position of Athenian women of citizen-status families is explored, the way in which they both are and are not demonstrably ‘citizens’. One model to which *Democracy: A Life* points is the work of Josine Blok, who has argued for a reformulation of our idea of the citizen to acknowledge the role of women in another important aspect of ancient polis life, managing the city’s relationship with the gods through the performance of ritual (Blok 2017). There is much that is attractive in such a reformulation, particularly in the emphasis it brings to the performative aspects of citizenship, which have been noted by other authors looking at slightly different topics.¹⁰

However, while Blok suggests that Aristotle’s definition of the citizen should be discarded in favour of a formulation which is more inclusive of the contributions to the polis of both men, as political actors within the assembly and law courts, and women as performers of ritual, there does seem to be some difficulty in broadening the idea of the citizen so much that the differential status of men and women within the Athenian polity is flattened out.

¹⁰ For example Duplouy 2018. See also Goldhill and Osborne 1999.

But noting the exclusion and then bracketing it from further consideration is perhaps as problematic as ignoring it entirely. The position of women of citizen status, and of enslaved and free non-citizen men and women, in democratic Athens should not be a subsidiary detail to set to one side. It is a significant expression of the nature of Athenian democracy and one increasingly recognised as a problem within many apparently universalist modern democracies.¹¹ Many of those studying Athenian history in the present may belong to such groups (as women, or resident aliens) or to those descended from such groups and maintaining an identification with them (the descendants of individuals formerly enslaved within a society, now formally enfranchised but still bearing the legacy of past enslavement and continuing disadvantage). ‘That was then, this is now’ is no longer an acceptable position to take. While the classical world has long inspired political actors beyond elite male citizen,

As with Hellenistic democracy, the advent of new resources and methodologies has enabled a reframing of discussion. An important new perspective here has been opened up by the application of new feminist methodologies to ancient history.

Two examples of such approaches are Susan Lape’s work on comedy and Esther Eidinow’s work on the impiety (Eidinow 2016; Lape 2004). Lape has explored the differing statuses and experiences of women in democratic Hellenistic Athens through readings of New Comedy, particularly those plays of Menander in which the distinct statuses of household members, the interactions of free and enslaved citizens and non-citizens, drive the plot and manipulate the expectations of the audience. Eidinow excavates the stories of women prosecuted for impiety in Athens and finds

¹¹ It should be noted that both in his teaching and his publications, Cartledge has pioneered gender studies approaches and topics, for example in Cartledge 1981, 1993, 1998.

problematic evidence of misogyny, the operation of rumour, and the inevitable conclusions when women's association with informal religion comes into contact with a masculine and misogynist legal system. Her case studies suggest that impiety laws operated as a mode of policing women of widely differing social status, from the celebrity *hetaira* Phryne to the more lowly Ninon. The association of women with religion was not, in the end, the advantage that Blok's model implies. A conclusion which Eidinow does not draw is that the trial of Socrates fits into the gendered pattern, suggesting that the accusation against him was partly underpinned by a critique of his aberrant performance of masculinity (see Cartledge 2009, 76-90).¹²

The most recent wave of feminism to inform research is the intersectional approach first developed by law professor Kimberlé Crenshaw to explore the specific experiences and knowledge of women of colour.¹³ Crenshaw makes a powerful case for both the equity involved in considering those perspectives, and the utility of doing so. Her work exemplifies the benefits of standpoint approaches, in which the distinctive epistemic status generated through individual and embodied experience produces knowledge otherwise not available.¹⁴ The experiences of women of colour in the USA, in seeking protection and redress for acts of violence, provides a perspective on the failure of the state to protect its citizens and provide them with equitable access to justice.

¹² I apply a queer theory reading to Plato and his Socrates in Attack forthcoming.

¹³ On the development of intersectional feminism, see Carastathis 2014; Carbado et al. 2013; Crenshaw's original formulation is in Crenshaw 1989, 1991. I am grateful to my students on the 'Sexuality and Gender in Greece and Rome' paper at Oxford for insisting on the importance of an intersectional approach to ancient Greek society.

¹⁴ Two foundational papers on feminist standpoint approaches are Hartsock 1983 and Haraway 1988.

Intersectional feminism offers a way to unpick the distinctive experience of people of different statuses, groups and ethnicities within social and political structures. Applying new theories enables new readings of canonical texts whose potential for illuminating our understanding of Athenian democracy might be thought to have been exhausted. Rebecca Futo Kennedy has deployed it to explore the distinctive experience of immigrant women of metic and enslaved status within Athens, and the way in which the experience of such status was strongly gendered (Kennedy 2014). She reads Athenian tragedy to explore the way in which it contributed to hostility to non-Athenians and their exclusion from the fifth-century democracy, starting with Aeschylus' *Suppliant Women*. For Cartledge this play represents democracy's appearance on stage (Cartledge 2016a, 84-85); for Kennedy it is representative of the ambivalent views of Athenians about immigration, in tension with Athenian ideology and myth, that would develop into the citizenship laws of the 450s.

