

ACCOUNTABILITY IN THE ANCIENT GREEK WORLD

by Lene Rubinstein

1. Accountability and Athenian democratic ideology

The Athenians had the characteristic of being honest with themselves about themselves. They were deeply suspicious of one another (i.e. of themselves) and quite realistic and unsentimental about people's (i.e. their own) conduct. They went on the basis that, given the chance, every one of them would have had his hand in the till and make a profit out of political activity, and they took every possible means to limit the chances.

M.H. Hansen, *The Athenian Democracy in the Age of Demosthenes*, Blackwell 1991, p. 310

The people have made themselves masters of everything, and control all things by means of decrees and jury courts, in which the sovereign power resides with the people; even the jurisdiction of the council has been transferred to the people. The Athenians seem to be right to follow this line, for it is easier to corrupt the few than the many, whether by money or favours.

?Aristotle, *The Constitution of the Athenians* 41.2

Structural limitations of power exercised by officials

- ◊ collegiality, most boards composed randomly from across the ten tribes
- ◊ routine control carried out every prytany by council of 500
- ◊ rotation
- ◊ limitation of tenure of office
- ◊ volunteer prosecutors
- ◊ formal accounting procedure upon expiry of term of office

Routine accounting procedures of Athenian officials

Monthly (financial) and annual (financial and general):

The councillors appoint by lot ten auditors from their own number to check the officials' accounts each prytany. They also appoint examiners by lot, one from each tribe, and two assistants for each of the examiners. These men are obliged to sit in market hours by the statue of the hero of each tribe: if anyone wishes to make a charge, private or public, against an official who has presented his accounts in the jury-court, within thirty days of his doing so, he writes on a whitewashed tablet his own name, the defendant's name and the offence of which he accuses him, adds whatever assessment he thinks right, and gives it to the examiner. The examiner takes it and reads it, and if he decides that there is a case to answer he hands private accusations to the deme judges who give verdicts for the tribe in question, and reports public accusations to the thesmothetai.

?Aristotle, *The Constitution of the Athenians* 48.3-5

The following officials are appointed by lot also. Five road builders, who have public slaves to work for them and whose duty it is to repair the roads. Also ten auditors and ten advocates for them with whom all men who have held office are

required to deposit their accounts. These are men who check the accounts of those subject to examination, and who introduce the examination into the jury-court. If they prove that a man is an embezzler, the jurors convict him of embezzlement and the sum determined is repaid tenfold; if they prove that a man has taken bribes and repaid tenfold; if a man is convicted of bribery a man has taken bribes and embezzlement is made, and here the simple amount is repaid if a man discharges the debt before the tenth prytany, or if he fails to do that it is doubled.

?Aristotle, *The Constitution of the Athenians* 54.1-2

Accountability as a characteristic of democracy

For whenever any officials have met with a vote of no confidence they immediately cease to hold office and are deprived of their crowns. Likewise, those among the thesmothetai who have been barred from membership of the Areopagos council do not force their way in but abide by your decision. And that is reasonable. For just as they expect ordinary citizens to obey them when they are in office, so they themselves, when they have returned to the private ranks of the citizenbody, should submit to the laws that govern the city. Demosthenes 26 Against Aristogelton II 6

You are well aware, Athenians, that among mankind there are three types of constitution: tyranny, oligarchy and democracy. Tyrannies and oligarchies are governed by the whim of those in power, whereas democratic cities are governed by the established laws. And no one among you should ignore the fact - indeed every one should understand this - that when you enter the court to judge a trial for unlawful decree proposal you are casting your vote on your own freedom of speech on that very day. Aischines 3 Against Ktesiphon 6

So when Demosthenes at his most brazen asserts that because of his voluntary donation he is not subject to audit, give him this answer: 'Was it not your duty, Demosthenes, to let the auditor's herald make this announcement, sanctioned by ancient custom and law: "who wishes to make an accusation?" You must allow any citizen to want to maintain that you made no donation but spent only a fraction of the large sums allocated to you on the construction of the walls, when you had received ten talents from the city for this purpose. Don't take honour by force, don't snatch the vote from the judges' hands, don't place yourself in front of the laws in your political life but behind them. For that is what keeps democracy safe.'

