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## *Judge Hercules or Theseus? Ancient Hero and Democratic Leadership*

### Abstract

When Ronald Dworkin used the metaphor of Hercules as a judge, he referred to the centuries-old heritage of European thought and its sources in Greek culture. The reference to the figure of a well-known, archetypal hero brought Dworkin's concept of a judge-interpreter closer to modern readers. It also proved that ancient models, affecting the imagination, still play an important educational role. In this text, however, Dworkin's choice of hero is questioned. Dworkin seems to see Heracles through post-Platonic and Stoic lenses, quite differently than the hero was presented in myths. This paper aims to present the broader educational value of heroes and myths. Following Dworkin's example, an alternative is proposed: Theseus of Athens, most widely known for his victory over the Minotaur. However, the article draws attention to the lesser-known part of his biography, which is his qualities as a leader and king of Athens. The analysis of the character of Theseus based on available literary sources will make it possible to observe the desired characteristics of a leader and his relationship with the society within a state considered democratic. It aims to demonstrate that power, authority, and democracy are not set in an antagonistic triangle but rather complement each other. At the same time, it also points to the constant relevance of the myth, which, thanks to its continuous impact on the imagination, can serve as an important educational tool also in modern times – just as it was used by Dworkin.

**Keywords:** Theseus, authority, democracy, Dworkin, myth

**Słowa kluczowe:** Tezeusz, autorytet, demokracja, Dworkin, mit

### Introduction\*

Ronald Dworkin used the metaphor of a judge – Hercules, to construct a model of an ideal judge, who patiently searches for the right solution to “hard cases”. This way,

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\* This research was funded in whole or in part by „National Science Centre, Poland”, MINIATURA-5, grant no. 2021/05/X/HS5/00293.

the mythical model of all heroes, Hercules, who was able to complete twelve difficult labours, was also to become a model for judges.

The choice seems to be just right. There was no problem that Hercules could not solve, whether it was defeating the hydra, cleaning the stables, or bringing the guardian of Hades to the human world.<sup>1</sup> The example was generally accepted and found quite appealing, which shows that ancient references are still actual and capture our imagination. Probably everyone who comes before a court hopes that the judge will be able to effectively solve their problem once and for all. Nowadays, the position of a judge and, in a broader sense, of a lawyer in democracies is widely discussed. Should they search for the one good solution or should they merely pronounce the word of law? Should they be impartial, to the point of being blind to social context, or should they take it into account? In a democracy, a system based mostly on freedom, the role of a person able to put some restraints on that freedom, is vital and controversial. Therefore, the questions arise: what qualities should such a person possess, what is their role and position in society and politics, and finally, how to educate them? Hercules, the ultimate problem-solver, seems at first to be a good example. His decisions are quick, he is effective and persistent.

However, according to the myth, Heracles was made to perform the famous labours in the service of Eurystheus, king of Mycenae, as a penance for murdering his wife and children.<sup>2</sup> After that, he was supposed to be free and gain immortality after his death. Indeed, he achieved that, but it was not the end of the troubles of the *Heracidae*. After the hero's death, his children were chased throughout Greece by the envious ruler of Mycenae, Eurystheus, who wanted to end Heracles' line. It was Demophon, the son of Theseus, who saved the descendants of Heracles, giving them shelter in Athens, when all other cities chased them away, fearing Eurystheus' power. Therefore, the greatest problem-solver in Greek mythology and an archetypical hero was unable to provide safety for his own descendants. His effectiveness was short-term and flourishing only in the pre-social and pre-political world of monsters and violence. In the social context, it turns out that Heracles was not effective at all. And so one might start to wonder whether that choice is really the best role model for judges, who operate mainly in the social context.

Obviously, it is impossible to present one "true" story of Heracles' life, at least in our understanding of the truth, which is equated with facts.<sup>3</sup> Yet, by no means should we discard the ancient examples. The popularity of R. Dworkin's metaphor clearly indicates that they can still effectively influence our mind and imagination. As Maksymilian del Mar stated, "we ought to recognise, surely, that not only do «our» concepts have

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<sup>1</sup> The slaying of the nine-headed Lernaean Hydra was his second labour, cleaning the Augean stables was the fifth, and capturing Cerberus, the three-headed dog that guarded the entrance to the underworld was the final, twelfth one.

