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## The Porous *Polis*: A Critique of Democracy in Old Comedy

*Abstract:* It is a sustained concern for Aristophanes studies to assess the political commitments expressed in the comedic poet's dramatic corpus. Though generally synoptic in describing his critique of democracy, political interpretations of Aristophanes's plays diverge in justifying that critique as affirmative of democratic principles. This essay argues for considering the Aristophanic critique as external to democratic principles, on account of its assertion of the *demos's* basic incapacity for legitimate and effective rule. The essay concludes by identifying where engagement with the Aristophanic critique of democracy may clarify and challenge theories of artful discourse and political community supported by public and counterpublic studies.

Keywords: Aristophanes, Comedy, Democracy, Publics, Counterpublic

**I**n Earth's temperate zones, there are two days per year on which the sun appears to rise directly in the east and to set directly in the west, rather than at a slight northern or southern angle. Of these two days, one corresponds to a lengthening of daylight hours, new growth in plant life, and the return of migratory birds from their sub-tropical wintering homes. The event is recognized today as the equinox of spring, but ancient Athenians observed it as the City Dionysia, a festival in honor of their city's founding.

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The rituals of the City Dionysia testified to the prestige of Athens as a political community and reaffirmed its participants' roles as constituent elements of the *polis*.<sup>1</sup>

Among the festival's civic rituals, dramatic performance enjoyed a place of prominence as "a profoundly political institution."<sup>2</sup> In its Dionysiac context, comedic drama provided for a public representation of Athens's civic norms and values.<sup>3</sup> Comedic playwrights were "expected to expose the ideological framework of political life—to reveal the inner workings of democratic knowledge itself."<sup>4</sup> As commentary on Athenian public life, Dionysiac comedy could present a recognizable political truth in a novel way "to expose the demos's tendency to self-deception."<sup>5</sup> The City Dionysia's dramatic performances enabled public speculation on the conditions of Athens's political constitution and administrative structure.<sup>6</sup> The ritual performance of comedy in ancient Athens provides an attractive point of focus for considering the discursive formation of political community. Scholars continue to approach Aristophanes—the principal extant poet of Old Comedy—as a witness to pre-Aristotelian developments in what would later be called the art of rhetoric and as a critic of the uses and misuses of persuasion in ancient Athens.<sup>7</sup>

It is a task of durable complexity, though, to assess the political commitments expressed in Aristophanes's body of plays.<sup>8</sup> Recent scholarly attention to his civic commentary has not yielded "anything close to consensus on the nature of Aristophanes's political beliefs."<sup>9</sup> One theme on which political interpretations of Aristophanes converge is the dramatist's criticism of democratic government, though

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<sup>1</sup>Simon Goldhill, "The Great Dionysia and Civic Ideology," *The Journal of Hellenic Studies* 107 (1987): 58–76 (p. 58, 61).

<sup>2</sup>Sean William Larson, *Rhetorical Ethics in the Comedy of Aristophanes* (University of Minnesota, PhD dissertation, 2014), 5.

<sup>3</sup>Josiah Ober, *Political Dissent in Democratic Athens: Intellectual Critics of Popular Rule* (Princeton, NJ: Princeton University Press, 1998): 123.

<sup>4</sup>Ober, 125.

<sup>5</sup>Ober, 126.

<sup>6</sup>Larson, 189; Wilfred E. Major, *The Court of Comedy: Aristophanes, Rhetoric, and Democracy in Fifth-Century Athens* (Columbus, OH: The Ohio State University Press, 2013), 18.

<sup>7</sup>Larson, 4; Major, 7–8; Neil O'Sullivan, *Alcidamas, Aristophanes, and the Beginnings of Greek Stylistic Theory* (Stuttgart: Franz Steiner Verlag, 1992), 2; Jeffrey Walker, *Rhetoric and Poetics in Antiquity* (Oxford: Oxford University Press, 2000), 32.

<sup>8</sup>Nikoletta Kanavou, "Sōphrosynē and Justice in Aristophanes' *Wasps*," *Greece & Rome* 63, no. 2 (2016): 175–191 (p. 188).

<sup>9</sup>Jeff Miller, "Democratic Criticism in Aristophanes," *History of Political Thought* 40, no. 1 (2019): 1–22 (p. 1).

wide variation remains in the perceived character of this criticism.<sup>10</sup> Accounts of Aristophanes's critique of democracy tend to align along three related themes: "democratic conceptions of equality, the tension between the public and private, and the role of the playwright or orator in the city."<sup>11</sup> These three themes are found among critiques of democracy leveled by Aristophanes's contemporaries, issuing from reactionary and democratic voices alike.<sup>12</sup>

This essay surveys political interpretations of Aristophanes's dramatic corpus, identifying common patterns in their accounts of his critique of democracy. These accounts diverge in their explanations of why and how the Aristophanic critique of democracy is "internal," meaning that it affirms the fundamental principles of democratic government. The essay then synthesizes the two main tracks of this divergence, based on whether the Aristophanic critique is interpreted to aim at correcting the city's forms of rule or its people. To provide the theoretical discussion with vivid illustration and coherent perspective, the essay's progression of reasoning is intercalated with interpretive vignettes drawn from *Birds*, one of Aristophanes's politically sensitive yet understudied Dionysiac comedies. Both tracks of interpretive divergence resolve as external to core democratic processes (and not internal as their exponents maintain) due to their ascription of a fundamental incapacity for legitimate rule on the part of the *demos*. The essay concludes with two productive challenges for public and counterpublic studies: to interrogate the field's claims of support for an internal critique of democracy and to thicken the field's reception of ancient political thought.

#### THE POROUS *POLIS* IN THE ARISTOPHANIC CRITIQUE OF DEMOCRACY

The Aristophanic critique of democracy ascribes an essential precarity to the boundaries of the *polis*. The distinction between the *polis* and the private sphere of the *oikos* ("home") is portrayed as permeable and subject to adjustment by political action. Seyla Benhabib identifies this quality by the term "porous" with reference to the modern public sphere, but the term may appropriately be applied to the character of

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<sup>10</sup>Miller, 1.

<sup>11</sup>Miller, 8.

<sup>12</sup>Miller, 22.

the ancient *polis* appearing in Aristophanes's critique of democracy.<sup>13</sup> The condition of human community in which the *oikos*, "the locus of violence, necessity and survival," permeates the *polis* to the detriment of both has also been termed "post-political."<sup>14</sup> The mutual permeation of public and private in the porous *polis* does not annihilate the two concepts but instead sharpens their normative force.<sup>15</sup> In the Aristophanic critique, such a condition is taken to be the ineluctable state of affairs for conjoint human activity.

In *Wasps*, for instance, the notion of the porous *polis* manifests in the conflict between the litigious busybody Philocleon and his courtship son Bdelycleon. In counterpoint to Philocleon's affection for the public duties of the juror, Bdelycleon expresses a commitment to the household responsibilities of a solid and clearly defined *oikos*.<sup>16</sup> In the contrast between Bdelycleon and Philocleon, Aristophanes stages a conflict between the norms of the *oikos* represented by the former and the democratic reforms represented by the latter, "which effectively replace the ties of family with ties to political community."<sup>17</sup> Aristophanes also treats of the unstable distinction between *polis* and *oikos* in *Assemblywomen*, the plot of which directly concerns the dissolution of barriers between public and private.<sup>18</sup> In that play, the titular assemblywomen justify the legitimacy of their rule through their expertise as managers of the *oikos*, and their legislation restructures the city according to domestic conventions and values.<sup>19</sup> The porous *polis*—a political community with permeable and unstable boundaries—defines a constitutive element of Aristophanes's critique of democracy.

The theme of the porous *polis* appears in *Birds* almost from the play's first lines. At the opening of the play, a pair of Athenian men

<sup>13</sup>Seyla Benhabib, "Models of Public Space: Hannah Arendt, the Liberal Tradition, and Jürgen Habermas," in Craig Calhoun, ed., *Habermas and the Public Sphere* (Cambridge, MA: The MIT Press, 1992), 73–98 (p. 79).

<sup>14</sup>Helen Lynch, *Milton and the Politics of Public Speech* (Burlington, VT: Ashgate Publishing Company, 2015), 84.

<sup>15</sup>Rosa A. Eberly, *Towers of Rhetoric: Memory and Reinvention*, (Columbia, SC: Intermezzo, 2018), <http://intermezzo.enculturation.net/05-eberly.htm>, Preface.

