Cruelty in the Political Life of the Ancient World

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When some years ago, at the instigation of Arnaldo Momigliano, I researched and wrote the chapter on cruelty in my book, Violence in Republican Rome[1], I concentrated not so much on spectacular examples of cruelty, such as elaborate punishments and the gladiatorial games, but on the ideology behind the use of the words *saevus* and *crudelis* – what implications the Roman language of cruelty has about the rules and restraints perceived by Romans when they employed physical violence on other human beings. Two points struck me then most forcibly. The first was that for our Roman literary sources the cruelty of an act was determined not so much by the act itself but by the character and merit of the sufferer: hence it was thought to lie more in the destruction of *dignitas* through improper humiliation than in the infliction of physical harm. This helps by analogy to explain the frequency with which Cicero uses the adjective *locuples* (rich) for the victims of Verres' plundering in Sicily: it was more horrendous to rob the rich than the poor.[2] The second important condition for an act being labelled cruel was that it was peformed not in the pursuit of an identifiable interest, but to satisfy emotion. This contrast is powerfully made in the speech opposing the execution of the Catilinarian conspirators, which Sallust attributes to Caesar.[3] It seems to have been held that, if one advanced the community's interests (or even one's own) by an act of violence against persons, this was evidence that the act was rational and deliberate, not an expression of *libido*. For example, Marius' massacre at Capsa was defended as the only solution to a security problem.[4] Furthermore, persons who suffered on such occasions did at least deserve to do so from the point of view of the agents of violence, although

[1] Oxford 1968. Ch. III, pp. 35–51.

[2] See Merguet's Lexicon s.v.

[3] Sall. Cat. 51.2–12; Viol. Rep. Rome 47.

[4] Sall. Jug. 91.6–7; Viol. Rep. Rome 43–4.

of course claims arising from status might be advanced by the sufferers, which made it improper for the agent to pursue his interest by such drastic means. Among the examples I used were two similar incidents from the naval fighting in 48 BC during the civil war between Caesar and Pompey. In each incident one of Caesar's ships was captured and its crew was slaughtered to a man by the Pompeians. The first example, where the crew included no soldiers and had disobeyed Caesar's orders, was related by Caesar without comment. The second ship contained new recruits, who surrendered to Otacilius Crassus after receiving a promise that they would be spared. Crassus' action was stigmatised by Caesar as a breach of *religio* (the moral obligation of the promise) and as very cruel.[5] Only one passion was thought respectable by the Romans in such circumstances – the desire for revenge, because it was thought necessary for man's protection of himself and his family.[6]

I thought that it would be useful in the present paper to investigate the corresponding values of classical Greek society, to see how far the attitudes of Romans in the late Republic and early Principate had precedents there. One contrast emerges immediately. The Romans had a vocabulary similar to ours on this topic. If you look in a lexicon of a major Latin author, words meaning cruel (in Cicero and Livy mainly *crudelis* and its relatives, in Tacitus mainly *saevus*) are common, and it is clear that, whatever the precise content of the idea, it was an important category of thought for that author. In Greek literature such vocabulary is far less used, whether we look in poets or prose-writers. Hence it is not surprising that the concept of cruelty hardly figures in the important survey of Greek popular morality by K. J. Dover.[7]

It is tempting to conclude from this that the Greeks of the classical period were less concerned with the extremes and refinements of physical violence than the Romans. One may cite as evidence pointing in the same direction the slow and gradual introduction of Roman gladiatorial games to the Greek world by Antiochus IV Epiphanes.[8] Whereas mass-slaughter and execution are common enough, it may be argued, we hear little of

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[5] Caes. BCiv. III. 14.2–3; 28.4; Viol. Rep. Rome 46.

[6] Cic. Inv. II.65; Viol. Rep. Rome 49.

[7] Greek Popular Morality in the Age of Plato and Aristotle (Oxford 1974). The issue arises at pp. 200–201.

[8] Livy 41.20.

torture and mutilation in the classical Greek world, at least as performed by Greeks (Herodotus' accounts of the Persian methods are a different matter[9]). I do not find this a profitable approach to discussing cruelty in the classical Greek world for two reasons. First, any sort of quantification is impossible, given the limited amount of our evidence. Secondly, the presence or absence of accounts of actions, which we would term cruel, in any particular literary source may depend to a great extent on the nature of that source itself. References are made to the torture of slaves for judicial purposes in a quite casual way in orators and it is exploited for comic purposes by Aristophanes: does this mean that it was unimportant or so common that it hardly deserved notice?[10] Again, was the torture of free men considered sufficiently abhorrent to merit highlighting by an author, or have some striking examples been ignored by our authorities? We do not know: we only know that some recorded examples are not treated as something exceptional. For instance, the treatment of the Athenian tyrannicide Aristogeiton after his capture is mentioned in a muted fashion by Thucydides, although it is dramatised in later sources.[11] Again, when Thucydides is accounting for the execution of the Athenian general Nikias by the Syracusans after his capture in 413 BC, he comments that Nikias' former contacts were afraid that he would betray them under torture and hence were in favour of his immediate death.[12]

A quantitative approach does not seem feasible or even desirable. It is more useful to ask whether the Greeks had a concept of cruelty at all and, if so, how this developed. There are obvious preliminary reservations to be made about not using present western sensibilities as a standard. Life was short and in many respects more brutish than ours. The Greeks were a warlike race, dominated by the male sex and accustomed to use physical

[9] E.g. Hdt. III.18; VII.35.3; VII.39; IX.11.2. But notice the crucifixion by Greeks of the Persian governor of Sestos – the last episode in the history (IX.120).