<sup>2</sup> R. Dworkin uses the Latin version of the hero's name, Hercules. Therefore, when the paper relates to his concept of a judge, that name is used. For the ancient mythological hero, I use the Greek name Heracles. Also, it is worth mentioning here that the accounts regarding the causes of labours differ: Euripides, for example, places the murder of Megara and their children after the labours; some records differ on whether Megara was also slain, but the most popular version presents this event as the main cause of Heracles' toil. I also do not delve too deep into R. Dworkin's use of Hercules, as it is not the main point of this paper and proper analysis may require a separate article devoted to it.

<sup>3</sup> Myth was not an universal truth and in many situations it is also quite impossible to undeniably indicate the oldest version of it. See: Samsonowicz, *O „historii prawdziwej”*, 17.

histories, but so do «our» problems.”<sup>4</sup> However, the “mythological hero” presents much more than just a “concept”, as he is also the one who struggles with the “problems”, which are still actual and widespread, like power, authority and law. R. Dworkin seems to see Heracles through the post-Platonic and Stoic lenses, as an accomplished hero able to deal with any problem. He limits his perception of Heracles to the “concept”, an ideal. However, in my opinion, heroic myths have much more educational value.

They are much more universal, and they provide insight in different modes of thinking about law, politics and society. Heroic myths are not only stories about the beginnings, no mere “concepts”. They are stories of people in difficult situations, having to deal with “problems”, relevant also to our society.<sup>5</sup> The Greek hero is an active player, intertwined in relations with his citizens or other rulers. By analysing and judging his behaviour, choices, or actions, we are exposed not merely to an abstract idea of virtue or proper conduct but to an example. An example of a person dealing with issues still relevant nowadays, since the heroes fight injustice, struggle with their own weaknesses and try to achieve the best possible outcome for both themselves and their communities. That is what forms the “core” of Greek heroic myths. Its role in the development and formation of culture is indisputable. It tells us more about its creators or re-tellers than the heroes themselves. The listener or the spectator had to analyse the fable and actions of the heroes in order to individually assess the rights and wrongs, connect the cause and effect, think of different possibilities or imagine their own actions in a similar situation.<sup>6</sup> The myth simply teaches us to judge.

Following R. Dworkin’s example, but trying to present more of the “problem” that a hero can embody, I would like to discuss another hero, Theseus of Athens. This choice is by no means accidental, since Theseus and his descendants were able to solve problems that even the mighty Heracles could not solve, thus becoming heroes of the political world of the *poleis*, deeply rooted in a social context, politics and power. Despite this, Theseus has never received the same recognition as Heracles – he is rarely used in popular culture or as a role model in the contemporary world, even though he is not only more likeable than Heracles, but also generally more rational and responsible, not shying away from challenges, and so theoretically a better model for those who wish to act politically.

## The Hero

Theseus is best known as the slayer of the Minotaur. Just like in the case of Heracles, it is impossible to present the “true” history of Theseus. The tales sometimes differed; sometimes they were supplemented with additional details or deeds. Most of them have

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<sup>4</sup> Del Mar, “Beyond universality”, 29.

<sup>5</sup> The understanding of the myth adopted in this paper is closer to the Aristotelian one, where the myth is considered a “fable”, a tale meant to explain the world and history as a whole, also addressing human behaviour and its consequences, not just a mere fiction. It plays an important cultural role as an educational tool and a way to achieve *catharsis*. See: Arist., *Poetics*. For further reading, see: Ceglarska, “The role of myth”, and Ceglarska, “Law as a fable”.