<sup>16</sup>Nina Papathanasopoulou, "Tragic and Epic Visions of the *Oikos* in Aristophanes' *Wasps*," *Classical World* 112, no. 4 (2019): 253–278 (p. 256).

<sup>17</sup>Papathanasopoulou, 275.

<sup>18</sup>Arlene W. Saxonhouse, "Boundaries: The Comic Poet Confronts the 'Who' of Political Action," in Jeremy J. Mhire and Bryan-Paul Frost, ed., *The Political Theory of Aristophanes: Explorations in Poetic Wisdom* (Albany, NY: State University of New York Press, 2014), 89–107 (p. 92).

<sup>19</sup>Alan Sheppard, "Aristophanes' *ECCLESIAZVSAE* and the Remaking of the *πάτριος πολιτεία*," *The Classical Quarterly* 66, no. 2 (2016): 463–483 (p. 470).

seek out Tereus, a Thracian king whom the gods cursed with the body and habit of a bird.<sup>20</sup> They hope his wide-ranging flights might have given him knowledge of a city more suited to their tastes than their own. The humans remain unnamed during the early scenes of the play and identify themselves to the king only as Athenian citizens, which cues Tereus to ask with alarm whether they are jurors.<sup>21</sup> The men quickly reassure Tereus that they have no interest in the contentious public discourse of the courts, whether as a juror, a claimant, or a defendant.<sup>22</sup> Like Bdelycleon in *Wasps*, the protagonists of *Birds* avoid the institutional spaces where the *demos* assembles to exercise its political authority.

Set at ease by their renunciation, Tereus asks after his visitors' purpose. Their primary motivation for leaving Athens is to avoid repaying their debts.<sup>23</sup> They deny that they hate the *polis* itself, but they resent the expectation that they "pay money back into the common [χοινῆν]."<sup>24</sup> Tereus asks for clarification, and the humans express their private interests more strongly. One of the men says that he is looking for the kind of city where being invited to a wedding feast is the worst of his troubles.<sup>25</sup> The other adds that, in his favored city, his neighbors would take offense if he didn't proposition their sons sexually.<sup>26</sup> The men's self-interested motivations for pecuniary, gustatory, and prurient satisfaction initiate the creation of a new *polis*.

Unable to locate a human city that suits them, one of the pair suggests living among the birds, pending a few alterations to the avian society.<sup>27</sup> The Athenian's plan is simple. "Οἰκίσατε μίαν πόλιν," he says, "Settle a single city."<sup>28</sup> *Oikisate*, the imperative verb by which

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<sup>20</sup>Aristophanes, *Birds*, translation original, Greek text from Loeb Classical Library edition, Jeffrey Henderson, ed. and trans., (Cambridge, MA, and London: Harvard University Press, 2000), lines 35–48.

<sup>21</sup>*Birds*, line 109.

<sup>22</sup>*Birds*, line 110.

<sup>23</sup>*Birds*, lines 115–116.

<sup>24</sup>*Birds*, line 38.

<sup>25</sup>*Birds*, lines 128–134.

<sup>26</sup>*Birds*, lines 137–142.

<sup>27</sup>*Birds*, lines 155–165.

<sup>28</sup>*Birds*, line 172. The use of οἰκίζω, οἰκέω, and their variants in the context of territorially-fixed human community is typical of the period's extant Greek literature, as in: Pindar (*Eighth Isthmian Ode*), Herodotus (*The Histories*), Sophocles (*Oedipus at Colonus*), Euripides (*Heracleidae*, *Hecuba*, *The Trojan Women*, *Iphigenia in Tauris*, *Ion*, *Iphigenia in Aulis*), Thucydides (*The Peloponnesian War*), Lysias (*Against Eratosthenes*), Isocrates (*Antidosis*, *Panegyricus*, *On the Peace*, *Archidamus*, *Nicocles*), Xenophon (*Hellenica*, *Cyropaedia*, *Anabasis*, *Memorabilia*, *Ways and Means*), Plato (*Laws*, *Republic*, *Symposium*, *Timaeus*, *Phaedo*, *Third Letter*), Isaeus (*Hagnias*), Aristotle (*Politics*, *Economics*, *Athenian*

Aristophanes founds the *polis*, shares an etymological connection to *oikos*. The human's advice to the birds is that they domesticate themselves, that they make a home in the same moment as they make a city. In the Aristophanic critique of democracy, to make a *polis* is not to make an expansive common space for the interaction of different parties, but to make an *oikos* on a city-wide scale.

#### CAMOUFLAGED TYRANNY IN THE ARISTOPHANIC CRITIQUE OF DEMOCRACY

According to Aristophanes's critique, the porous character of the *polis* undermines Athenian democracy's claim to promote equality and commonality among its citizens. The inappropriate appearance of private self-interest in the public sphere renders the democratic government dysfunctional as a system for discovering and actualizing common goods.<sup>29</sup> To return to *Wasps* as an example, Bdelycleon's anxiety about the integrity of his own *oikos* leads him to act as a despot in the common affairs of the city, contravening the democratic principles of Athenian citizenship.<sup>30</sup> The porous *polis* presents opportunities for would-be tyrants to satisfy their private appetites within ostensibly democratic conditions and at the expense of the rest of the community.<sup>31</sup> This strategy for political action appears in Aristophanes's critique as intrinsically mendacious, since its practitioners can maximize their own success by convincing or coercing others to refrain from executing the strategy themselves.<sup>32</sup> To that end, such practitioners disguise their self-interested acquisitions as services to the public good of the city.

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*Constitution*), Demosthenes (*Against Timocrates*, *On the False Embassy*, *For the Megalopolitans*, *Against Callicles*, *On the Peace*), Aeschines (*Against Timarchus*, *Against Ctesiphon*). Aristophanes, though, seems to record a *hapax legomenon* here by inflecting the word to its imperative form, the mood of command and request.

<sup>29</sup>Sheppard, "Aristophanes' *ECCLESIAZVSAE* and the Remaking of the *πάτριος πολιτεία*," cited in n. 19 above, p. 483.

<sup>30</sup>Papathanasopoulou, "Tragic and Epic Visions of the *Oikos* in Aristophanes' *Wasps*," cited in n. 16 above, p. 255.

<sup>31</sup>Matthew Meyer, "Peisetairos of Aristophanes' *Birds* and the Erotic Tyrant of *Republic IX*," in Jeremy J. Mhire and Bryan-Paul Frost, ed., *The Political Theory of Aristophanes: Explorations in Poetic Wisdom* (Albany, NY: State University of New York Press, 2014), 275–302 (p. 276).

<sup>32</sup>Emiliano J. Buis, "The Lord of the Wings: Political Leadership and the Rhetorical Manipulation of Athenian Law in Aristophanes' *Birds*," *CHS Research Bulletin* 2, no. 1 (2013): section 26.

Taking up the plot of *Birds* where the previous section left off, the Athenians win Tereus over to their plan of settling a single city, and Tereus agrees to gather the other birds to gauge their reaction. This section of the play focuses heavily on persuasion through language: the visitors persuade Tereus, Tereus persuades the birds, the visitors persuade the birds. The first point of dramatic conflict in *Birds* occurs during this assembly scene, and it is through discursive *agon* that the conflict is resolved. Although the gathered birds attack the Athenians on sight, Tereus vouches for his guests. The flock wonders why the two humans have come to them, and Tereus assures them that the men desire “to cohabitare [ζυνοικεῖν] with you and to be with you in all things.”<sup>33</sup> The infinitive verb in this passage shares its semantic root with Aristophanes’s previous term for the founding of a city—*oikisate*—but amplified by the prefix *xun-*, meaning “with.” The humans do not merely want to settle among the birds, but to share a home with them. Tereus’s statement is disingenuous, though, as the humans have already intimated to him their ultimate goal: not to share the birds’ way of life, but to transform it for their own appetitive satisfaction.

In the Aristophanic critique, tyrant-democrats like this pair of Athenians camouflage their self-interested acts of exploitation through their shrewd use of language, a skill cultivated by rhetorical training. Aristophanes’s accounts of rhetoric focus on its use in contexts of deception and misdirection.<sup>34</sup> In this critique, artful language is deployed specifically to conceal the manipulation of law and justice toward exploitative ends.<sup>35</sup> The dependence of democratic political processes on persuasion through speech creates an opportunity for corruption, stimulating a persistent anxiety in the Athenian public mind.<sup>36</sup> By cloaking their self-interest in appeals to commonality and equality, demagogic tyrants are able to achieve personal power in democratic systems.<sup>37</sup> Skill with deceptive rhetoric secures for its practitioners a position of political prominence and the ability to direct the ire of the *demos* against one’s rivals.<sup>38</sup> Rhetoric’s capacity for deception

<sup>33</sup>*Birds*, cited in n. 20 above, lines 413–414.

