

The Athenian Democracy - A Historical Model of Democracy with Potential for Today

The Athenian democracy can, despite all its weaknesses, serve as a model for reforming the German Basic Law, argues Clemens Oswald. In his contribution, he outlines the basic features of Athenian democracy and its significance today. For in terms of political participation, Athenian democracy remains unsurpassed and should therefore serve as a historical model for democracies today. After it, there was neither a successor that was comparably radical-democratic nor a comparable understanding of democratic participation.

The Athenian democracy, whose heyday is dated from 451/50 to 322 BC (see Schulz/Walter 2022: 129-131 for the chronology), was extraordinary in terms of civil rights. Although it can in particular provide a framework for democratic orientation through its intensive use of sortition, today it unfortunately leads an undeservedly marginal existence outside the field of classical studies, which has also been described as modern-day “rejection, disregard and deliberate ignorance” (Croix 2025: 89f.).

The democratic achievements truly cannot be praised enough, although it must not be concealed that classical Greece was characterized by wars and injustices. There was widespread oppression of people: women and metics (foreigners/immigrants living in the polis) had civil rights, but no political rights, and there were very many enslaved people, so that one can speak of “fairly undemocratic foundations” (Kloft 2010: 37/48) (see also Momigliano 1988: 125). Only a little more than one quarter of the adult population, namely the approximately 30,000 to 40,000 adult men whose parents also had to originate from Athens from 451 BC onward, benefited from full citizenship rights. Against this background, however, a political system based on the principle of equality also developed, whose core ideas are outstanding, indeed forward-looking. They remain a civilizational treasure: *démos* and *kratos* – democracy – the power of the people.¹ In Athenian democracy, this worked at its core in an unsurpassed manner.

The following will outline the basic features of Athenian democracy as well as its considerable significance to this day. Anyone familiar with its structures and values will see the idea of popular sovereignty, which Article 20 of the German Basic Law defines in terms of purely representative democracy, in a different light. Athenian democracy can and should serve us as a democratic guiding star.

Ideas and Institutions of Athenian Democracy

The transition to Athenian democracy took place under Cleisthenes from 508/507 BC onward.² From then on, the horizontal distribution of power became the foundation of the new democratic polis among the Athenians. Cleisthenes promoted the equal exchange of opinions and perfected, at the institutional level, the containment of the power of the nobility, which was the main objective pursued. At the center was the Council of 500 (*boulé*) as the facilitator of legislation directly adopted by the citizens' Assembly (*ekklesia*). The unusual feature was this: once a year, the Athenians did not go to the ballot box to elect candidates to the Council. Instead, they did something courageous and at the same time ingenious: the Athenians selected their legislators and most officeholders by lot! In this way, they selected 500 magistrates from among themselves, who met almost daily for one year and, as those preparing and implementing legislation, essentially shaped the affairs of the polis (Ober 2017: 35-37; Bleicken 1995: 67/312ff.). The *boulé*, inevitably primarily an organ of the “working population,” drafted, discussed and prepared legislative proposals, which in the fourth century were regularly debated and decided upon at up to 40 popular assemblies per year. The legislative proposals prepared by the Council were thus put to a vote in the Assembly (Sutter 2005: 48). The councillors could not

make decisions themselves; rather, they forwarded their prepared proposals to the Assembly, which was open to every voting citizen (Onken 2015: 35–37). On the one hand, the popular assemblies were about numbers: at least 6,000 voting citizens usually took part. On the other hand, there was a democratic milestone with regard to individual citizens of the polis: every Athenian could submit proposals and present them to the *boulé*. According to Mogens Herman Hansen (1995: 276), the citizens were thus the “principal actors” in Athenian democracy.

This new system was a deliberate measure for dividing competences, because neither the nobility nor any individual person was ever again supposed to possess too much official power (Bleicken 1995: 64/294/411). There were also institutionalized limitations on office within the *boulé*: the presidency (*prytany*), which dealt with the daily affairs of government,³ changed after just one tenth of the year, the speakers changed daily, and even the seating arrangement was determined by lot (Vorländer 2017: 10; Bleicken 1995: 318). The basic building block of this mathematically conceived political architecture was a new – to use an anachronistic term: federal, albeit hierarchically structured – system of ten *phylae*, artificially composed territorial units, each of which “represented” three regions that did not actually belong together (city, countryside, coast) (Bleicken 1995: 46). These were in turn divided into self-governing communities (*démos* also means community), which functioned as the starting point of popular rule (Schubert 2012: 22). Fifty councillors were selected by lot from each of the ten *phylae*. The result was a newly organized political community and a geographically proportionally composed Council with 500 members selected by lot. The idea of equality in this democratic model was less a prerequisite for the state structure than its consequence (Bleicken 1995: 43f.; Schulz/Walter 2022: 132).