<sup>6</sup> Bakewell, “Tragedy as Democratic Education”, 262.

been collected in the *Bibliotheca* of Pseudo-Apollodorus. However, the hero became more popular already in the 5<sup>th</sup> century BCE, after, according to some, his ghost was seen helping the Greeks at the Marathon.<sup>7</sup>

Myths most often praise the youthful achievements of this hero, which are not accidentally reminiscent of the famous twelve labours.<sup>8</sup> However, Theseus' mode of operation is completely different. While Heracles carries out the tasks assigned to him mainly due to his extraordinary strength, Theseus uses his cleverness and planning skills. These adventures shape and define his character: Theseus is a sensible strategist who approaches his tasks thoughtfully, devoting time to preparation and, if necessary, listening to the advice of others.<sup>9</sup> The culmination of this course of action is the victorious fight against the Minotaur. The hero had already prepared for it before leaving Athens, and on Crete accepted Ariadne's help and advice. One of the few moments of forgetfulness in his life results in his father's death and, consequently, the need to take the throne of Athens. This latter part of the hero's biography is much less known today, despite the fact that it was then that the political image of Theseus was fully developed and shaped the next generations of Athenians, their culture, and their attitude to power.

Theseus became the new ruler of Athens. In this place, the myth begins to merge with reality. The authors, who describe the governance of Theseus, including Euripides, Sophocles, and Plutarch, use the myth for specific purposes. These are most clearly stated by Plutarch, who, after describing the periods "which are accessible to probable reasoning and which afford basis for a history dealing with facts"<sup>10</sup> decides to deal as well with the tales "of marvels and unreality" – the mythological times. This enables him not only to fill in the gaps in history but also to show what was important for the earlier societies and how the values have been shaped. In tragedies, the mythological setting is a stage for contemporary themes and messages<sup>11</sup> and, according to Aristotle, tragedies do not merely relate past events. What is even more important, they are meant to bring *catharsis*, vital for individual development. The hero creates a link between the past and the present. Because of that, he may serve as a justification for current politics or constitution but also as a role model to follow. "In commemorating him, Athens was commemorating a symbol of the qualities and values that had led it to its current greatness", states Thomas Mitchell. However, the "rediscovery" of Theseus in the 5<sup>th</sup> century Athens was much more than just a commemoration.

According to Plutarch,<sup>12</sup> it was Theseus who initiated the process that received the name of *synoecism*, convincing the residents of Attica to unite. What is even more important, he did not resort to violence or conquest but personally visited all clans and persuaded them to cease disputes and "promised government without a king and a democracy, in which he should only be commander in war and guardian of the laws, while in all else everyone should be on an equal footing."<sup>13</sup> Those arrangements were meant to

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<sup>7</sup> Afterwards, Cimon retrieved his bones to Athens. The tale is related e.g. by Plut., "Theseus", XXXVI, 2.

<sup>8</sup> Neils, "Inventing the other", 17.

<sup>9</sup> Agard, "Theseus", 89.

<sup>10</sup> Plut., "Theseus", I, 1.

<sup>11</sup> Mitchell, *Democracy's Beginning*, 152.

<sup>12</sup> As well as Thucydides and Aristotle before him.

<sup>13</sup> Plut., "Theseus", XXIV, 2.

appease both the common folk and those previously possessing power, allowing them to keep most of their influence and still lead the people, while submitting to Theseus only in the most dire circumstances. Aristotle believed that led to “the second constitution, and the first subsequent one that involved a constitutional point, [...] which was a slight divergence from the royal constitution.”<sup>14</sup>

Theseus became both a democratic leader and a monarch, although his role differed from that of an autocrat. Similarly, his son was a ruler, although he acted for and in the name of the people. There is no discrepancy in this seemingly contradictory image. The ruler (or even the leader) during the heroic age was inevitably described as a king, and so Theseus, who lived in those times, also had to be one. Most heroes in the *Iliad* are named *basilei*, which nowadays is most commonly translated as “princes” or even “kings”. They are leaders, aristocrats, commanding their own troops from their own domains. Therefore, Theseus, who lived even before the Trojan war, had to be titled “king”. For the Greeks, it was not inconsistent to consider a person both a king and democratic-minded.<sup>15</sup> Such ideas already resonated within the Homeric epics, where the *basilei* consult their decisions, call assemblies, or consider some of the lower-class better companions or advisors than other aristocrats.<sup>16</sup> At the same time, with the subsequent democratisation of Athens, his figure takes on more features of a “leader” rather than a “ruler”. In this way, the hero is most clearly portrayed in two Greek tragedies: *Oedipus at Colonus* by Sophocles and *The Suppliants* by Euripides.