[10] Ar. Rhet. 1377a; Antiph. 1.10; 5.32; Lys. 4.12; Isoc. 17.15; Dem. 30.35 ff.; 37.40 ff.; 45.61; 59.124; Arist. Frogs 546–8; 555; 615 ff.; D. MacDowell, The Law in Classical Athens (London 1978) 245 ff. On the limitation de facto on using slave's evidence under torture, when they were merely witnesses, not suspects, see S. Todd, 'The Purpose of Evidence in Athenian Courts', in: P. Cartledge, P. Millett, S. Todd (eds.), Nomos (Cambridge 1990) 19–38 at 33 ff.

[11] Thuc. VI.57.4; cf. Ath. Pol. 18.4 ff. with P. J. Rhodes' commentary; Diod. 10.17.2–3; Justin II.9.2–6; Polyaenus I.22.

[12] Thuc. VII.86.4.

force to solve problems. However, with regard to the present question – how far they had a notion of cruelty – it is enough to notice that it was a concept of importance to Romans, whose society was equally violent, if not more so.

Inevitably, we begin with the world of the Homeric epic. Here there is a plethora of physical violence, often described in minute detail and highlighted by powerful imagery.[13] Moreover, this is no *polis* society, where restraints are imposed by written and unwritten laws. Claims are decided by the worth of individuals and the individual's concern is to maintain his own status and honour. Not surprisingly, we find little concern for acts which may appear to us cruel. However, this is not to say that there is no notion of cruelty. The epithet *neleês*, meaning pityless or relentless, is used as much of objects (steel or a bond) and phenomena (sleep or a day) as of people. It is frequently a neutral descriptive term. Even when it involves a negative reaction, it may simply express fear and loathing rather than a reproach. Nevertheless, when applied to the *thumos* of the Cyclops, who is eating human flesh at the time, there does seem to be an element of moral criticism.[14] In the same sense in Iliad IX Phoenix recommends that Achilles should control his *thumos* and that his heart should not be *neleês*, while Ajax in a similar context uses the adjectives *neleês* and *schetlios* about Achilles for failing to control his *thumos* and disregarding his comrades' friendship, although the latter was the basis of his outstanding honour.[15] Here the harsh unforgiving nature of Achilles is treated as an excess of emotion that should have been restrained; furthermore it is said to have transgressed a moral code in injuring companions who had maintained their friendship for him.

The word *schetlios* is a general term of reproach for thoughtless or ruthless men, who are swayed more by passion than sense. In the Odyssey it is applied to the Cyclops and Herakles, when they break the laws of hospitality.[16] However, for the most part it is less a term of moral reproach than an expression of despair against unthinking harshness in behaviour, which has led to injustice. It is also used of sufferings inflicted by the gods, including one instance, where the speaker believes the suffering to have

[13] E. g. Il. 4.275 ff.; 13.379 ff.; 14.394 ff.; 414 ff.

[14] Il. 9.17; 10.443; 11.484; Od. 12.37. Cyclops: Od. 9.272, 287.

[15] Il. 9.496–7; 628 ff.

[16] Od. 9.477–9; 21.27–8; cf. 14.83–4 on the suitors.

been completely deserved.[17] Nevertheless, it may be fairly claimed that Homeric epic contains the embryo of a notion of cruelty. It is not only that complaints are made about the harshness of actions which lead to suffering, but that on occasion reference is made to a standard of behaviour which has been neglected – respect for guests, respect for friends. We may compare this with the harsh ethical world of the shepherds of North-West Greece, who were studied after the last world war by J. K. Campbell.[18] There too the honour of a man and his family is the centre of morality. Violent and indeed criminal actions against those unconnected with the family are not merely acceptable but praiseworthy, if these advance the prestige of the man and his family. There are, however, some harsh actions, which elicit disapproval – those directed against women, old men, children, the weak and the very poor. Moreover, those who exploit their physical strength arbitrarily and tyrannically, when no interest is at stake, are regarded as abhorrent.[19]

In Hesiod *schetlios* is used of actions associated with insolence (*hubris*) and opposed to justice (*Dikê*). Men are *schetlios* for ignoring the commands of the gods.[20] The term seems to refer only coincidentally to cruelty, since it covers any form of injustice or moral wrong. More relevant for Hesiod's perception of cruelty is the fable of the hawk and the nightingale, which follows the lament over the Age of Iron and precedes Hesiod's injunction to the lords (*basilêes*) to respect justice.

> "And now for lords who understand, I'll tell
> A fable; once a hawk, high in the clouds
> Clutched in his claws a speckled nightingale.
> She, pierced by those hooked claws, cried, 'Pity me'.
> But he made scornful answer: 'Silly thing,
> Why do you cry? Your master holds you fast,
> You'll go where I decide, although you have
> A minstrel's lovely voice, and if I choose,
> I'll have you for a meal or let you go.

[17] Il. 2.112; 16.203–4; 17.150; 18.13; 22.86; 24.33; Od. 3.161; 5.118; 11.474; 22.413.

[18] Honour, Family and Patronage – A Study of Institutions and Moral Values in a Greek Mountain Community (Oxford 1964).

[19] Pp. 263 ff., esp. 292 ff., 316 ff.

[20] Works and Days 236–8, cf. 253 ff. For *schetlios* referring to careless folly, Theogony 488.