<sup>34</sup>John Zumbrennen, “Persuasion in Comedy and Comic Persuasion: Aristophanes and the Mysteries of Rhetoric,” in Jeremy J. Mhire and Bryan-Paul Frost, ed., *The Political Theory of Aristophanes: Explorations in Poetic Wisdom* (Albany, NY: State University of New York Press, 2014), 69–87 (p. 74).

<sup>35</sup>Buis, section 2.

<sup>36</sup>Ober, *Political Dissent in Democratic Athens*, cited in n. 3 above, p. 140.

<sup>37</sup>Buis, section 56.

<sup>38</sup>Zachary P. Biles, “Thucydides’ Cleon and the Poetics of Politics in Aristophanes’ *Wasps*,” *Classical Philology* 111, (2016): 117–138 (p. 117).

draws attention to the uncertain limits of the sovereignty of the *demos* which derives its sovereignty, in Aristophanic comedy, from the same discursive capacity that exploits it.<sup>39</sup> If “rule is always a more or less clever tale told by humans to whoever will listen,” any justification of rule based in persuasive speech leaves itself open to the critique of camouflaged tyranny.<sup>40</sup> In the Aristophanic critique of democracy, the environment of the porous *polis* provides to aspiring tyrants both an opportunity for predated upon their fellow citizens and a means for cloaking their predatory behavior in the language of equality and commonality.

Illustrating this point, the birds then show the acuity of their political judgment, asking Tereus directly: “Does he see some worthy profit in staying here, convinced that by being with me, he might rule his enemy or assist his friends?”<sup>41</sup> This is precisely the humans’ plan: to use the city of birds as a political instrument in service of their private interests. Despite the uncanny accuracy of the birds’ request for reassurance, Tereus rebuffs them again, insisting that the humans’ plan to found a city will provide an enormous benefit to all the birds. Tereus’s misleading account diverts the birds’ otherwise accurate judgment of their visitors’ callous, calculated altruism swiftly and without much resistance. The humans go on to convince the assembled birds that any boons accrued as a result of this plan are nothing other than a just redress of avian grievances, to be collected from an external enemy through armed coercion.<sup>42</sup> For a theatrical audience, the contrast could scarcely be clearer. Governed by extreme self-interest, the Athenians nonetheless lay out their plan according to its common benefits, which are common only insofar as the party from which the benefits are to be extracted is excised from consideration within the *polis*.

The birds, acclaiming the wisdom of their new Athenian friends, now express their commitment to founding a *polis*. As the two men exit to get fitted for their wings, Tereus insists that they reveal their names. Aristophanes waits until a pivotal moment about a third of the way through the plot to name the two main characters, suggesting that the characters’ personal identities are significant to the narrative’s development. The man who came up with and talked through the

<sup>39</sup>Julián Gallego, “Demo de Pnix: la Asamblea Ateniense en *Caballeros de Aristófanes*,” *Emerita* 87, (2019): 23–46 (p. 36).

<sup>40</sup>Zumbrunnen, 76.

<sup>41</sup>*Birds*, cited in n. 20 above, lines 417–420.

<sup>42</sup>Daniel Holmes, *Philosophy, Poetry, and Power in Aristophanes’s Birds* (Lanham, MD: Lexington Books, 2018), xi.

scheme declares triumphantly, “My name is Peisetairos, and this is Euelpides, from Croia.”<sup>43</sup> These names are politically charged references to figures from Athenian history.

The name Peisetairos appears to be a reference to Peisistratos, a tyrant who ruled in Athens over a century before the performance of *Birds*.<sup>44</sup> It is characteristic of Aristophanic comedy that references to specific figures in Athenian public life be costumed in allegorical and figurative devices.<sup>45</sup> The period of Peisistratid rule coincided with public works and administrative reform that benefited Athens’s rural tribes and non-propertied urban residents while solidifying the centrality of the *polis* itself in Athenian public life.<sup>46</sup> Considered Athens’s paradigmatic tyrant, Peisistratos furnished Aristotle’s *Rhetoric* with its example of the argument from example: someone who acts like Peisistratos is likely maneuvering toward tyranny.<sup>47</sup> When Aristophanes names his main character Peisetairos, he evokes Peisistratos, the figure most associated with tyranny in Athenian history.

The name Euelpides follows a similar pattern of wordplay as Peisetairos, referring to Ephialtes, a politician of the mid-fifth century BCE. The historical figure was chiefly responsible for curbing the power of the nobility and amplifying the governmental influence of non-propertied Athenians.<sup>48</sup> When Ephialtes was assassinated in 461 BCE, the leadership of the democratic faction passed to his protégé Pericles, under whose leadership Athens dominated the Aegean Sea at the head of the quasi-imperial Delian League. While Peisetairos evokes the tyranny of Peisistratos, Euelpides evokes Ephialtes’s imperial ambitions and empowerment of democratic institutions. The strong similarity between the fictional and historical names—along with the

<sup>43</sup>*Birds*, lines 644–655.

<sup>44</sup>Mark Munn, *The School of History: Athens in the Age of Socrates* (Berkeley, CA: University of California Press, 2000), 125. Michael John Vickers, in *Aristophanes and Alcibiades: Echoes of Contemporary History in Athenian Comedy* (Berlin: DeGruyter, Inc., 2015), 10, sees the imprint of Alcibiades, who was a contemporary of Aristophanes, in the character of Peisetairos. The political trajectories of Peisistratos and Alcibiades share numerous similarities, and both public figures neatly fit the profile of an Aristophanic tyrant-democrat.

<sup>45</sup>Vickers, 6.

<sup>46</sup>Thucydides, *The Peloponnesian War*, 2.15; Aristotle, *Athenian Constitution*, 16.5; David Stockton, *The Classical Athenian Democracy* (New York, NY, and Oxford: Oxford University Press, 1990), 20–21; Jessica Paga, “The Southeast Fountain House in the Athenian Agora: A Reappraisal of Its Date and Historical Context,” *Hesperia* 84, no. 2 (2015): 355–387 (p. 382).

<sup>47</sup>Aristotle, *Rhetoric*, 1.2.19, 1357b.

<sup>48</sup>Stockton, 30–31, 45–46, 49–50.

pivotal moment at which the names are revealed—illustrates the Aristophanic critique's association of democracy with covert tyranny.

This scene is the first time the characters are named and the last time they are seen together. After christening the new city "Cloudcuckooland," Peisetairos sends Euelpides off to oversee the construction of its wall, which is to stretch across the sky. "Go, my good man, where I send you," Peisetairos says to the departing Euelpides, "for, without you, nothing I say would get done."<sup>49</sup> As analogues for historical politicians, the relationship between Peisetairos and Euelpides takes a sinister turn. If Peisetairos represents Peisistratid tyranny, and Euelpides represents the democratic regime of the late fifth-century, democracy here appears as the servile instrument of tyranny. Within the narrative of Aristophanes's comedy, democratic government does not serve any common good at all but is a mask behind which would-be tyrants advance their private, personal interests. After this scene, Euelpides disappears from the stage, eclipsed by Peisetairos for the rest of the play. Once the *polis* is established, tyranny has unrivaled command of the stage, and democracy is off in the wings, digging clay for bricks.

#### INTERNAL AND EXTERNAL CRITIQUES OF DEMOCRACY

To summarize the Aristophanic critique, democratic conceptions of equality destabilize the distinction between public and private, providing cover for influential and unscrupulous orators to exploit the destabilized commons for their own personal benefit. Aristophanic comedy's apparent popular orientation, however, complicates this interpretation. Composed for performance before a wide and heterogeneous audience at a public festival, Dionysiac comedy faced a selection pressure favoring broad appeal to ordinary folk.<sup>50</sup> Moreover, the civic significance of such festivals integrated comedic drama with "the maintenance of power within a democratic state."<sup>51</sup> Theatrical performance established a public discursive arena for commentary on the political conditions of the city, using "ideology as a resource from which to build dramatic tensions and disclose humorous incongruities which are immediately recognizable to an

<sup>49</sup>*Birds*, cited in n. 20 above, lines 846–847.