It may be tempting to focus only on the problems presented in those tragedies. However, is Theseus only an artistic ornament that may be substituted for by anyone else? Hardly, since Theseus is not just an Athenian. He is the Athenian, that is, who every Athenian should be or at least try to be. He represents the desired behaviour of a sensible politician and leader, and yet is not without flaws. And his power resides not in his name or ancestry alone<sup>17</sup> but in his authority, or rather credibility. For he is the one who possesses power not due to mere strength or good birth, only because he is recognised as a leader by the people. In addition, he is also able to prepare others (in tragedy – his descendants) to fulfil the same leading role. Therefore, Theseus is not just a symbol and ruler of old, used to establish the historical setting, but he is also an example of a man and politician able to perform acts that present the meaning of virtue, justice or obedience to law and customs. It is by such acts, as claimed by Seneca the Younger, that we may understand the true meaning of virtue.<sup>18</sup> By presenting them as acts of the founder and mythological hero, the authors put even greater emphasis on their importance and simultaneously try to root them in tradition and history.

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<sup>14</sup> Arist., *Constitution*, XL, 2.

<sup>15</sup> Davie, “Theseus the King”, 31.

<sup>16</sup> Such may be the case of the swineherd Eumaeus, who was considered a friend by both Odysseus and his son, Telemachus.

<sup>17</sup> What, actually, is also the factor Pericles’ underlines in his funeral speech, that Athenians worth is judged by their own merit, Thuc., *The Peloponnesian War*, II, 37.

<sup>18</sup> Sen., *Ad Lucilium*, 120.8.

## The Leader

In the play of Sophocles, when Oedipus and Antigone arrive at Colonus, the Stranger who lives there states that “these parts are ruled by the king in the city.”<sup>19</sup> However, when Theseus arrives, he does not behave like a typical monarch. Informed about the presence of the suppliants, he comes to see them and enquires: “with what petition to the city and to me have you taken your place here.”<sup>20</sup> That phrase makes it obvious that even though he is the titular king, he also cares about his entire domain and the “city” as a whole, placing it before himself and his own will. It is not Theseus who can grant Oedipus some favour or help, but the whole city of Athens. At the same time, he is clearly aware of the authority that surrounds him because he assures Oedipus that his very name is enough to protect the fugitive.<sup>21</sup>

While his opponent, the ruler of Thebes, Creon, uses force and coercion, Theseus relies on his authority. Creon tries to suggest that the Areopagus council might object to interfering in private, even family matters of other *polis*.<sup>22</sup> However, when Theseus learns about the abduction of Antigone, he summons the people of Athens to bring her back, as shelter was promised to her and Oedipus. And no one opposes Theseus. People instantly and willingly submit to his command, for they see that it is just. Furthermore, not only the reputation of Theseus is at stake at this moment, but the entire city’s. Allowing Creon to run away with the supplicant would mean that Theseus’ word is not worth much and, consequently, neither he nor Athens should be feared. A strong leader who holds his word and is able to fulfil the promise he has given brings glory to the whole city. He is not placing himself above the citizens, on the contrary, he is deeply rooted in the community, sharing its values and virtues. With such a ruler, also the citizens must be noble and brave, especially since they have chosen him to rule. The hero’s personal virtues make him a leader and, at the same time, benefit the *polis*. Not only has Athens become a symbol of the rule of law, a safe harbour for the persecuted, it has also received gratitude and blessing from the old Theban king, who deems Theseus and his city more worthy than his own relatives. In addition, Theseus himself does not give in to pride – *hybris*. On the contrary, he retains great humility, even protesting that an ordinary human act, a burial, is not much in return for a blessing.

The leadership characteristics of Theseus’ persona are even more underlined in *The Suppliants*. Euripides’ tragedies describe situations previously unknown or less popular, keeping only a certain “core” – the carrier of basic values. The author’s pro-democratic sympathies clearly influence the way the characters and the *poleis* are presented.<sup>23</sup> At the same time, Euripides repeats, or rather anticipates, the theses of philosophers, critics of democracy, giving unequivocal evidence that what really matters is not so much a specific person but the system of values they represent. Theseus defends the general,

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<sup>19</sup> Soph., *Oedipus at Colonus*, 67.

<sup>20</sup> *Ibid.*, 559–60.