For Paul Cartledge (2018: 111), the creation of the *boulé* represented the first realization of participatory democracy. I would add, however, that this term, used by advocates of grassroots democracy, is linguistically a pleonasm, since a democracy worthy of the name is inherently egalitarian and participatory.

Athenian democracy contained many more sophisticated mechanisms, all of which served the goal of disempowering the nobility. Officials, too, were selected by lot. Their terms were limited to one year. In addition, there was a prohibition on repetition, meaning that an office could not be held again after the completion of the year in office. Judges were also selected by lot; there were no professional judges (Bleicken 1995: 48/312ff./397; Hansen 1995: 204–207).⁴ Which court they would serve on was not decided until the morning of the trial – also by lot (Welwei 1999: 307). Only a few offices requiring special experience and skills were elective offices. These included religious offices and, above all, the ten *strategoí* (military commanders), who could also be re-elected (Bleicken 1995: 48/53f./65/399; Hansen 1995: 279).

At the height of Athenian democracy, there were 700 officials selected by lot, 1,000 judges selected by lot each day, and the 500 councillors selected by lot (Bleicken 1995: 312–315). Aristotle explicitly regarded sortition as a suitable means of eliminating economic differences: “It is regarded as democratic for offices to be assigned by lot, and oligarchic for officeholders to be elected; and it is democratic that access not be restricted by a property qualification” (Arist. Pol. 1294b).

The heart of democracy is direct democracy, exercised by the citizens in the *ekklesia* (see Hansen 1995: 128–166 on procedures and proceedings). Every adult citizen was entitled to participate. The Assembly deliberated and decided on the preliminary resolutions of the Council of 500.⁵ First, it decided whether a proposal should be considered and then on any changes by deletions or additions (Sutter 2005: 48). Historians credit the *ekklesia* with a high degree of predictability, an orderly and swift process without interruptions and torrents of abuse (see Kloft 2010: 46), although evidently a lack of wisdom in contributions could sometimes be met with booing. Importance was attached to announcing the agenda four to five days in advance (Bleicken 1995: 60/134). The apparently very strong sense of credibility created a high degree of identification and mobility among citizens, who streamed into Athens from the surrounding Attic countryside, although the city dwellers probably constituted the majority of participants for

logistical reasons. Typical topics in the ekklesia were war and peace, treaties concluded by the polis, the supervision of officials, financial matters and legislative decisions. In debates, substantive arguments were the focus (Bleicken 1995: 403). So-called demagogues acted as interpreters and speakers, increasingly forming an informal elite and often being viewed critically in this role. Here, too, a gradual and deliberate change took place: at first, nobles appeared in larger numbers as demagogues, but over time citizens from the lower and middle classes – propertyless craftsmen, merchants and farmers – emancipated themselves and took over this function (Hansen 1995: 278–284). Because of the focus on substantive issues, demagogues did not always have an easy time, since they constantly had to win new majorities. Accordingly, shifting majorities were regarded as normal in the everyday life of the ekklesia (Bleicken 1995: 69/398). There were no political parties.⁶

Voting was generally conducted by a show of hands. Not raising one's hand counted as abstention. Those who were defeated generally accepted the decisions, which was an important foundation for the functioning of the ekklesia. The reason was simple: the matter had previously been discussed in detail, so everyone could feel that they had been heard. According to Egon Flaig (2018a: 158), the soundness of the procedure was therefore regarded as even more important than the content of the decision (see also Heidenreich 2022: 234).

Democracy reached its completion under Pericles. Coming from an aristocratic family, he was a gifted speaker and was valued for his great military abilities. From 443 BC onward, he was elected strategos fifteen times in total. Pericles introduced payments for officials selected by lot – an important step in Athenian democracy (Schubert 2012; Bleicken 1995: 75/380). This was particularly motivating for those with fewer financial resources to become active on behalf of the state. The office of judge was especially popular. Pericles also expanded the use of sortition.⁷ He demanded constant commitment to the commonwealth from his fellow citizens, but also stood for the recreation of the mind through games and festivals (Bleicken 1995: 61). In his famous funeral oration, Thucydides (II 40) has him emphasize that a citizen who is silent and useless is a “bad” citizen. Like Cleisthenes before him, Pericles relied on a strong sense of collective identity among the citizenry.