<sup>50</sup>Zumbrunnen, "Persuasion in Comedy and Comic Persuasion," cited in n. 34 above, p. 71.

<sup>51</sup>Nathan Crick, *Rhetoric and Power: The Drama of Classical Greece* (Columbia, SC: University of South Carolina Press, 2014), 128.

audience.”<sup>52</sup> Josiah Ober observes that Aristophanes was “in effect hired by the regime to encourage the demos to laugh at its leaders and itself,”<sup>53</sup> but his works were not “intended or expected to undermine democratic knowledge.”<sup>54</sup> On account of this function, Ober denominates Aristophanes “an ‘internal’ critic of the democratic regime.”<sup>55</sup>

Wilfred Major revisits Ober’s notion of an internal critique of democracy with reference to Aristophanes, but emphasizes the critique’s target—rather than its intentions, expectations, or sources of funding—as indicating whether that critique is internal or external.<sup>56</sup> Internal critiques affirm “the core processes” of democratic politics while exposing the insufficiencies of specific governing institutions.<sup>57</sup> The core processes of democracy—which an internal critique supports and an external critique repudiates—set the “conditions of possibility” for the sustained legitimacy and effectiveness of a democratic system.<sup>58</sup> Major’s distinction between faith in democratic processes and scrutiny of political institutions enables him to situate Aristophanes’s plays “within the mechanisms of internal criticism of the Athenian democracy and not external, oligarchal opposition to it.”<sup>59</sup> External critique would consider the *polis*’s faults not as failures to function but as the fullest expressions of a rotten system’s proper function.

A theory of internal critique of democracy emphasizes the process by which “criticism of democratic ideology as well as popular democratic politicians” might nonetheless “promote democracy and encourage adherence to democratic ideals.”<sup>60</sup> Internal critique may flourish in a public context recognizing that “criticism of the democracy is participation *in* the democracy.”<sup>61</sup> Accordingly, an internal critique manages to reinforce the democratic system to which it is party by “reminding the demos about how and why democracy functioned in the manner it did.”<sup>62</sup> As long as his critique does not suggest that democracy itself

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<sup>52</sup>Crick, 130.

<sup>53</sup>Ober, *Political Dissent in Democratic Athens*, cited in n. 3 above, p. 126.

<sup>54</sup>Ober, 154.

<sup>55</sup>Ober, 126.

<sup>56</sup>Major, *The Court of Comedy*, cited in n. 6 above, pp. 18–19.

<sup>57</sup>Major, 131.

<sup>58</sup>Stefan Rummens, “Deliberation and Justice,” in André Bächtiger, John S. Dryzek, Jane Mansbridge, and Mark Warren, ed., *The Oxford Handbook of Deliberative Democracy* (Oxford: Oxford University Press, 2018), 132–143 (p. 136–137).

<sup>59</sup>Major, 18.

<sup>60</sup>Miller, “Democratic Criticism in Aristophanes,” cited in n. 9 above, p. 5.

<sup>61</sup>Miller, 16.

<sup>62</sup>Miller, 4.

is fundamentally ineffectual or illegitimate, Aristophanes's attention to the flaws in its Athenian implementation would serve to normalize and reinforce democratic principles.<sup>63</sup>

An interpretation characterizing the Aristophanic critique of democracy as internal attributes camouflaged tyranny to flaws that can be corrected without compromising the basic legitimacy of democratic principles. Even when inviting audience members to "confront their own contradictory norms and values," an internal Aristophanic critique of democracy "does not suggest that their democratic system is unworkable."<sup>64</sup> While Aristophanic comedy displays neither a *demos* with a conspicuous degree of good judgment nor much optimism about any improvement in popular politics, the interpretations of its critique as internal portray democracy as not intrinsically incapable of effective government.<sup>65</sup> Rather, Aristophanes's internal critique focuses on incidences of malpractice by bad actors and the "less than ideal manifestations" of democratic principles.<sup>66</sup> According to internal interpretation, the Aristophanic critique empowers and ennobles democracy by inviting audiences "to laugh at ridiculous manifestations of this system and to reflect on its shortcomings."<sup>67</sup> Interpretations asserting internality can be categorized roughly according to two different models explaining the operation of this counterintuitive formulation.

These two categories may be termed the *kratos* model and the *demos* model, with reference to the semantic root of the word *demokratia* ascribed by each model with curative potential. Both models present a remedial response to the problems articulated by the Aristophanic critique of democracy, but each focuses on different components of the system. The *kratos* model considers the Aristophanic critique to advocate for better leadership or governing structures, under which conditions democracy may function effectively and legitimately. The *demos* model reads Aristophanes as promoting improvements in the wisdom and judgment of the public mind, so that popular politics may yet achieve good government in a world of suboptimal leaders and institutions.

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<sup>63</sup>Miller, 4.

<sup>64</sup>Ober, *Political Dissent in Democratic Athens*, cited in n. 3 above, p. 154.

<sup>65</sup>Kanavou, "Sōphrosynē and Justice in Aristophanes' *Wasps*," cited in n. 8 above, p. 191.

<sup>66</sup>Kanavou, 177.

<sup>67</sup>Kanavou, 175.

THE *KRATOS* MODEL OF INTERNAL CRITIQUE

In the *kratos* model of interpreting the Aristophanic critique, any faults in Athenian government can be attributed to the incompletely democratic character of its rulers or ruling structures. In some cases, Aristophanes seems to assert that the legitimacy of Athenian democracy is dependent on the quality of its leaders. Democracy is not shown to be inherently dysfunctional but does require an appropriate guide, “well suited to the rough and tumble of assembly rhetoric,” who can be relied upon to use their personal authority responsibly and benevolently.<sup>68</sup> Thrown upon its own resources, the ill-guided or leaderless *demos* will act foolishly and reveal itself to be incapable of rule.<sup>69</sup> Elsewhere, the *kratos* model envisions in Aristophanes new administrative institutions, alternative structures giving more complete implementation to democratic ideals.<sup>70</sup> Disjoining democratic principles from actually existing governing structures enables the Aristophanic critique to portray actions that “dismantle the apparatus of the Athenian state, albeit while ensuring that democratic equality remains for the Athenians.”<sup>71</sup> The decoupling of principles from institutions frames a change in administration as the refinement of democracy toward a more perfect expression of its ideals.<sup>72</sup> The *kratos* model explains the Aristophanic critique as internal by indicating its hope to secure for democracy suitable rulers and ruling structures.

The *kratos* model is limited, though, by the presuppositions of the very critique of democracy it seeks to explain. The model calls for consummately democratic leaders and structures, but one of the key problems identified by the Aristophanic critique is the capacity of tyrant-democrats to masquerade as public servants. Recall, for example, the scene from *Birds* related above in which the humans persuade the birds to found a city. *Kratos*-oriented interpretations read the scene as “an open assembly,” in which Peisetairos is afforded free and equal standing for the verbal expression of his political vision, the implementation of which brings about “wild success and prosperity.”<sup>73</sup> Peisetairos appears in such interpretations as “a genuine advocate for the birds for whom we cannot help but feel some sort of affection

<sup>68</sup>Sheppard, “Aristophanes’ *ECCLISIAZVSAE* and the Remaking of the *πάτριος πολιτεία*,” cited in n. 19 above, p. 464.

<sup>69</sup>Sheppard, 479; Julián Gallego, “Demo de Pnix,” cited in n. 39 above, p. 25.

<sup>70</sup>Paul Woodruff, *First Democracy* (Oxford: Oxford University Press, 2006), 87.

<sup>71</sup>Sheppard, 476.

<sup>72</sup>Sheppard, 482.

<sup>73</sup>Major, *The Court of Comedy*, cited in n. 6 above, p. 129.

and loyalty,<sup>74</sup> whose plan aligns authentically with the birds' own interests.<sup>75</sup> The *kratos* model credits Peisetairos for refraining from appeals to "expansionism and the lure of wealth to win the birds over" and appreciates that the assembly of birds seems motivated to political action by feelings of justice.<sup>76</sup> The ultimate victory of Cloudcuckooland over the gods affirms the legitimacy of the political process by which the birds elected to make war.<sup>77</sup> The *kratos* model defines proper rule according to the equality of its participants and the commonality of its benefits, criteria of dubious utility given the Aristophanic critique's account of camouflaged tyranny.