<sup>21</sup> *Ibid.*, 667.

<sup>22</sup> *Ibid.*, 947–9.

<sup>23</sup> Buchner, “Władza autorytarna”, 15.

natural laws that Creon violates.<sup>24</sup> Since both exercise power in their cities, their deeds determine the fate of citizens. Creon and his schemes in the face of Theseus' justice are doomed to fail.

In *The Suppliants*, once again, one of the fundamental rights – the right to burial – is violated. The Argive king, Adrastus, and the mothers of the warriors who have fallen during the expedition of Seven against Thebes ask for Theseus' help in retrieving the bodies so that they could bury them. Despite his initial hesitation, the hero decides to help Adrastus, wins the battle against Thebans, and makes the proper burial of the dead possible. However, there are several important points in this story that clearly indicate the traits of a good leader.

First, Theseus initially hesitates. However, it was not dictated by cowardice or lack of interest in injustice but by caring for “something more”. The willingness to hear counsel and act prudently distinguishes a good leader, in this case, Theseus, from the hasty youths and the Argive king himself, as his unwise decisions lead to the suffering of his people.<sup>25</sup> Adrastus did not act like a good leader, yielding to the will of his sons-in-law: “You led all Argos forth to battle, though seers proclaimed the will of heaven, and then in scorn of them and in violent disregard of the gods have ruined your city.”<sup>26</sup> Theseus, still a young man himself, could act similarly, yet he prefers to listen to others and then decide what is best for the whole city. The counsel is given to him by his mother – to be a good leader, he must find the “golden mean” between passivity and rashness. Being passive is not a solution, and the kings of Athens “have displayed this habit among Hellenes, of ever punishing the wicked.”<sup>27</sup> Denying the right to bury the dead is definitely not just. Acting against Thebes, Theseus will not behave rashly, under the influence of his whim and will to achieve glory but shall protect the most important rights. Therefore, he is doubly obliged. As an Athenian leader, he has to guard the law in his own city, but as a representative of Athens, meant to guard the law in Hellas, his duties are stretched over the whole of Greece. Therefore, he has to “perform this duty, and check those who would confound the customs of all Hellas; for this is that holds men's states together – strict observance of the laws.”<sup>28</sup> His own act is also meant to encourage others to do the right thing, and to strengthen the desired behaviour of others. He cannot command all Hellas, but he can inspire Greeks to abide the laws and customs; not only Greeks of his (mythological) times, but Greeks across time and space, and so, also in the age of Euripides, for he is the hero of old, the credible authority to follow.<sup>29</sup>

Theseus himself must also choose the lesser evil.<sup>30</sup> Still, he is not willing to use violence. First, he wants to convince the Thebans to return the bodies willingly. Only if that does not suffice, he is ready to resort to spear. However, he cannot make this decision

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<sup>24</sup> Therefore, contrary to the aforementioned article, I deem Euripides' critique of tyranny not only as an expression of sympathy for democracy as a system but also as a recognition of certain general norms governing the Greek society, norms exceeding only one polis, that are violated by the tyrant. And, as I argue later on, a king is in no way equal to a tyrant and Theseus' rule is not authoritarian.

<sup>25</sup> Shaw, “The ἦθος of Theseus”, 5.

<sup>26</sup> Eur., *The Suppliants*, 229–30.

<sup>27</sup> *Ibid.*, 340.

<sup>28</sup> *Ibid.*, 311.

<sup>29</sup> Arendt, *Between Past and Future*, 124.

<sup>30</sup> Mills, *Theseus, Tragedy*, 88.

alone, as he is not making all the important choices. As he states in the following verses: “I require the whole city’s sanction [...] For I made them supreme, when I set this city free, by giving all an equal vote.”<sup>31</sup> Only after presenting his opinion to the assembly and winning them over is he willing to send a message to Creon. Theseus’ strength lies in the fact that he does not succumb to pride. He can admit his mistakes and listen to his advisors. After the Theban herald arrives to announce the words of Creon, asking for “the despot [τύραννος] of this land”, Theseus immediately corrects him: “You have made a false beginning to your speech, stranger, in seeking a despot here. For this city is not ruled by one man, but is free.”<sup>32</sup> In a further discussion, he disproves the herald’s arguments for tyranny, stating that the rule of many is free from all the vices of tyranny. They cherish the young, ambitious, and virtuous, whether the tyrant fears them. Theseus does not have to fear his citizens; since his rule is based on authority and respect, the citizens of Athens trust in him and do not bow to the tyrant’s whim. In any case of degeneration, they are also protected because laws guarantee stability and justice.