Only a fool will match himself against
A stronger party, for he'll only lose
And be disgraced as well as beaten."[21]

The fable told to the lords bleakly represents the insolent actions of the powerful. Nothing is said about the hawk being itself liable to death or subject to some superior power. Perseus is merely told to listen to the dictates of justice and not commit *hubris* (lines 213–4). Later Hesiod comments that, while for fish, beasts and birds it is right to eat each other, since they have no *dikê*, Zeus' law for men is that they have justice (lines 276–80). However, the fable is a non-human image of the Age of Iron which exists among men. It does perhaps obliquely make the point that in this Age there can be no special claims by anyone who is defeated by sheer might. Justice lies in the strength of men's hands (192). There is no escape from suffering (201). Thus men should not improperly exploit their physical power. However, harsh and violent actions in support of *dikê* are perfectly legitimate: indeed they characterise Zeus' own efforts to maintain his power, as retailed in Hesiod's Theogony.[22]

The *hubris* of the powerful as a source of unacceptable acts of violence is one of the themes of Solon's poetry, where it characterises *dusnomia*, the opposite of *eunomia*. *Dusnomia* is associated with the rise of tyranny. Solon himself rejects the harsh violence of tyranny, which some of his supporters expected him to employ: his own reforms are based on a mixture of *bia* and *dikê*.[23] Thus both in Solon *hubris* and violence have become political issues. It is accepted that they are part of life, as it is actually lived. However, violence in contravention of *dikê* is portrayed as opposed to Zeus' world-order.

The explicit link made by Solon between lawless violence and tyranny is an important landmark in the development of the ideology of cruelty. The point is put in two ways: tyranny is wrong, because it is held to be essentially the systematic exercise of force without justice; equally, the use of unrestrained force is wrong, because it leads to tyranny. So far the reasoning is effectively circular. The man, like the critics Solon portrays in fragments 33 and 34, who chooses the violence, may also choose the tyranny. The only counter-argument, one that appears in both Solon and

[21] Works and Days 202–12, translated by Dorothea Wender, Penguin.

[22] Theog. 490 ff; 607 ff; 820 ff.

[23] Frr. 4.lines 5–31; 9; 32.2–3; 34.3 and 7–8 West.

Hesiod, is that such behaviour will lead to his destruction through *âtê* and the power of Zeus.[24]

An interesting adjunct to Solon's concern for the violence of powerful men as the embryo of tyranny is his concern for *hubris* on a more personal scale, which led to its becoming an offence in Athenian law. *Hubris* was understood in this context as a violent assault which damaged someone's *timê* (honour), including an attack on a person's slave. From one point of view it was support for the traditional self-esteem enshrined in epic poetry. More practically, it was a precaution against drunken brawls arising from aristocratic *sumposia*, as Oswyn Murray has recently argued.[25] However, there also seems to have been a more precisely political purpose – to prevent the destruction of Athenian society, with its graded statuses newly organised by Solon, though deliberately aggressive behaviour on the part of the wealthy and powerful.

To return to our theme, the perception of cruelty, one important development of the archaic age is its emergence in a political context – the exercise of power without justice. A second is the belief that unacceptable violence may constitute a long term syndrome of behaviour, not just an isolated aberration. The Homeric perception of the immorality of the wilful exercise of passion continues. However, it must be admitted that cruelty has not been defined as a specific vice: the improper use of violence is a general characteristic of those who spurn justice. We will find that in fifth century literature violence as something tyrannical and violence as the wilful exercise of passion remain major themes, while cruelty itself appears as a specific concept.

In Herodotus tyranny is by nature violent. The Corinthian Soklees claims that it is second to none in its injustice and murderousness.[26] In the debate about the constitutions, staged by Herodotus among the Persian nobles who had killed the pseudo-Smerdis, Otanes is made to argue that tyranny corrupts the best men though the benefits it brings: from these arise both *hubris* and jealousy and, the most important point, such a tyrant overthrows traditional common decencies, rapes women and ex-

[24] Solon, 13.8 ff.; Hesiod, Works and Days 212 ff.

[25] O. Murray, 'The Solonian law of *Hubris*', in: P. Cartledge et al. (eds.), Nomos (cf. note 10), pp. 139-45 – with the preceding paper by N. Fisher, pp. 123 ff.

[26] Hdt. V.92a.

ecutes without trial.[27] A different approach to the same theme is found in Aeschylus' Eumenides – a play concerned with the control of violence between kindred and ultimately between fellow-citizens (the Eumenides are only given their home in Athens on condition that they keep out of the land the bloodshed associated with civil strife[28]). In a central ode the chorus extols *Dikê*, *sophrosunê* (self-control), moderation and health of mind, while threatening 'what is unruled (*anarkton*) or ruled by tyranny' and 'insolence, child of impiety' with overwhelming destruction. We can see well here how the evil of violence is, as it were, internalised. As on occasion in Solon, it is treated not merely as the disregard of external constraints, but as the result of what Aristotle would have called *akrasia*, the lack of self-control in the mind.[29] Violence is abhorrent, not so much because of the unpleasant consequences it inflicts on others (the raped women, the men executed without trial), but because it shows that the perpetrator himself is ill-disciplined. It is a step towards Plato's depiction of the tyrannical man in Republic VIII – someone, who externally as a demagogue panders to the worst instincts of the masses, but internally is at the same time a prey to his own uncontrolled desires.

This repudiation of violence occurs within the context of the *polis*. How far the standards implicit there could apply in a conflict between cities, where dominance at all costs was the object, was much more problematic, and this is illustrated in the author most consciously concerned with our theme – Thucydides. Here we find for the first time the adjective *ômos* used to condemn actions, while *biaios* (violent) is both used critically about men and as a description of certain kinds of physical suffering.[30] These appear both in authorial comments by Thucydides and in the speeches he retails. (I should say here that, following his own explanation, I take Thucydides' speeches not to be expressions of his own views, but compositions reflecting either what people did say or might be expected to have said).