Aischines 3 Against Ktesiphon 23

Accountability as a characteristic of public office

In this city, ancient and great as it is, there is no one who is not accountable among those who occupy a position in public life. I shall demonstrate this to you first on the basis of the cases where this is unexpected. For example, the law requires that priests and priestesses must be subjected to audit, both collectively and individually, that is, persons who receive only the sacrifices and who offer prayers on your behalf, and not only individuals are audited but entire priestly families, the Eumolpidae and Kerykes and all the rest. (...) There is not a position in the polis that is not subject to audit, investigation, and examination.

Aischines 3 Against Ktesiphon 18 and 22

The unaccountable voter in collective decision making bodies

'And if a man dies leaving his daughter as an heiress to a man of his choice, we tell his will to go and cry its head off and the solemn case that covers the seals and we give the girl to whoever is most persuasive in his entreaties, and this we do without being subject to accounting, unlike all the other officials.
Aristophanes, *Wasps* 583-587

2. Accountability outside Athens

The 'debris' of accountability: the evidence of the inscriptions

Example of an inscribed account (Rhodes and Osborne no. 66, Delphi, C4):

Receipts in the archonship of Damoxenos, in the spring Pylaia.

From the city of Delphi, from what the naopoioi in the war handed over:

from 3,404 Aiginetan drachmai 1 obol we received 1,877 Aiginetan drachmai 5 obols.

From the city of Delphi, from the credit which they provided to the naopoioi: from 74,670 Aiginetan drachmai 2 1/2 obols we received 105 Aiginetan drachmai. Total receipt in this pylaia: 1,982 Aiginetan drachmai 5 obols.

(...)

Expenditures in the archonship of Damoxenos, in the autumn pylaia; when those with Kottyphos and Kolossimos were hieromnemones. Laurel: 1 1/2 obols. Reed: 4 1/2 obols. Guarding the sacrificial animals: 1 1/2 obols. Stipend for the cook of the victims: 3 drachmai 2 obols. Total expenditure in this pylaia: 4 drachmai 3 1/2 obols.

In the archonship of Damoxenos, expenditures in the spring pylaia:

To Praxion and Aristandros of Tegea, stone transporters of lime stone from the sea to the sanctuary, for forty ceiling beams for the colonnade: from the tenth we gave 1,400 drachmai. To Pankratates of Argos, quarryman, for the cutting of six ceiling beams from Korinth: from the tenth we gave 425 drachmai.

So the text goes on, two columns of 75 and 85 lines respectively!!!

How many people before the 20th century AD do we suppose ever brought a step-ladder in order to consult the top lines of the First Stele of the Tribute Quota lists?

J.K. Davies, 'Accounts and Accountability in Classical Athens' in Osborne and Hornblower [eds.], *Ritual, Finance, Politics*, Oxford 1994, 201-212

Accountability in the Hellenistic period

Public affairs in Boiotia had fallen to such a low state that for nearly 25 years justice had not been administered there, whether in private or public cases. The officials kept issuing orders for the despatch of garrisons or of national expeditions and thus kept putting off the administration of justice; some of the generals would give allowances to the needy out of public funds. The masses learnt in this way to listen to and invest with high office those who would enable them to escape punishment of their crimes and unpaid debts, and to expect occasional gratuities from the public funds as a favour from the officials.

Polybios XX.6.1-3a

3. Control and constraints: beyond financial concerns

To start with, in the case of teachers, into whose care of necessity we hand our children, and for whom decency means a livelihood and the opposite means poverty, even so the legislator was clearly suspicious, and he lays down explicitly the time of day when a free boy should go to school, then how many other children should go there with him, and the time he should leave. He forbids the teachers to open the schools and the athletic trainers to open the wrestling schools before sunrise and instructs them to shut them before sunset. He holds seclusion and darkness in particular suspicion. As to the young pupils, he prescribes who they should be and what ages, and the official who is to be responsible for them, and provides for the oversight of paidagogoi and the celebration of the festival of the Muses in the schools and of Hermes in the wrestling schools, and finally for the company kept by the boys at school and the circular dances.

Aischines I *Against Timarchos* 9-10

Public education at Miletos and Teos

- ◊ Both educational systems are sponsored by individual philanthropists
- ◊ Both donors rely on an already existing system of public accountability
- ◊ The administration of the educational trusts are discharged by officials elected by the assembly
- ◊ In both cities measures are taken to achieve maximum transparency in relation to finances
- ◊ Controls are not limited to finances: the performance of pupils is monitored
- ◊ The teachers are directly controlled and supervised by *paidonomoi* and *gymnastarchai*.