## The Virtues

The quality of leadership is what makes democracy prosper or decline. This view was supported by Polybius, who abandoned the analysis of the Theban constitution, stating: “it was not its constitution, but its men, that caused the high fortune which it then enjoyed.”<sup>33</sup> The same remarks have been applied to the Athenian one, which fared well under the brilliant leadership of Themistocles but then quickly declined. It can also be one of the main distinctions between autocracy and democracy.<sup>34</sup> The one who leads the people may abuse their power and reach for more or remain a leader. That idea was explicitly formed by another Athenian, living well before the popularity of Theseus. In the 6<sup>th</sup> century BCE, Solon of Athens wrote: “So best will the people follow their leaders, neither too little restrained nor yet perforce;”<sup>35</sup> while at the same time warning his fellow citizens not to give into ignorance and granting too much power to men who yearned it and then overused.

Theseus was once again made an example of a credible leader who earned the trust of his people and honoured it. It is distinctly presented by the messenger, relating the fight with Thebans: when Theseus had a chance, he did not sack the city, as the aim of the expedition presented to the assembly was only to retrieve the bodies. The Athenian leader did not come to Thebes to conquer but to restore justice. Therefore, he did not take advantage, only fulfilled his duty. Plundering the city would exceed the permission given to him by the people and violate the principle of mutual trust. Therefore, he is the just leader, able to resist the tyrannical aspirations of other kings, support the pleas of the wronged, and protect justice and virtue not only in Athens, but in all of Hellas. His in-

<sup>31</sup> Eur., *The Suppliants*, 349–54.

<sup>32</sup> *Ibid.*, 403–5.

<sup>33</sup> Polyb., *Histories*, 6.43–4.

<sup>34</sup> Shaw, “The ἦθος of Theseus”, 4.

<sup>35</sup> Solon, *Elegy and Iambus* 6(8), 1–2.



fluence is not based on physical strength but on the trust citizens have in him. They heed his words because he is valiant and just, yet he does not overuse his power. He consults them on every important matter and underlines their sovereignty in both the external and internal affairs of the state.

The example of Theseus draws attention to the desired features of the leader. Plutarch compares Theseus with Romulus, the founder of Rome, which further underlines the importance of the Athenian hero, especially since in that comparison Theseus is the better, bolder, fairer and the first one who has introduced significant reforms that could later serve as an example for the creator of the Roman state. Not only the myth, but also its hero, now serve to relate an important message. Theseus is the ideal ruler, who unites Attica, brings glory to Athens as the centre of this new state, and establishes the best possible constitution by bringing all the decision makers to one place so that they can cooperate benefitting the state. Furthermore, Demosthenes in one of his speeches relates that „when Theseus settled the people in one city and established the democracy, and the city became populous, the people nonetheless continued to elect the king as before, choosing him from among those most distinguished by valour.”<sup>36</sup> Thus, people still recognised the need for good leadership, and that idea was never fully abandoned. Even in the golden age of democracy, there was a strong leader, namely Pericles, who was in charge of the state’s policies, only under the name of strategos, elected year after year by the Athenian *demos*. As Sophie Mills summarised, „the individual figure of Theseus [...] is the representative of the spirit of the idealized democratic Athens as a whole.”<sup>37</sup> He may be perceived as a Pericles of his time, the one who actually exercises power but is appointed by and enjoys the support of his subjects or, more broadly, the people. Theseus is a model and idealised myth, supposed to show all the subsequent rulers how one who governs the state, whether a king, an archon, or strategos should behave. The virtues of Theseus are also virtues valued by democratic citizens. He is therefore a king, but one that embodies all the desired traits of a democratic man, especially since in democracy the citizen was also one of the rulers.