I make no apology for recalling classic sections of Thucydides, where

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[27] Hdt. III.82.2–4.

[28] Eum. 858 ff.

[29] Eum. 490 ff., esp. 524 ff.; 535 ff.; cf. Solon fr.4.9 ff.; 11. On the Eumenides chorus see C. Macleod, Collected Essays (Oxford 1983) pp. 31–2.

[30] *ômos* – Thuc. III.36.4; 82.1; 84; *biaios* – I.40.1; III.36.6; 39.2; 82.2; VI.20.2; 54.4; VIII.66.2; VII.82.2.

political cruelty is a major issue. After capturing Mytilene in 427 the Athenians, we are told, regretted their initial decision to execute all the adult males and enslave the women and children on the ground that his policy was cruel (*ômon*) and gross (*mega*). Cleon, the chief advocate of the policy, is described as *biaiotatos* (most violent). He is portrayed defending the policy in a speech before the assembly.[31] It is interesting in view of my earlier discussion that he begins by declaring that the Athenian empire is a tyranny. Our immediate reaction to this may be that this is pure cynicism. The Athenians are in the position of unjust men: so logically they must act unjustly. However, readers of Thucydides remember that the same point was made in Pericles' last speech, but in a less bullish and more regretful tone (Athens' tyranny was unjust to take but dangerous to let go). While Pericles argued in effect that the Athenians could not win by behaving like boy-scouts, we find Cleon boldly laying claim to the higher ground of justice: he says he is acting in accordance with established *nomoi* (laws or traditions) and *sophrosunê*.[32] It is the Mytileneans who have acted unjustly by revolting, after, it is implied, suffering no unjust violence (*biaion*) from Athens.[33] Cleon insists on the necessity of a deterrent against revolt by other allies, while denouncing any idea that it is natural to pardon natural human error or that pity and sweet reasonableness (*epieikeia*) are appropriate for enemies. His peroration is a dilemma for the Athenians: they must either punish the Mytileneans for their injustice or punish themselves for their own.[34] The alternative is a withdrawal into the cultivation of noble principle by neutralism (*ek tou akindunou andragathizesthai*) – the boy-scout approach already dismissed by Pericles.[35]

The speech which answers this, ascribed to Diodotus, is characterised, not by any appeal to humanity, but by its sophistic subversion of Cleon's position. Diodotus concedes justice to Cleon but claims himself *sophrosunê*, a clear-headed and unemotional devotion to Athens' best interests. There is an elaborate argument against capital punishment as a deterrent in general and a specific plea to cultivate the goodwill of democrats in al-

[31] III.36.4 and 6. Speech: 37–40.

[32] 37.2–4; cf. II.63.3.

[33] 39.1–2.

[34] 39.7–8; 40.1–7.

[35] II.63.3.

lied cities – which are interesting but irrelevant to the present paper. After a close vote there was a change in policy: only the leading Mytilenean oligarchic sympathisers and secessionists were executed – a little more than a thousand of them.[36]

Thus there was a reduction of brutality but one can hardly talk of mercy and forgiveness. As for the final solution of massacring all captured males in a captured city, this was to be applied later to Skione, recovered after secession, and to Melos, a neutral which refused to surrender. At Torone some adult males, both Toronean and Peloponnesian were executed, and all the women and children enslaved, but other men were sent as prisoners to Athens, where they were later exchanged or ransomed.[37] Thucydides' lack of comment about these other instances of brutality is eloquent, but we should remember that prisoners-of-war had no rights in antiquity: their only protection was that they were a bargaining-counter for ransom and exchange. In the winter of 430/29 the Athenians even executed Peloponnesian ambassadors sent to the Persian king, claiming that this was a reprisal for the Spartan execution of Athenian and allied seamen. However, the Spartans captured by the Athenians on Sphacteria were kept as prisoners in the expectation of future exchanges after a peace-treaty, but more immediately as a 'human shield' – they were to be executed, if the Spartans invaded Attica.[38]

The horrors of the Peloponnesian War, like that of any other war, make a powerful impact. More powerful still, however, is the perversion and subversion of traditional arguments for justice and restraint in the Mytilene debate and elsewhere. Cleon bases part of his argument on the Mytileneans' deserts, but it is the argument from self-interest that is central and ultimately determines the verdict. This is true of the debate staged by Thucydides after the capture of the Athenian ally Plataea, which provides an ironical contrast to the Mytilene debate. The surviving Plataeans and Athenians were promised just treatment by the Spartans as an inducement to surrender. What they received in fact was the question whether they had done any good to the Spartans in the war. In effect they were asked to prove that they had not been complete enemies. Thucydides attributes to the Plataean spokesman – Sparta's official 'friend' (*proxenos*)

[36] Speech: III.42–8; decision: 49–50.

[37] V.32.1; 116.4; cf. V.3.2–3.

[38] II.69.3–4; IV.41.1; cf. 35.5.

at Plataea, whose name was Lakon – a long-winded but not entirely logical speech, which nevertheless constituted a powerful appeal to sentiment (it is not clear how Thucydides could have acquired a clear idea of the Plataean pleading, since the men were executed immediately afterwards, and it is likely that we have here a specimen of Thucydides' imaginative artistry). The Plataean spokesman appeals to the Spartan reputation for noble principle (*andragathia*), the very quality which Cleon and Pericles dismissed as an inferior alternative to the toughness required to run an empire; he also suggests that granting mercy to the Plataeans would be *sophrosunê*.[39] The Theban reply is devastatingly simple: by siding with Athens and by executing Theban prisoners earlier the Plataeans have undermined any claim to be treated with *andragathia* or with pity (*oiktos*).[40] In this debate the Plataeans actually suggest that brutal reprisals are immoral (something which does not appear in the Mytilene debate), but the argument from justice is used on the side of those seeking blood: the Plataeans do not deserve mercy. Above all, it is the Peloponnesians' interests which are paramount.