Demetra Kasimis has applied a more theoretical approach to the status of immigrants in Athens (Kasimis 2016). She explores the ramifications of Plato's Noble Lie (*Republic* 3.414e-415d) with its myth of citizen autochthony; suggesting that Plato's story connects Athens and Kallipolis, and that the Lie provides an account of the construction of citizenship and its transformation into a natural category with direct parallels to Athenian autochthony myth. Her reading shows how careful attention to the dialogue of Greek theoretical models with political myth can be fruitful. In her recent monograph Kasimis pairs close reading of Athenian texts from many genres with insights from contemporary political theory and its questions and debates elsewhere. She develops a view of the Athenian politics in which the metic, rather than the citizen, is the focus of interest (Kasimis 2018: 20). This enables a critical exploration of the way in which Athenian democracy was constructed as a regime of exclusion based upon

the central political myth of the earth-born citizen. She uses Demosthenes 57, *Against Euboulides*, in which Euxitheus pleads to have his registration as a citizen restored, on the basis that he has not engaged in non-citizen activities, as a case study in the policing of the boundaries between citizen and non-citizen by Athenians through their courts (Kasimis 2018, 145-67). This speech makes a brief appearance in *Democracy* (Cartledge 2016, 107-108), where it is used to explore the operations of local-level politics, with a brief note on the Athenian disdain for women working outside the home or providing bodily services; the plaintiff is aware that his mother's work selling ribbons and as a wet-nurse counts against him, with neither occupation befitting a citizen woman according to Athenian ideals. The experiences of Euxitheus and his mother show how citizen and non-citizen bodies occupy different civic spaces and have different boundaries, resulting in them occupying distinctive spaces and functions in the hierarchical political ontology that underlay the city's ideology and *politeia*.

Such intersectional and highly theorised explorations of Athenian democracy reveal a complex matrix of identities and experiences in which the male citizen can no longer be the only focus of attention, but simply identified as the holder of a particular privileged status. The creation, ordering and policing of such status and its consequences enable different questions to be asked; why, for example, does bodily integrity operate as such a critical site for establishing status? With this broader perspective, and acknowledging the position of non-citizens and their lack of protection, democracy itself starts to look more like a broad-based oligarchy, with an identity rather than a wealth qualification. Rather than simply presenting us with a world in which everyone but the male citizen is bracketed from consideration, this approach uses historical and literary examples in which Athenian politics is beset by problems of inclusion and exclusion, and difficult cases. Given the current crises over migration, tensions at the borders of

wealthy nations, and the disputed status of European citizens within Britain, comparisons of ancient and modern democracy begin to look more immediately compelling.¹⁵

Again, this suggests a problematic identity with the democracy of the modern nation state. But holding up Athens as an ideal which can easily be reconfigured as a model of and for inclusive political participation persists as a trope of democratic theorising.

III

Different models

Another claim for discontinuity between ancient and modern democracy has been made by Josh Ober in his *Demopolis*, which takes an analytical approach to the relationship between democracy's past, present and future (Ober 2017). Casting a sharper distinction between the democracy of Athens and that of the modern nation-state is important for Ober's claim that the latter could embrace a different form of democracy. Athenian democracy, rather than being a precursor of modern liberal democracy, provides Ober with the equivalent of a thought-experiment, designed to exclude or at least separate liberal ideology from the underpinnings of any democratic constitution (Ober 2017, 1-5, 162-68). Ober suggests that the twenty-first century Demopolis of his thought experiment would include a wider range of residents than classical Athens did, because the constitution is legitimated by its provision of political goods (Ober 2017, 94-97). Ober usefully notes that Aristotle's political ontology of Athenian democracy is incomplete in failing to account for the exclusion of economically active male residents such as himself, a metic and

¹⁵ For two other views on the Athenian reception of refugees, see Gray 2017 on the classical and Hellenistic periods, and Rubinstein 2018 on the fourth century.

thus one of the figures whose treatment Kasimis identifies as central to generating an understanding of the structures and limits of Athenian democracy.

Rather than being the part of Greek democracy we should pass over, we should find value in exploring its social ontology, and the consequences of building a society in which multiple types of status are assigned to people yet only one status permits political participation. Athenians' negotiations of the tensions explored at the limits of this system, as explored by Kennedy and Kasimis, illuminate many present political debates – on setting limits to political participation, on determining physical borders and the inclusion and exclusion they demarcate, and recognising inequalities and the need to rectify them. A history of Athenian democracy focused on those denied participation may have more lessons for us now. While *Democracy: A Life*, and Cartledge's subsequent writing, have much to say on both ancient democratic practice and the problems of modern democracies, now is the time to consider the inclusions and exclusions of the *polis*, and the complex ontology on which it was based.

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