4. The price of accountability

Expenses connected with publication of accounts and other information:

In fourth-century Athens public stelai of ca. 30-40 lines would normally cost 20-30 drachmai. Although this is a very modest sum indeed, the total expenditure on publication of accounts must have represented a considerable amount.

In fourth-century Delphi, there is evidence for stone-cutters earning up to one drachma per 100 letters.

The dangers of accountability

impeachment (*eisangelia*) as the ultimate weapon

Now our affairs are in such a shameful condition that each of our generals stands trial for his life twice or three times, whereas none of them has the courage to face death in battle against our enemies even once: no, they prefer to die the death of a kidnapper and cloak-robber rather than the death that is proper for them. For a criminal should face death as the result of a trial, whereas a general ought to die in battle against the enemy. Demosthenes First Philippic 47

In order to evaluate Demosthenes' second statement that for a general the risk of being sentenced to death was greater than the risk of being killed in battle we must examine the results of the thirty-five known *eisangeliai* [viz. involving generals].

Twenty-seven of the generals brought to trial were found guilty and only five acquitted; in three cases the result of the trial is unknown. (...) The extraordinarily high number of convictions of generals is sometimes explained by pointing out that many generals were military amateurs, trusted by the Athenians but not sufficiently gifted and experienced, so that they often made serious blunders when leading a campaign, and deserved their deposition and conviction. This defence of the Athenian administration of justice misses the mark. All the generals put on trial were charged with treason and corruption. The sources do not provide us with a single example of a general being convicted because he was honest but unqualified.

M.H. Hansen, *Eisangelia*, Odense 1974, 63-64

Loss of efficiency:

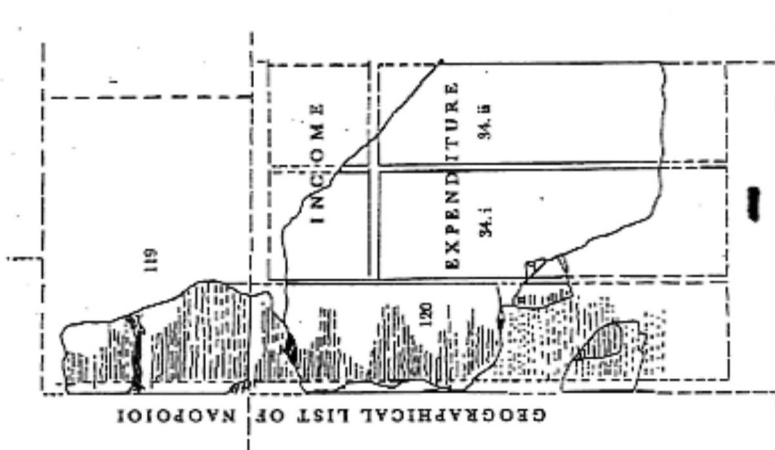
Now consider the position of our antagonist Philip. In the first place he was absolute ruler over his followers, which is the most important advantage in war. Secondly, his forces were always under arms. Then he had control of substantial funds, and he did whatever he wanted without having to set it out in decrees or deliberating in public, nor did he have to defend himself against *sykophants* or stand trials for unconstitutional decree proposals or render accounts for his actions to anybody: no, he was an absolute ruler, commander and sovereign in all matters. But I, who was lined up against him, (and that's a fair question to ask) what did I control? Nothing.

Demosthenes *On the Crown* 236

Suspension of principle of accountability in an acute crisis: the case of Syracuse (415/4):
What had done great harm, too, was the number of generals (there were fifteen of them) and the fact that there were too many people giving orders, while the men in the ranks were disorganised and indisciplined. (...) As for choosing the generals, they should be few in number and they should have unrestricted power: the people should swear an oath to them guaranteeing that they would be allowed to carry out their responsibilities exactly as they thought fit. This would give additional security with regard to matters that should be kept secret, and would allow the whole defence programme to be carried through smoothly without the need for giving continual explanations for what was being done. The Syracusans listened to

Hermocrates and voted in favour of everything which he had recommended. They elected just three generals - Hermocrates himself, Herakleides son of Lysimachos, and Sikanos son of Exekestes.
 Thucydides 6.72-73

Account of naupoi of Delphi, RO 66, inscribed on a wall.



11. C. Delfos, il 34 = No. 66 in its physical context