The *kratos* model depicts a correction of democracy through improved leadership or institutions but offers no reliable standard for discerning camouflaged tyranny from the genuine democratic article. During the assembly scene—interpreted in the *kratos* model as an instance of functional democratic rule—Tereus explicitly addresses the avian community's concern for the plan's impact on their common welfare. Despite the humans' admission of their exploitative motives, Tereus confirms the merits of their plan with a string of adjectives: "Common (*κοινόν*), safe, just, sweet, helpful."<sup>78</sup> Although the assembly of birds cannot know the disservice Tereus is doing them, the theatrical audience could observe the earlier conversation and understand the depth of Tereus's duplicity. From a spectator's position, Tereus appears as if he is preparing to dupe the birds into serving the interests of the humans with a specious appeal to the common good.

Even after the endorsement of their longtime friend Tereus, the birds remain skeptical, and they prepare to attack the interlopers. Tereus unflinchingly defends the Athenians on the grounds that, although they might be enemies by nature, the humans could be friends by thought.<sup>79</sup> Tereus suggests that the commonality of the *polis* can be extended through reason and discourse even to those who are natural enemies. A theatrical audience, having been made privy to the role of the humans' appetites for personal gratification in their city-founding scheme, may view Tereus's sentiment about shared interests with skepticism. Aristophanes's portrayal of mendacious scheming as preparatory to public deliberation casts doubt upon

<sup>74</sup>Crick, *Rhetoric and Power*, cited in n. 51 above, p. 135.

<sup>75</sup>Crick, 119.

<sup>76</sup>Holmes, *Philosophy, Poetry, and Power in Aristophanes's Birds*, cited in n. 42 above, xi.

<sup>77</sup>Major, 126.

<sup>78</sup>*Birds*, cited in n. 21 above, line 316.

<sup>79</sup>*Birds*, lines 371–372.

interpretations of this scene as an ethical and effective instance of conjoint action in democratic community. Interpreting the Aristophanic critique of democracy according to the *kratos* model of internality risks mistaking a tyrant-democrat for one of the *polis*'s true stewards.

*Birds* goes on to depict the cost of such a miscalculation through the play's final scene, in which Peisetairos meets an embassy from the besieged gods to negotiate their surrender. To improve his bargaining position, Peisetairos arranges to receive the starving ambassadors while preparing a succulent meal made from "some birds who seemed to commit an injustice, rising up against the populist [δημοτικοῖσιν] birds."<sup>80</sup> The *kratos* model treats this scene with the same rehabilitating interpretation constructed for the earlier assembly scene, asserting with "little doubt" that it concludes the play "on a jubilant note."<sup>81</sup> According to the *kratos* model, any more pessimistic reading relies on "speculating that the conviction of the birds in question somehow was not the product of due process or that Peisetairos in cooking them is somehow suppressing dissent tyrannically."<sup>82</sup> The *kratos* model advises readers against unsubstantiated and paranoid overreaches of interpretation, content instead with "the fact that Peisetairos is eating traitorous birds, and this is likely a comically exaggerated way of dealing with such characters."<sup>83</sup> The *kratos* model fails to find evidence of camouflaged tyranny on the part of Peisetairos because it does not connect his behavior in this final scene with his actions in earlier scenes.

Peisetairos's cannibalism of the rebel birds is prefigured by other events in which he capriciously excises dissenters and rivals from the *polis*. The *kratos* model suggests that "there is absolutely nothing in the play from any character"<sup>84</sup> that might cast doubt on Peisetairos's public stewardship, but this passage is not the only reference to internecine conflict in the short political life of Cloudcuckooland. Peisetairos himself initiates the civil war about five hundred lines earlier when he precedes a unilateral attack on an unsuspecting target by

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<sup>80</sup>*Birds*, lines 1583–1585.

<sup>81</sup>Matthew Meyer, "Peisetairos of Aristophanes' *Birds* and the Erotic Tyrant of Republic IX," in Jeremy J. Mhire and Bryan-Paul Frost, ed., *The Political Theory of Aristophanes: Explorations in Poetic Wisdom* (Albany, NY: State University of New York Press, 2014), 275–302 (p. 292).

<sup>82</sup>Major, *The Court of Comedy*, cited in n. 27 above, p. 130.

<sup>83</sup>Matthew Meyer, "Peisetairos of Aristophanes' *Birds* and the Erotic Tyrant of Republic IX," in Jeremy J. Mhire and Bryan-Paul Frost, ed., *The Political Theory of Aristophanes: Explorations in Poetic Wisdom* (Albany, NY: State University of New York Press, 2014), 275–302 (p. 294).

<sup>84</sup>Major, *The Court of Comedy*, cited in n. 6 above, p. 130.

announcing that violence has erupted in the *polis* of the birds.<sup>85</sup> The *kratos* model abandons Cloudcuckooland to perpetual civil war by permitting Peisetairos to goad birds into trivial resistance whenever he feels peckish. Although the bird rebellion is consigned to offstage action, Peisetairos's insincere and self-serving stratagem during the former scene suggests an overstatement in the claim that "inevitably, however, scholars have had to acknowledge there is nothing in Aristophanes that remotely allows reading this final celebration, a scene that has no hint of irony or criticism in an author never shy about either, as cynical."<sup>86</sup> Rather, the *kratos* model might find itself overlooking camouflaged tyranny on account of some incompletely expressed criteria for discerning proper democratic figures of rule.

### THE *DEMOS* MODEL OF INTERNAL CRITIQUE

*Demos*-oriented interpretations take the limitations of the *kratos* model as their point of origin. The *demos* model admits of "the inevitability of rule of some sort," granting the likelihood of even Athens's most widely inclusive and egalitarian political settings—such as the Assembly or the Heliastic courts—to develop an informal elite of influential and engaged citizens.<sup>87</sup> With due consideration of "the realities of elite rule in democracy," the *demos* model understands the Aristophanic critique to advise "a wariness about elites even as it accepts their inevitability."<sup>88</sup> Although Aristophanes's comedies frequently feature ordinary folk "standing up for themselves and defeating elites in combats of cleverness, rhetorical wit, and political maneuvering," the *demos* model does not allow this kind of staged action as a sufficient response to the problems of democracy.<sup>89</sup> The ordinary citizen who bests an incompetent or unscrupulous leader either becomes a new elite, swaddling the *demos* "in an undemocratic paternalism," or retires from public life, leaving the *polis* as mismanaged as he found it.<sup>90</sup> One of the core assumptions animating the *demos* model is the contention that the *kratos* model disguises an external critique as an internal one.

<sup>85</sup>*Birds*, cited in n. 20 above, lines 1010–1017.

<sup>86</sup>Major, 131.

<sup>87</sup>John Zumbunnen, *Aristophanic Comedy and the Challenge of Democratic Citizenship* (Rochester, NY: University of Rochester Press, 2012): 63.

<sup>88</sup>Zumbunnen, 81–82.

<sup>89</sup>Zumbunnen, 95.

<sup>90</sup>Zumbunnen, 95–96.

The *demos* model interprets the Aristophanic critique to convey internality by “celebrating the possibility of ordinary people upsetting existing social and political hierarchies,” even within an ostensibly democratic system.<sup>91</sup> For its insistence on the potential of ordinary folk to struggle against domination, John Zumbunnen considers the political register of Aristophanes’s plays to align with the agonistic school of democratic thought.<sup>92</sup> This agonistic theory of democracy takes “the power of the people resisting all institutionalized rule” as its subject and considers “contestation, struggle, and resistance” to be the central animating force of politics.<sup>93</sup> The Aristophanic critique depicts for its audience “the kind of comic disposition ordinary people would need to meet the challenge of democratic citizenship,” stimulating in the *demos* an appropriate capacity for conjoint political action.<sup>94</sup>

According to the *demos* model, Aristophanic comedy adjusts the public mind to be better suited for the problems of government in democracy. In these interpretations, Aristophanes takes on the roles of “friend of democracy” and “educator of the people” by working “to remind the Athenians of their core beliefs and to raise for them difficult questions about the extent to which they can actually accept the implications of their beliefs.”<sup>95</sup> Ordinary folk, in this model, bring about legitimate and effective democracy through their “ability to see through masks, to see elites for precisely what they are.”<sup>96</sup> Loath to participate in the undemocratic paternalism of its informal elites, the *demos* instead facilitates or obstructs the leadership of those elites.<sup>97</sup> In the *demos* model of the Aristophanic critique, the public performance of comedic drama hones its audience’s wits, correcting—at least partially—the people’s apparent lack of fit for the terms of government, “aiding democracy by ensuring that it thinks more carefully about what it does.”<sup>98</sup>

Elsewhere, the *demos* model describes the Aristophanic critique as internal when it undermines the authority of antidemocratic ideas and figures. The signature example of Aristophanes’s anti-antidemocratic critique is his treatment of the character of Socrates in *Clouds*. The figure of Socrates in that play seems to have been given shape by “a democratic anxiety concerning the antidemocratic authority of Socratic

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<sup>91</sup>Zumbunnen, 15.