Aristotle (Pol. 1279 b 35–1280 a 7) somewhat condescendingly called this system a rule of the “poor.” The poor gradually moved into the middle class, while ostentatious displays of wealth were frowned upon (Nebelin 2018: 141–143; Vorländer 2015: 12; Rausch 1999: 368; Bleicken 1995: 50/402). After the time of Pericles, every citizen was even given the right to have resolutions of the Assembly reviewed by a court for their legality (graphe paranomon). From 403 onward, the power of the Assembly was restricted in that it remained responsible for passing new laws and decrees, but for changing existing laws, so-called nomothetai were appointed, usually at the request of citizens (Hansen 1995: 148/157/167–183/213–219; Sutter 2005: 52). Aristotle (Pol. 1278 b) – although not an advocate of Athenian democracy – supported this strong emphasis on citizenship: “The sovereign power of the state lies everywhere with the citizen body, and the citizen body is therefore virtually the constitution. I mean, for example: in democracies the démos is sovereign [...].”

According to Josiah Ober (2017: 111), the ideal of self-legislation and the motto “Everyone stands tall” were highly valued. The ancient Athenians are said to have lived a civic dignity from which rights of participation and corresponding practical duties of participation were derived (Ober 2017: 49/61). Flaig (2018b: 304–307) emphasizes the aspect of political freedom, which is necessary to preserve individual freedom and not become a “free subject.”⁸ Jaeger (1955: 157) likewise emphasized this connection and the historical uniqueness: “Never afterwards was the state to such a degree identical with the dignity and value of the human being.”

Significance for Today

Why not follow Aristotle's thinking and regard a far-reaching understanding of citizenship based on strong participation as the true claim of democracy?⁹

Unfortunately, very few people today are aware of what the ancient Greeks achieved under the conditions of their time. Given its many shortcomings, Athenian democracy was undoubtedly a “highly defective democracy” (Schmidt 2019: 43). But it also proved to be a successful experiment. Decisive factors, besides its manageable geographical scale, were its far-reaching democratic values, the considerable advances in education and theatre, and the highly perfected procedures that culminated in the institutionalization of a democratic public sphere and culture (Kloft 2010: 48; Meier/Veyne 2015: 109). In the end, according to the Thucydidean Pericles, it was rightly not he who ruled but a free spirit, and that spirit opted for a combination of sortition and elections, with considerably more positions being filled by lot than by election (Kloft 2010: 48f.; Momigliano 1988: 130). Interestingly, there was no legal civic duty to assume office or participate in popular assemblies. It was nevertheless considered good form; it was a civic habitus (Farrar 2007: 170–195). Overall, it can be concluded that the Athenians not only invented democracy, but conceived and developed it as direct democracy, thereby setting standards that remain relevant today (Oswald 2024: 52–60).¹⁰

Indeed, elections of political personnel, which are often equated with democracy as a form of government, can be regarded, with reference to Athenian democracy, as merely an intermediate stage in the development of modern democracy. Even if some classical historians – despite the Athenians’ rights of participation – emphasize the overall elitist character of Attic society, I tend to agree with those political scientists who focus on the uniquely proto-democratic methods of Athenian democracy for self-legislation. Sortition also helps to create equal opportunities. If carefully designed, it serves in particular to control power, which is why sortition can also contribute to the separation of powers.¹¹ For Philip Dingeldey (2022: esp. 376–378), Athenian (proto-)democracy is democracy, while the familiar “representative democracy,” which merely means the election of political elites or rule by a few, is not democracy in the strict, original sense:

“Indeed, if a citizen of classical Athens – in a counterfactual thought experiment – were confronted with ‘modern democracies,’ they would not classify these systems as democratic, since political power lies essentially with parliaments and other political elites, but not with the demos.” (Dingeldey 2022: 10)¹²

As bitter and surprising as it may sound: the Athenians are 2,300 years ahead of us in their understanding of democracy. Precisely because they recognized this since-unmatched ideal of equal opportunity for participation and involvement in politics, numerous scholars call for greater consideration of these ideas in our society today (see Kloft 2010: 47; Oswald 2025: 54–59/92–95). Jochen Bleicken (1995: 495) apparently wrote against the political apathy of the great majority:

“A spectre appears: an order in which the masses lazily allow themselves to be fed by the state as by a soulless machine, in exchange for the sustenance and tranquillity thus purchased leaving the political business to a more or less invisible elite and thereby abandoning all political ideals.”

Josiah Ober (2017: 120/154) regrets that the idea of civic dignity has not only failed to penetrate our society to this day, but is tending to be “obscured.” Yet democracies are distinguished precisely by their ability to repeatedly conceive institutional innovations. Unlike some sceptics, he explicitly sees a good chance of applying the Athenian model, in modified form, to a very large population as well.