For the Mytileneans and Plataens appeals to pity, justice and morality are portrayed by Thucydides as either inappropriate or counterproductive for those whose lives are in danger. In the so-called Melian dialogue, recalling the diplomatic overtures before the Athenian subjection of Melos, the Athenian spokesmen are depicted as seeking to eliminate such considerations from the start. The Melians have a stronger case than either of the other two, in that they are neutrals, in spite of being Spartan colonists. The Melians duly accept the challenge to argue from expediency, but cannot persuade the Athenians that an attack on a neutral island will damage their imperial interests. When they take a stand on their pride – if it is a matter of principle for the Athenians to hang on to their empire and suppress secession, should not they also regard it as a disgrace not to resist? – they are rapidly told not to compete in noble principle (*andragathia*) or be concerned with avoiding disgrace but to use *sophrosunê* and think of their own survival.[41] Looking forward, we find similar injunctions not

[39] Spartan question: III.52.4; Plataean speech: 53–59; esp. 57.1; 58.1. See Macleod, Collected Essays, pp. 103–22 for an analysis of the debate.

[40] Theban speech: III.61–7; esp. 64.4; 67.2–4.

[41] V.85; 88; 100–101. *Sophrosunê* and *soteria* (survival) continue to be themes in the dialogue – V.105.4; 110.2; 111.2.

only in a later passage of Thucydides relating to the oligarchic revolution of 411 BC but also in a speech of Lysander to the conquered Athenians, retailed by Lysias.[42] This is certainly not an argument deriving merely from Thucydides' invention.

Of course it may be argued that in the Melian dialogue the argument is not about cruelty, since the Athenians are seeking a surrender which will make the need for brutal repression unnecessary. Nevetheless, the ultimate issue is the justification of the application of extremes of physical force. The dialogue is linked by its ideas to the Mytilene and Plataean debates. We have already seen the contrast between *andragathia* and self-interest and the appeals to *sophrosunê*. We also find that an argument about the deceptiveness of hope, which is used by Diodotus to show the uselessness of capital punishment to the superior power as a deterrent, returns in a compressed form to show the uselessness of taking risks to avoid servitude for the inferior power.[43]

What Thucydides seems to be showing is on the one hand, that a belief had arisen by this time in Greek civil life that restraint should be exercised in using physical force, such that actions and men could be stigmatised as cruel and violent, while high principle (*andragathia*), reasonableness (*epieikeia*), prudent self-control (*sophrosunê*) and even pity (*oiktos*, *eleos*) might be invoked against such violence. However, as a corollary, such a belief did not survive transplantation into the arena of war and the values which supported it were either dismissed as inexpedient or, in the case of justice and law, enrolled in the cause of justifying the ruthless pursuit of self-interest.[44] There is nothing surprising in this or alien to our own experience. What is interesting is that Thucydides has perceived it as an issue. A further development stressed by Thucydides is the reaction of the ruthlessness of war on civic life itself – the theme of his famous digression on *stasis* (civil strife).

This digression is occasioned by his account of the oligarchic revolution and democratic counter-revolution on Corcyra in 427. The war provided a marvellous opportunity for the protagonists of the two ideologies within cities to propagate their own interests by calling on the support of the leaders of the two power-blocs. Once the war had been,

[42] Thuc. VIII.53.3; Lys. XII.74.

[43] Thuc. III.45.4–6; V.103.

[44] III.39.1–6; V.105.4 (an Athenian comment on the Spartans).

as it were imported into internal city politics, the sufferings that ensued brutalised people's mental attitudes. There was an exponential increase in the subtlety of plotting and enormity of reprisals. The chief principle was loyalty to faction and this overrode family feelings, the force of oaths and human and divine law. In consequence language became distorted: the conventional descriptions for certain kinds of behaviour were drastically changed – even to their converses. Justice and the interest of the city no longer provided limits to the harshness of conflicts and the fearsome acts of revenge.[45]

Thucydides' general picture is borne out, not so much by the events he has related at Corcyra or by other instances of *stasis* in the ten-year war before the peace of Nikias in 421, as by events in Athens and Samos during the oligarchic revolution of the Four Hundred and the counter-revolution (411 BC). It is not appropriate here to rehearse the story I told in my book on Greek civil strife. I would simply like to stress two points. The first is oligarchic terrorism. Before the coups themselves, assassination was used both to eliminate potential opponents, like the demagogues Hyperbolos and Androkles, and to create a mood of frightened acquiescence in the rest of the population. After the coup in Athens, only a small number of democrats were killed (described by Thucydides as 'those suitable for elimination'), others being imprisoned or driven into exile.[46] The second is the propaganda aspect, which so impressed Aristotle that he thought it was the revolutionaries' main weapon. The oligarchs maintained originally that they would win the war by recalling Alkibiades from exile and obtaining Persian money. In face of objections to their programme based on existing Athenian law, Peisandros talked of the *sophrosunê* of oligarchy, which, he said, would win the Persian king's confidence: survival was more important than the constitution. As we have seen, this recalls the language of the Melian dialogue.[47] *Sophrosunê* and its cognates seem to have been oligarchic catchwords, indicating the political discipline that would result, if political decisions were not left to the whim of the masses.[48] Both these developments, the readiness to kill without provocation and the ability

[45] III.82–3; esp. 82.5–8.