<sup>92</sup>Zumbunnen, 96.

<sup>93</sup>Zumbunnen, 1.

<sup>94</sup>Zumbunnen, 2.

<sup>95</sup>Zumbunnen, 16.

<sup>96</sup>Zumbunnen, 98.

<sup>97</sup>Zumbunnen, 97.

<sup>98</sup>Zumbunnen, 16.

intellectualism.<sup>99</sup> By removing himself and his followers to an enclave to develop new ways of knowing, Socrates flatly refuses the assertion of Athenian democracy that citizens participate in ruling and being ruled in turn.<sup>100</sup> Socrates's innovative knowledge and modes of argument render him unaccountable to the will of his equals.<sup>101</sup> When Aristophanes derides the character of Socrates, he may be interpreted to induce "a democratic form of laughter," which "ridicules the challenge posed by Socratic intellectualism to the democratic operation of politics in Athens."<sup>102</sup> In so doing, *Clouds* accomplishes "an attack on an attack on politics" and reinforces the authority of mutual accountability.<sup>103</sup> Although "anti-antidemocratic" does not reduce to "democratic," and "an attack on an attack on politics" does not constitute a defense of politics, Aristophanes does not foreclose on the potential commonality and equality of the *polis*. An Aristophanic critique of democracy that is internal along the *demos* model reinforces for its audience the values and principles that support political community in a democratic system of government.

The *demos* model reads Aristophanes as fostering an audience clever enough not to be manipulated by persuasive speech.<sup>104</sup> By displaying the disparity between democratic principles and the messy reality of rule, the Aristophanic critique of democracy performs "a critical unmasking of demagogic persuasion."<sup>105</sup> This interpretation conditions democratic legitimacy on the ability of the *demos* to know and oppose demagoguery when it appears to them, "though they may change their minds often and though they may manipulate and be manipulated in turn."<sup>106</sup> Presenting demagoguery as an object of scrutiny, Aristophanes provides his audience members with an opportunity to "gain a perspective on themselves by seeing a personification of their own city reflected in a different light, using distorted

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<sup>99</sup>John Lombardini, "Seeing Democracy in the *Clouds*," in Jeremy J. Mhire and Bryan-Paul Frost, ed., *The Political Theory of Aristophanes: Explorations in Poetic Wisdom* (Albany, NY: State University of New York Press, 2014), 13–27 (p. 14 and 23).

<sup>100</sup>Jeremy J. Mhire, "Rethinking the Quarrel Anew: Politics and Boasting in Aristophanes' *Clouds*," in Jeremy J. Mhire and Bryan-Paul Frost, ed., *The Political Theory of Aristophanes: Explorations in Poetic Wisdom* (Albany, NY: State University of New York Press, 2014), 47–66 (p. 58).

<sup>101</sup>Lombardini, 17.

<sup>102</sup>Lombardini, 23.

<sup>103</sup>Mhire, 50.

<sup>104</sup>Zumbrunnen, "Persuasion in Comedy and Comic Persuasion," cited in n. 34 above, p. 76.

<sup>105</sup>Crick, *Rhetoric and Power*, cited in n. 51 above, p. 138.

<sup>106</sup>Zumbrunnen, p. 97.

mirrors.<sup>107</sup> In the *demos* model, exposing ordinary folk to a comedic representation of faulty democracy invites them to reflect on their own tyrannical impulses and to nurture their capacity for political humility.<sup>108</sup> Aristophanes's mockery of Athenian political life levels and demystifies democratic authority while fortifying its basic legitimacy by sharpening the insights of the public mind.<sup>109</sup> Once properly trained in its "ability to unmask and critique the rhetorical methods of the demagogue," the speculative future *demos* will be capable of ruling well under democratic conditions of government.<sup>110</sup>

For this reason, the *demos* model renders itself vulnerable to the same limitations in the *kratos* model from which it takes its cue. The *demos* model considers the Aristophanic critique to be internal to democratic principles on account of its faith in ordinary citizens' potential and not their current state, lacking as they do the qualities of discernment necessary for legitimate democracy.<sup>111</sup> The Athenian democracy may achieve responsible and effective authority in a hypothetical future state when its people have been educated sufficiently to reject demagogues. Of course, in the Aristophanic critique, the perceptible mark of such a wise *demos* is its acclaim for Aristophanes's submissions to the dramatic competitions at civic festivals such as the City Dionysia.<sup>112</sup> A *demos* that embraces Aristophanes proves its political acumen; a *demos* that snubs him demonstrates its lack of judgment and concomitant incapacity for rule. As in the *kratos* model, the *demos* model projects a provisionally empowered *demos* which achieves satisfactory democracy only in speculated conditions of benevolent leadership or orthodox education. With Aristophanes himself taking up the role of "educator of the people," the *demos* model resolves into the undemocratic paternalism of which it accuses the *kratos* model.

In making a case for internality, neither the *kratos* model nor the *demos* model address what the Aristophanic critique identifies as the ultimate cause of democracy's problems: the people's lack of capacity for rule. Aristophanes ascribes this incapacity to a paucity of wisdom and judgment on the part of the *demos*.<sup>113</sup> In the Aristophanic critique, the vain and fickle mob deserves its tyrant-democratic leaders, as

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<sup>107</sup>Crick, 122.

<sup>108</sup>Crick, 141.

<sup>109</sup>Crick, 132.

<sup>110</sup>Crick, 135.

<sup>111</sup>Zumbrunnen, 98.

<sup>112</sup>Biles, "Thucydides' Cleon and the Poetics of Politics in Aristophanes' *Wasps*," cited in n. 39 above, 132.

<sup>113</sup>Kanavou, "*Sōphrosynē* and Justice in Aristophanes' *Wasps*," cited in n. 8 above, p. 181 and 188.

neither show much promise of effective political stewardship.<sup>114</sup> In fact, according to this view, “people are the problem and cannot be looked to for any solutions,” with only “the dominance of custom” forestalling the system’s collapse.<sup>115</sup> Ordinary folk are portrayed as constitutionally incapable of legitimate government, given to indiscriminate expressions of anger and anxiety at “the inherent contingency of any form of rule,” regardless of the degree to which that rule can actualize democratic principles.<sup>116</sup> The Aristophanic critique of democracy can hardly be said to reflect democratic principles if it is integral to its narrative that a *demos* becomes fit for rule only if it agrees with its guiding elites.

Whether interpreted according to the *kratos* model or the *demos* model, the Aristophanic critique remains external to the core processes of democracy. Characterizing ordinary folk as unfit for meaningful participation in government, Aristophanes’s comedy enacts the “performative contradiction” of core democratic processes that would mark it as external.<sup>117</sup> Regarding the notion that Aristophanes belittles the political capabilities of the *demos*, Zumbrunnen writes that “the idea that Aristophanic comedy works against—or at least aims to control or correct—Athenian democracy, though, has been explored in more complex and interesting ways.”<sup>118</sup> In this passage, Zumbrunnen observes that interpretations of the Aristophanic critique as controlling or correcting democracy are external to democratic principles. The *kratos* and *demos* models are indeed highly complex and interesting ways of exploring this idea—not least of all for their assertions of the Aristophanic critique’s internality.

## THE ARISTOPHANIC CRITIQUE IN COUNTERPUBLIC STUDIES

The political interpretations of Aristophanes’s dramatic corpus show how an external critique of democracy may be constructed to appear internal. The experience of Aristophanes studies offers a productive challenge for any critique of democracy to consider its internality or externality. Projects in counterpublic studies, for instance, are

<sup>114</sup>Kanavou, 187.

<sup>115</sup>Don Adams, “Aristophanes vs. Socrates,” *Dialogue* 53, (2014): 691–713 (p. 697).