Despite all its weaknesses and the peculiarities resulting from its historical context, Athenian democracy can serve as a fundamental model for reforming the German Basic Law. Particularly interesting is the combination of citizens’ assemblies selected by lot, such as citizens’ councils, with direct democracy, namely citizens’ and popular referendums (see Dingeldey et al. 2025: 11–18; Oswald 2024: 123–132 for what follows). The Basic Law is open to such a gradual procedure, since Article 20 (2), sentence 2, explicitly provides for referendums, which according to the prevailing view have equal status with elections, although unlike elections they have not yet been further implemented at the federal level. A constitutional amendment would be

required here, which would need a two-thirds majority. Citizens' councils that issue only non-binding recommendations and are regarded as informal bodies, by contrast, can be established without amending the Basic Law, as the German Bundestag demonstrated in 2023/24 by establishing the first and so far only nationwide citizens' council, the Citizens' Council "Nutrition in Transition." In principle, citizens' councils with decision-making powers are also possible, provided that they are established by the Bundestag, that the Bundestag can withdraw their powers at any time, and that its prominent role as parliament is therefore not called into question (Berger 2025). Beyond these structural developments, the Athenian democracy also suggests considering a new citizenship right: the fundamental right to active political participation, extending beyond voting (Oswald 2024: 57/146–149). The development of this democratic right is still in its infancy, but it could contribute to a further development of democracy that urgently needs a positive impetus, rather than merely the usual appeals for defence against the right. The widespread political dissatisfaction that was unknown to Athenian democracy should not merely be regarded as a sign of a lack of confidence in today's politics or as criticism of political powerlessness, but also, unconsciously, as an expression of frustrated aspirations that were fulfilled in Athenian democracy.

Conclusion: In terms of political participation, Athenian democracy remains unsurpassed and should, as far as possible, serve as a historical model for democracies today. In history, there was neither a successor that was comparably radical-democratic nor a comparable understanding of participation that was so strongly democratic in character. It is time to revive the core ideas of Athenian democracy – in education as well as in politics – and make them workable for our modern democracy.

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Notes

1 Ober (2017: 26) emphasizes that *kratos* can also be understood positively as the ability and strength of the people.

2 Before this, the archon Solon had laid the foundations by bringing an end to widespread debt bondage through generous debt cancellation. He was also the first to begin actively binding citizens to the new order, which from then on was to be regarded as a human creation rather than a divine order, with new institutional structures forming its backbone. Solon was not yet a democrat. Rather, he sought to prevent another tyranny through his reorganization. His reforms nevertheless paved the way for democracy (see Bleicken 1995: 66/75/401; Onken 2015: 24–29).

3 The *boulé* determined when which questions were to be discussed in the popular Assembly, but it also received foreign envoys and supervised the officials, particularly the military administration and financial administration (see Sutter 2005: 43).

4 Depending on the significance of the offence, between 201 and 1,501 judges were required per court (Onken 2015: 40; Ober 1991: 141ff.).

5 This was the "probouleumatic procedure," meaning that the (preliminary) resolutions of the *boulé* could not simply be bypassed. Most resolutions were probably routine matters. The resolutions were often formulated openly, allowing the Assembly to debate and decide them freely. A specific probouleuma could be rejected by the Assembly in favour of an alternative proposal, so that policy was primarily made by the Assembly (Hansen 1995: 142–144).

6 According to Hansen (1995: 288–289) and Bleicken (1995: 398), there were no unified or stable political groupings. Instead, the openness of the Assembly, with its changing leaders and followings, had an effect (Hansen 1995: 289), making the formation of political will much less formalized and therefore less predictable: "The popular Assembly remains the true sovereign and does not degenerate into a mere adding machine for decisions made elsewhere." (Bleicken 1995: 398)

7 Because of his rhetorical ability, historians disagree about the person of Pericles (see Schubert 2012: 209f.; Flaig 2018a: 134; Raaflaub 2006: 399).

8 See also Aristotle (Pol. 1317 a 40–b 17): "One aspect of freedom is that one is governed in turn and governs."

9 Similarly Bleicken (1995: 396), according to whom the political activity of the Athenians was a "constitutive" element of democracy.

10 Russell (1946: 95) had already made a similar point, arguing that the Athenian system of sortition gave popular government "more democratic features" than can be found today.

11 Christoph Maier (2010) explicitly sees the Athenian state structure as an "institutional organism of separation of powers," although the concept of separation of powers may sound anachronistic when applied to Athens.

12 Dingeldey (2022: esp. 377f.) consequently writes that "representative democracy" is an oxymoron, since it is not democracy (the power of the people) in the strict and original sense of Athenian "democracy in its classical form."