[46] VIII.65.2; 66.2–5; 73.3. Cf. Lintott, Violence, Civil Strife and Revolution in the Classical City (London 1982) 92–3, 135 ff.

[47] Ar. Pol.V.1304b 10 ff; Thuc. VIII.53.1–3; 54.1. Cf. note 41 and the associated text.

[48] *Sophrosunê*: Thuc. VIII.64.5; III.82.8; *soteria*: VIII.72.1; 86.3.

to furnish specious defences for this were stressed by Thucydides in his general analysis of *stasis*. They are also illustrated in the orator Lysias' description of Theramenes after the Athenian assembly which was cowed by Lysander into establishing the 'Thirty Tyrants' in 404. "He enslaved you twice, despising the present regime and aspiring to one out of reach, and under the most noble of titles he became an instructor in the most abominable actions."[49]

In the great crises depicted by Thucydides we have returned to the world of Hesiod's Hawk and Nightingale. It is pointless to hold out against the violence of stronger powers. The difference is that the hawk has learnt to sing eloquently. He may declare that his imperial power makes it just to demand subservience; he may point out that he is acting according to a law of nature or simply claim the right to promote his own interest. At all events submission to him is *sophrosunê*. Indeed, if he is an oligarchic hawk, he will claim that the inculcation of *sophrosunê* is a central part in his programme. Appeals to pity and reasonableness are as futile as in Hesiod. More important, the countervailing view, which denounces such behaviour as tyrannical and morally corrupt, has, at least for the moment, lost its edge. The difficulty was to find an adequate intellectual foundation, since both arguments from strict justice and from self-interest could often be employed for the advocacy of frightfulness.

It would not be surprising if the violence of the late fifth century, associated both with war and strife within the cities, had made some impact on Greek perceptions of what was cruel. And there is some evidence from Athens to suggest that it did. We can see a reaction to the first oligarchic revolution in the truculent mood of the assembly after the full democratic restoration of 410 BC – best instanced in the trial of the generals in 406, where it was actually turned against leading democrats. Moreover, there was a series of accusations of men, of greater or lesser importance, believed to have been implicated in oligarchic activities. In the spring of 405 Aristophanes used the second parabasis of the Frogs to appeal for an amnesty for those who had been exiled or had suffered diminution of citizen-rights through association with the Four Hundred.[50] After the deposition of the Thirty Tyrants in 403 and the return of the democrats to the city of Athens

[49] Lys. XII.78.

[50] Lintott, Viol. Class. City 154–5. See esp. Xen. Mem. II.9; Lys. XXV.25 ff; Arist. Frogs 687 ff.

from the Peiraeus, an amnesty prevented reprisals on such a scale a second time. Excepted from its provisions were the Thirty themselves, the succeeding oligarchic board of ten in the city, the oligarchic board of ten in the Peiraeus, the eleven prison-officials and all those who had committed murder or violence with their own hands (whether during the rule of the Thirty or immediately after the democratic restoration). It was a famous precedent, to be cited by Cicero in the senate a few days after the Ides of March, 44 BC, though it is fair to say that it was created less by a feeling of forgiveness than by the necessity of putting an end to strife and under strong pressure from the Spartan king Pausanias.[51]

In subsequent trials, however, charges connected with the oligarchy were introduced to complement those which could be legitimately brought. There was prejudice against the cavalry who had served under and cooperated with the Thirty and a tendency to regard wealthy young men who behaved in an insolent way as crypto-oligarchs.[52] "It would be astonishing, if, while you judge worthy of death those who have committed *hubris* (violent assault) under the oligarchy, you allow to go unpunished those who follow the same practices in a democracy. And yet it would be just if the latter received a severer penalty. For they display their wickedness the more blatantly. For the man who has the audacity to break the law now, when it is not permitted, what would he have done, when those in control of the city were even grateful to those who were committing such crimes?"[53]

There is of course a continuity between the perception of *hubris* in the time of Solon and this fourth-century view. Wealth and aristocratic arrogance are major causes and it is believed essential to the preservation of political society that they should be punished.[54] However, there seems little doubt that this perception was sharpened when the *hubris* in question had taken the shape of the brutality of the Four Hundred or Thirty and was not merely associated with the outrageous behaviour of drunken aristocrats. Any violence committed by a certain type of man may be

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[51] Xen. Hell. II.4.38,43; Ath. Pol. 39.5–6; Andoc. I.90–1; Lys. XII.88 ff; Isoc. XVIII.2–3; Cic.,Phil. I.1.

[52] Lintott, Viol. Class. City 176–7.

[53] Isoc. XX.10–11, cf. 4.

[54] Solon fr. 1.71 ff; 4.5 ff; 9; Lys. VII.13 f; Ar. Ploutos 563 f.; Dem. XLV.37; cf. Dover, Greek Popular Morality 110 f.

viewed as a symptom of oligarchic sympathies. In this way a concept of cruelty emerges which is not merely political. as it is in Solon, Herodotus and Aeschylus, but is specific to a particular political ideology.