<sup>116</sup>Zumbrunnen, p. 77.

<sup>117</sup>Rummens, “Deliberation and Justice,” cited in n. 58 above, p. 138.

<sup>118</sup>Zumbrunnen, *Aristophanic Comedy and the Challenge of Democratic Citizenship*, 15.

occasionally framed as an internal critique of democracy.<sup>119</sup> Of particular interest for this critique is “the deficit of inclusion in contemporary politics” and “the key means by which exclusions from political participation are maintained.”<sup>120</sup> Counterpublic studies’ internal critique of democracy explains the incapacity of “the setting in which counterpublics operate (actually existing democracy)” to achieve “the level of optimally universal access to participation (democratic treatment of publics).”<sup>121</sup> Counterpublic studies provides the means to ground an internal critique of democracy in the revision of real political conditions to better their expression of democratic ideals.

This theme in counterpublic studies lends its critique of democracy a distinctly Aristophanic character. Public modalities “may be inclusive and exclusive, enabling and constraining, democratic and dictatorial,” and it is one of the offices of counterpublic studies to discern these cryptic qualities.<sup>122</sup> The field echoes Aristophanes’s concern over deceptive tyrant-democrats by taking as its object of critical inquiry those “discursive formations that continue to legitimate the oppressive practices of an exclusionary public under the veil of participatory parity.”<sup>123</sup> These discursive formations of veiled oppression include specious appeals to commonality<sup>124</sup> and equality.<sup>125</sup>

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<sup>119</sup>Robert Asen, “Neoliberalism, the Public Sphere, and a Public Good,” *Quarterly Journal of Speech* 103, no. 4 (2017): 329–349 (p. 344); Robert Asen and Daniel C. Brouwer, *Counterpublics and the State* (Albany, NY: State University of New York Press, 2001): 25; Nancy Fraser, “Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy,” in Craig Calhoun, ed., *Habermas and the Public Sphere* (Cambridge, MA: The MIT Press, 1992), 100–109 (p. 111, 136); Whitney Gent, “When Homelessness Becomes a ‘Luxury’: Neutrality as an Obstacle to Counterpublic Rights Claims,” *Quarterly Journal of Speech* 103, no. 3 (2017): 230–250 (p. 231, 233, 238); Dana Harrington, “Developing Democratic Dispositions: Eighteenth-Century Public Debating Societies and the Generative Capacity of Decorum,” *Rhetoric Society Quarterly* 45, no. 4 (2015): 324–345 (p. 325, 340); Robert L. Ivie, “Enabling Democratic Dissent,” *Quarterly Journal of Speech* 101, no. 1 (2015): 46–59 (p. 47, 49).

<sup>120</sup>Melanie Loehwing and Jeff Motter, “Publics, Counterpublics, and the Promise of Democracy,” *Philosophy and Rhetoric* 42, no. 3 (2009): 220–241 (p. 228).

<sup>121</sup>Loehwing and Motter, “Publics, Counterpublics, and the Promise of Democracy,” 231.

<sup>122</sup>Daniel C. Brouwer and Robert Asen, *Public Modalities: Rhetoric, Culture, Media, and the Shape of Public Life* (Tuscaloosa, AL: University of Alabama Press, 2010), 21.

<sup>123</sup>Loehwing and Motter, 228.

<sup>124</sup>Asen 332, 334, 336; Fraser 131; Gent 231, 233, 241, 244; Kyle R. Larson and George F. McHendry, Jr., “Parasitic Publics,” *Rhetoric Society Quarterly* 49, no. 5 (2019): 517–541 (p. 531).

<sup>125</sup>Asen 334; Christopher Duerringer, “The ‘War on Christianity’: Counterpublicity or Hegemonic Containment?,” *Southern Communication Journal* 78, no. 4 (September–October 2013): 311–325 (p. 314); Fraser 118, 120; Gent 232, 234, 244; Lisa M. Gring-Pemble, “It’s We the People. . . Not We the Illegals’: Extreme

Moreover, counterpublic studies denies that a unitary public sphere with clear boundaries was ever possible, affirming instead the reality of the porous *polis*.<sup>126</sup> The widely distributed presence of Aristophanic concerns in counterpublic studies is a testament to the impact on publics theory of Nancy Fraser's landmark essay "Rethinking the Public Sphere."

Fraser's 1990 essay enjoys a reputation as "germinal,"<sup>127</sup> "seminal,"<sup>128</sup> "famous,"<sup>129</sup> and having achieved "influence in rhetorical studies."<sup>130</sup> Fraser defines four assumptions in Jürgen Habermas's *The Structural Transformation of the Public Sphere*, the faultiness of which render his theory insufficient as a basis for critical engagement with actually existing democracy.<sup>131</sup> These four assumptions include the possibility of equality among participants in the public sphere, the preference for a unified public consensus, the possibility of an authentic common good about which participants in the public sphere might deliberate, and the possibility of and preference for clear separation between categories of public and private. The negation of Habermas's four assumptions constitutes "the majority of recent theoretical accounts of the public sphere," which describe "the overarching public sphere of a polity—the 'public sphere at large' . . .—as being comprised of a multiplicity of unequal (sub)public spheres."<sup>132</sup> Fraser's refutation of these four assumptions has been a consistent point of origin and font of productive invention for counterpublic studies.

The influence of Fraser's essay presents counterpublic studies with a critique of democracy along Aristophanic lines. Political interpretations of Old Comedy face some difficulty accounting for the internality of the Aristophanic critique of democracy; analogous critiques in counterpublic studies may benefit from a similar engagement with their

Speech in Prince William County, Virginia's Immigration Debate," *Communication Quarterly* 60, no. 5 (November-December 2012): 624–648 (p. 644); Harrington 326, 332; Larson and McHendry, Jr., 521.

<sup>126</sup>Brian Dolber, "From Socialism to 'Sentiment': Toward a Political Economy of Communities, Counterpublics, and Their Media Through Jewish Working Class History," *Communication Theory* 21 (2011): 90–109 (p. 94, 96, 100); Duerringer 314; Harrington 334, 336, 338; Fraser 121, 127, 128; Squires 448, 458, 460.

<sup>127</sup>Duerringer, 313.

<sup>128</sup>Florian Toepfl and Eunike Piwoni, "Public Spheres in Interaction: Comment Sections of News Websites as Counterpublic Spaces," *Journal of Communication* 65 (2015): 465–488 (p. 468).

<sup>129</sup>Asen, "Neoliberalism, the Public Sphere, and a Public Good," as cited above in n. 119, (p. 330).

<sup>130</sup>Loehwing and Motter, 220.

<sup>131</sup>Fraser, 117.

<sup>132</sup>Toepfl and Piwoni, 469.

own claims to internality. The *kratos* and *demos* models both interpret Aristophanes's critique of democracy as supporting core democratic processes, but neither model can account for the critique's rejection of ordinary folk's capacity for rule outside certain conditions of central direction or preliminary education. The political interpretations of Aristophanes's plays suggest to counterpublic studies the theoretical utility of recognizing qualities of internality and externality in its critiques of democracy.

#### CIVIL AND SWIVEL

The topical confluence of Old Comedy and counterpublic studies may seem superficially implausible, but each constitutes a critical response animated by lessons received from classical Athenian democracy. In *The Structural Transformation of the Public Sphere*, Habermas claims that the modern conceptions of public and private are "categories of Greek origin transmitted to us bearing a Roman stamp" and identifies the *polis* and *oikos* as the direct progenitors of the public and private spheres.<sup>133</sup> Habermas derives this ancient distinction between public and private wholly from Hannah Arendt's *The Human Condition*, which in turn draws upon Aristotle for its account of ancient Greek politics. Arendt attests to the "self-evident and axiomatic" quality of the distinction between *oikos* and *polis*, upon which "all ancient political thought rested."<sup>134</sup> Through Arendt, Habermas, and Fraser, this distinctly Aristotelian set of concepts has come to have a profound impact on theories of publics and counterpublics.

Aristophanes's political interpreters indicate where his body of dramatic poetry might complement and challenge Aristotle's account of ancient Athenian democracy. Although Aristophanes studies is well-positioned to refine present understandings of Athenian public discourse in the fifth and fourth centuries BCE, investigation of real historical conditions is unlikely to influence public and counterpublic studies' normative elements.<sup>135</sup> A more

<sup>133</sup>Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans. by Thomas Burger (Cambridge, MA: The MIT Press, 1991), 3.