We may compare two speeches of Demosthenes about assault and physical outrage. The speech against Conon, written for a suit about *aikeia* (assault), is concerned with the violence of drunken young men. Much is made of their arrogance and their desire to humiliate the speaker and his son; there is plenty of innuendo about the sexual predilections and strange rites of the club (*hetaireia*), to which they belonged. But there are no political overtones.[55] By contrast in the speech Demosthenes delivered on his own account against Meidias, although he never uses the word 'oligarch' – which might well have made him liable to a charge of *kakegoria* (slander) himself – he does his best to imply that Meidias' character was of this type. He argues that the normal excuse – ignorance of what one was doing thanks to the combination of alcohol and the cover of darkness – do not apply to Meidias.[56] The truth is much worse: Meidias' wealth and the influence of his *hetairoi* make him so insolent that he will not recognise a poor man as a human being and he will think it right to dishonour him and do him violence.[57] The poor are portrayed as perpetually vulnerable to violent attacks, while the insolent rich are typically those who commit violence and then seek to spirit away complaints by bribery. "Imagine", says Demosthenes, "it may happen (I hope not: it won't) that such wealthy men should become masters of the constitution with Meidias and men like him, and one from among you, the multitude of men of the people (*polloi kai demotikoi*), should offend against one of them – not so greatly as Meidias has against me, but in some other way – and should enter a court filled with such men, what mercy or consideration do you think you would obtain?"[58] Demosthenes sets up as a contrast to Meidias' behaviour what is moderate (*metrios*) and humane (*philanthropos*) – treatment which Meidias does not deserve to receive, because he does not act in this way – and he also generally ascribes kindness (*praotês*) to the Athenian *demos* and commends the *philanthropia* of the law on *hubris*, in

[55] Dem. LIV.14–20, 38–9.

[56] Dem. XXI.38, 72, 180.

[57] Dem. XXI.20, 98, 101, 198, 201.

[58] Dem. XXI.122, 209. Cf. Fisher (cited note 25) p. 132.

so far as it protects slaves from barbarous lands as well.[59] His aim is to establish an antithesis between the arrogant, lawless, oligarchic violence of Meidias and the kindness and humanity of democratic values. Similarly in the speech against Androtion we find, "if you wish to inquire why a man should choose to live in a democracy, rather than an oligarchy, you would find the most immediate response to be that everything is more *praos* (kind) in a democracy." Again in the speech against Timokrates, the laws about ratification and changes in established law are described as "ordering nothing cruel (*ômon*) or violent (*biaion*) or oligarchic, but on the contrary giving instructions in a humane (*philanthropôs*) and democratic manner."[60] The general association of oligarchy with violence and democracy with humanity is clear. Later in the speech against Timokrates he modifies and refines this point. Timokrates is imagined to be claiming that it is in the interest of the weak that the laws should be humane; Demosthenes claims that on the contrary this only applies to laws about private matters; those about public affairs should be tough and severe, so that politicians are less likely to wrong the masses.[61] It remains true that the ethos which Demosthenes claims for Athens is that the weak should be pitied and the strong and influential should not be permitted to commit outrages.

The language of cruelty in the speeches of Demosthenes seems immeasurably closer to our own than that of Homer or Hesiod, but it is clearly the product of a specific society with a unique history. Nor were its values common to all Athenians of that period. To leave aside Meidias and his like, they are not identical with the values of Plato and Aristotle. In Plato's Republic the tyrannical man is portrayed in traditional terms as someone bestial who commits outrageous acts, but the harm is perceived as damage to the community as a whole and to the psyche of the offender, rather than to the victims. Indeed, if the *demos* suffers, it is its own fault for changing the smoke of slavery to free men for the fire of slavery to despotism. For, in Plato's view, the *demos* has encouraged the tyrant, who has treated the

[59] Dem. XXI.47–50; cf. Plut. Solon 18.5–6, with Fisher and Murray (cited note 25) pp. 123–4, 145.

[60] Dem. XXII.51; XXIV.21. For the vocabulary cf. XXV.81–4; XIII.17; XXIII.69–70.

[61] Dem. XXIV.190–3, cf. 170–1.

wealthy as its enemies by cancelling debts and redistributing land and has pretended to be affable and kind to everyone.[62]

Aristotle has no place for *philanthropia* or *praotês* in the Ethics. The nearest equivalent is the condition of the *epieikês philos*, who occupies the intermediate position between the obsequious man and the ill-tempered and churlish man. Such a man is not friendly, because he has affection for those with whom he associates, but through a trait of character. He will be guided by the consequences of his action: he will generally prefer to give pleasure than pain but, where it is not honourable or expedient to give pleasure, he will give pain. (Real friendship by contrast requires partnership and a good form of relationship, while *eunoia* (goodwill) is something momentary and superficial.)[63] We can see here something of the civilised ethos of Athenian democracy in the fourth century, but Aristotle is not concerned here with harsh political realities, where the rejection of brutality is of great importance, but the creation of ideal bonds between fellow-citizens. Nor does he face the problem of how to deal with someone with whom you have no partnership. As for the reflections of popular morality in Theophrastus' Characters, perhaps the only passage relevant here concerns the *akairos* (the unseasonable, insensitive man). He is the sort of man who, when you are flogging your slave, comes up and tells you that one of his own hanged himself after such a beating.[64]

In conclusion, let me briefly compare the Greek evidence with the Roman evidence. The association of cruelty with passion, an uncontrolled mental state, is explicitly common to Greek and Roman ethics. The acceptability of violent actions which are governed by expediency is, on the other hand, not a general assumption of Greek ethics, as it appears to be among the Romans: indeed, it is rejected by those authors for whom the exercise of force must be subject to justice. However, this attitude may be seen, explicitly or implicitly, in the argumentation ascribed to speakers by Thucydides. The classic example of this is Diodotus' speech in the Mytilene debate, where Cleon's passion and his claims to justice are both rejected[65] in favour of a course which serves best Athens' long-term interest. The Peloponnesian War, in Thucydides' view, encouraged the use

[62] Rep. IX. esp. 571b; VIII.566d–e, 569a.