<sup>134</sup>Hannah Arendt, *The Human Condition* (Chicago, IL, and London: The University of Chicago Press, 1958), 28.

<sup>135</sup>Daniel Ellis, "Arguing the Courtship of Elizabeth and Alençon: An Early Modern Marriage Debate and the Problem of the Historical Public Sphere," *Rhetoric Society Quarterly* 42, no. 1 (2012): 26–43 (p. 28).

salient intervention acknowledges where Aristophanic drama offers fresh resources for theorizing artful discourse and political community.

For instance, in contrast to the mutually exclusive separation of *oikos* from *polis*, Aristophanes conflates the two categories in the image of the porous *polis*. The flock in *Birds* is at once without both *oikos* and *polis* on account of a single cause: their transient habit. When first developing his plan to found Cloudcuckooland, Peisetairos explains to Tereus that the birds are “unruled [ἀστάθμητος], flighty, unbounded [ἀτέχμαρτος], never staying in one place.”<sup>136</sup> The adjective *astathmetos* borrows metaphorical meaning from the technical craft of carpentry. A *stathme* is a line traced with chalk from a *kanon*, a straight edge, to ensure that a woodworker’s cut is straight. To cut without drawing a *stathme*, or to draw a line but ignore it in cutting, might produce a wobbly, loose-jointed table, one worthy of the description *astathmetos*, “unstable” or “uncertain.” A similar sense defines the word *atekmartos*. A *tekmar* is a boundary, a fixed mark separating two distinct spaces; the related word *tekmerion* is a term of theoretical significance for rhetorical studies, referring to assertions of indisputable certainty in public reasoning.<sup>137</sup> To be *atekmartos* is to be unfixed by boundary markers, moving freely and fluidly within and among spaces without recognizing some spaces as permanently habitable and others as excluded from access. In *Birds*, it is this lack of fixed boundaries preventing the birds from achieving *oikos* and *polis* alike.

Although Tereus sees truth in his visitor’s diagnosis, he balks at the cure. “But what sort of city might we birds settle?” he sputters.<sup>138</sup> Rather than answering directly, the human instructs Tereus to look around him.<sup>139</sup> First below him, then above, and finally around and around, Tereus swivels his head in all directions, complaining about neck sprain all the while. By pitching and turning in different directions, Tereus preemptively illustrates his interlocutor’s point by embodied demonstration. “Then is this not the very swivel [πόλος] of birds?” Peisetairos playfully asks.<sup>140</sup> A *polos* is a place of turning, as with a hinge or axel. Tereus performs the role of a *polos* himself by turning his head in various directions.

<sup>136</sup>*Birds*, cited in n. 20 above, line 169.

<sup>137</sup>Adam W. Cody and Rosa A. Eberly, “*Topoi* and *Tekmēria*: Rhetorical Fluidity among Aristotle, Isocrates, and Alcidamas,” in Lynda Walsh and Casey Boyle, ed., *Topologies as Techniques for a Post-Critical Rhetoric* (New York, NY, and London: Palgrave MacMillan, 2017), 31–49 (p. 32).

<sup>138</sup>*Birds*, line 173.

<sup>139</sup>*Birds*, line 175–178.

<sup>140</sup>*Birds*, line 179.

Moreover, the birds' *polos* is a place where "everything wanders about [πολεῖται] and passes through [διέρχεται]." <sup>141</sup> *Poleitai* denotes a capacity for movement within the *polos*, while *dierchetai* refers to a transfer across a border. The boundaries of the *polos* are permeable—perhaps to the point of non-existence—and there is room for relatively unrestricted maneuverability within it. Peisetairos considers the birds foolish and dishonorable for not making full use of their potential; he advises them to turn their *polos* into a *polis*. Their swivel must become civil. To transform a *polos* into a *polis*, the space must be settled and fenced in. <sup>142</sup> A fortified boundary narrows the birds' available vantage points, adjusting the scope of their movement and vision to maintain a city of fixed and certain position. Only then can the birds secure family and property, the blessings of the *oikos*. <sup>143</sup> Rather than juxtaposing *oikos* and *polis*, Aristophanes conflates the categories and opposes both to the *polos*.

Aristophanes's separation of *polos* from *oikos-polis* aligns with conceptual distinctions made in ancient rhetoric by figures near contemporary with the comedian. Isocrates positions his philosophy between the aimless, indolent wanderers who pretend to impart exact knowledge of prosperity by teaching debate and the political speechmakers who offer overdetermined technical patterns for stale replication. <sup>144</sup> Alcidas, for his part, advantages spontaneous orality over laborious writing precisely on account of the former's flexible mobility. <sup>145</sup> Aristotle imagines the probabilistic topical reasoning native to rhetorical argument in terms of fluid motion, in contrast to static demonstration through uncontested *tekmeria*. <sup>146</sup> The concept of the *polos* articulated in *Birds* stands to thicken the present understanding of ancient notions of artful discourse and political community which have proven so generative for public and counterpublic studies.

The full functionality of Aristophanes's *polos* for theoretical invention asks the explication of one further point. Returning to the civil war that terminates with the roasted rebel-birds, Peisetairos begins the conflict by announcing "a unanimous decision to crush all the wanderers [ἀλαζόνας]." <sup>147</sup> The particular wanderer whom Peisetairos

<sup>141</sup> *Birds*, lines 181–182.

<sup>142</sup> *Birds*, lines 183–184.

<sup>143</sup> *Birds*, line 379.

<sup>144</sup> Cody and Eberly, pp. 38–39.

<sup>145</sup> Cody and Eberly, 41–42, 44.

<sup>146</sup> Cody and Eberly, 36.

<sup>147</sup> *Birds*, lines 1012–1016.

intends to crush is the character Meton, a sophist after the zany type so memorably lampooned in *Clouds*. He arrives in Cloudcuckooland hoping to “square the circle” and straighten the sky-roads leading to the center of the city using his “air-rulers [κανόνες ἀέρος].”<sup>148</sup> His plot to inscribe *stathmai* on the unstable air represents the ludicrous intrusion of the bygone, whirling *polos* into the newly walled city. Like Peisetairos himself, the fictional Meton refers to a real figure in Athenian public life. The historical Meton was an astronomer who, eighteen years prior to the production of *Birds*, devised a cyclical calendar that coordinated solar years with lunar months.<sup>149</sup> On the Pnyx, where the democratic institution of the Assembly met, Meton erected a *heliotropion*, a device for calculating solstices.<sup>150</sup> The character of Meton would appear to the theatrical audience as Athens’s foremost expert on the moving spheres of the celestial *polos*.

In *Birds*, Meton serves as a reminder that the *polos*, despite its lack of lines and boundaries, is not given to disorder. The solstice day is when the sun reaches the northern or southern limit of its apparent wandering across the sky. After reaching this natural limit point (called the tropic), the sun seems to turn back toward the latitudinal center. The City Dionysia, at which time *Birds* was performed, honored the spring equinox when the sun reaches the latitudinal center, equidistant from either tropic. As the Acropolis lies true east of the Pnyx, an observer on the Assembly hill during the equinox would see the sun rise directly over Athens’s citadel, illuminating its civic shrines and public treasury. The historical Meton, studying solstices from his observatory there, specialized in the solar positions farthest from this symbol of the Athenian *polis*. His presence instead directs the attention of the *demos* and of the theatrical audience toward the transit of sun, moon, and planets across the sky, the wheeling of the stars around their pole, and the cycle of seasons heralded by such movement. Unceasing in their motion, they are nonetheless fixed more reliably than the sovereign of the Acropolis against which the contrast is drawn.

Political interpretations of Old Comedy confront a persistent difficulty explaining how the Aristophanic critique supports democracy. In the course of navigating this interpretive difficulty, Aristophanes

<sup>148</sup>*Birds*, lines 999–1009.

<sup>149</sup>Robert Hannah, *Greek and Roman Calendars* (London: Gerald Duckworth & Co. Ltd., 2005), 55.

<sup>150</sup>Hannah, 53.

studies has developed a theory of internal and external critique. Adapting this theory from Aristophanes studies may lend counterpublic studies an additional critical edge for addressing its own durably complex political interpretations. Further, this essay's reading of *Birds* affirms the suitability of counterpublic studies for attending to political visions that transcend or decline the *polis-oikos* distinction.