[63] Nic. Eth. IV.1126b 11 ff; VIII.1161a 10 ff; 1161b 11 f; 1166b 30 ff.

[64] Theophr. Char. XII.12.

[65] Thuc. III.42.1.

of violence in pursuit of self-interest without respect for divine or human justice. Similarly, even if Greeks did not make such a strong connection as Romans between cruelty and the status or deserts of the victim, we find this sort of argument deployed by the Thebans in Thucydides' Plataean debate and even in Demosthenes' approach to the law of Athens in the speech against Timokrates, where *philanthropia* is to be reserved for the poor and not accorded to wealthy politicians.

By the fourth century the conflict between democratic *philanthropia* and oligarchic cruelty had become an issue at Athens, but, on the evidence we possess (and perhaps this is an important qualification), cruelty remains a comparatively unimportant ethical category for the Greeks. It may be that the concern of the early Stoa for a shared humanity and its abhorrence of tyranny by one human being over another led to cruelty receiving a higher profile in the Hellenistic world than it had earlier, which the Romans inherited, but it is only fair to say that the later Stoa came to accept that such subjection was natural, even if this did impose obligations on rulers.[66] My own view is that the Roman concern for cruelty was part of their own political culture, which was centred on the exercise of physical power and whose grades of *dignitas* made them especially sensitive to violence which produced humiliation. But that must be the subject of another paper.

[66] See A. Erskine, The Hellenistic Stoa (London 1990) 43 ff, 192 ff.

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HERAUSGEGEBEN VON GERHARD JARITZ

SONDERBAND II

CRUDELITAS

The Politics of Cruelty in the Ancient and Medieval World

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Edited by

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and Christian Krötzl

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Preface

The present volume is a collection of the papers read at the conference which was held in May 1991 at the University of Turku on the theme *The Politics of Cruelty in the Ancient and Medieval World.* The general aim of the conference was to advance interdisciplinary and international collaboration in the fields of humanistic studies and particularly to bring together scholars who have common interests in the study of our past. The choice of the subject of cruelty naturally resulted from different study projects concerning the political and social history of late antiquity and the Middle Ages – the Roman imperial propaganda, the conflict between paganism and christianity, the history of the Vandals, the Byzantine empires, the Medieval miracle stories, to name some of them. Perhaps also contemporary events had an influence on the idea that cruelty could be the theme which conveniently would unite those various interests. And the idea emerged irrespective of considerations whether or not we should search for models in the Ancient World or join those who, as it seems to have been a fashion, insist on investigating what we have common with the Middle Ages.

One might argue – and for a good reason indeed – that cruelty is a subject for anthropologists and psychologists, not for philologists and historians. Where does the student of history find reliable criteria for defining the notion of cruelty in order to judge the men of the past and their actions, to charge with cruelty not only individuals but also nations and even ages ("the *crudelitas imperatorum*", "the Dark Ages", "the violence of the Vikings", "the cruel Muslims")? Is it not so that the only possibility is to adapt our modern sensibilities to the past and to use our own prejudices in making judgements about others? The prejudices – yes, but this is just what makes the theme interesting for the historian because our prejudices – our conception of cruelty, for instance – are part of the heritage of past centuries. The events of our own day – maybe more clearly than ever – have demonstrated that we live in a historical world. When we investigate the history of the concept of cruelty we, as it were, look ourselves at a mirror and learn to understand ourselves better. The concept of cruelty has two sides. It is a subjective concept used to define and describe those persons

and those acts that according to the user of the term are negative, harmful, humiliating, harsh, inhumane, primitive and unnatural; in everyday life it is associated with religious habits – with crude remnants of primitive religion, it is associated with passion, an uncontrolled mental state, or with violence and with the exercise of power without justice. On the other hand the term is used to classify people by their ethical and social habits, to accuse, to invalidate and injure others; therefore the accusation of cruelty refers to basic features of ancient and also Medieval thought, to the fear of anything foreign, to the aggressive curiosity to define and subsume others simply by their otherness.

Such were the considerations wich gave inspiration for arranging the "cruelty"-seminar. The conference was accommodated by the Archipelago Institute of the University of Turku, in the island Seili ("Soul island"), in an environment of quiet beauty of the remote island and sad memories of the centuries when people attacked by a cruel fate, lepers or mentally ill, were banished there from the civilized community.

The conference was organized by the Department of Classics of the University of Turku in collaboration with the Departments of Cultural History and Italian language and culture of the same university. It is a pleasure to us to be able to thank here all those who helped to make the congress possible. We would like especially to express our gratitude to Luigi de Anna and Hannu Laaksonen for their assistance in preparing and carrying out the practical arrangements. The financial assistance given by the Finnish Academy and by the Turku University Foundation was also indispensable. Finally, we close by expressing our gratitude to Gerhard Jaritz, the editor of the *Medium Aevum Quotidianum* for the *Gesellschaft für Erforschung der materiellen Kultur des Mittelalters*, for his kind co-operation and for accepting this collection of papers to be published as a supplement to the series of the studies on the Medieval everyday life. One of the starting-points for organizing the "cruelty"-conference was the firm conviction that the Graeco-Roman Antiquity did not end with the beginning of the Middle Ages, but these two eras form a continuum in many respects, and the continuity was felt not only in the literary culture, in the Greek and Latin languages which were still used, but also in the political, social and religious structures of the Middle Ages. We think that this continuity is amply demonstrated by the studies of the present volume.

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