The term “idealized” may attract attention here. Delving deeper into Greek mythology and literature, we can reach the darker side of both democracy and its hero. That, however, is not the main point, or rather it serves to underline the most important one: by making mistakes, surrendering to emotions, simply while remaining human, Theseus is able to unite, listen, and make the right decisions at the same time. The authority does not arise solely from his position. On the contrary, he holds his position because of this authority and credibility. The relationship between him, the hero and leader, and the citizens of Athens, is mutual. When he states “they will decide in your favour since I wish it,”<sup>38</sup> he is not implying that he may impose his will on the Athenians, but rather that recognising the rightness and fairness of his previous decisions, the Athenians will favour this one as well,<sup>39</sup> since never before has he overstepped his competences. Naturally, his authority demands obedience, but he does not attempt to achieve it by force. One may say that Euripides anticipated Plato’s concept by positioning authority between force

<sup>36</sup> Dem., *Against Neaera*, LIX,75.

<sup>37</sup> Mills, *Theseus*, 100.

<sup>38</sup> Eur., *The Suppliants*, 350.

<sup>39</sup> Walker, *Theseus and Athens*, 154.

(*bia*) and persuasion (*peitho*),<sup>40</sup> since Theseus is not forcing his people to listen, nor is he simply convincing them constantly to listen to any of his requests. The citizens obey him because they had been persuaded, convinced about his credibility earlier on, so now he can act upon it. His word to his people would therefore be “more than advice and less than a command, an advice which one may not safely ignore.”<sup>41</sup>

It is his personal virtues that predispose him to lead people and, at the same time, his faults make him understandable. Theseus, the leader, is not an infallible god but one of the people. Thanks to this, he is more understandable to his subjects and, at the same time, can be a model. Since the hero himself has doubts and makes mistakes, not differing much from one of the citizens, what prevents this “average” citizen from developing his own qualities and achieving similar respect in the *polis*?

## Conclusions

Democracy does not rule out leadership. On the contrary, it requires it, but unlike authoritarian power, it requires this leadership to be based first on persuasion and then on authority, contrary to a simple “command” based solely on orders.<sup>42</sup> The people of Athens understood this, and not only did they worship Theseus as a hero, they made him the role model for anyone who wanted to govern the state. This particular hero is more suited to this role than the brave and bold Heracles of Greek mythology. Subsequent ages, from the Stoics through Roman literature to the Renaissance,<sup>43</sup> had to work on the myth of Heracles to idealise him, making him not only stronger but also wiser than most people. This transition eventually produced the ideal judge – Hercules from R. Dworkin’s work. But, as I have tried to show, there was already a better model: more relatable, more credible. Theseus is just and prudent, defends all the important laws of Hellas, and is praised by both allies and enemies, since even they must finally recognise his greatness and the superiority of the state he leads. However, as pointed out, that model is not perfect. It is one of the most universal, no doubt due to the wide cultural influence exerted by Athens, not just in Hellas, but also over time and space. However, what is more, it is the most relatable one. Despite all his virtues, Theseus hesitates, listens to advice, and even makes mistakes.<sup>44</sup> He remains human, and, thanks to that, every citizen can feel that they can imitate him, at least to some extent. He is not an unachievable ideal; rather a flesh-and-bone leader, trying to act as well as possible in different and difficult circumstances.

<sup>40</sup> Arendt, *Between Past and Future*, 93.

<sup>41</sup> Words of Theodor Mommsen, quoted by Arendt, *Between Past and Future*, 123.

<sup>42</sup> Kane, Patapan, “Good Democratic Leadership”, 7.

<sup>43</sup> A perfect example is the story of Lucian (II AC), who wrote about a picture of Hercules he had seen in Gaul, depicting the hero as wise and persuasive. For more on this subject, see: Favreau-Linder, “Lucien et le mythe”, 155–68.

<sup>44</sup> For example, when he forgot to change the sails after return from Crete, which led to his father’s suicide or when he hastily believed the false accusations against his own son or when he followed his friend to Hades with a plan to kidnap Persephone herself.

In addition, the role of Theseus, as a model and authority, is not only to show the desired qualities of the leader but also to show the relationship with the citizens. The imbalance in power, conflicts, and degeneration of the city arises from the lack of social education and the lack of role models to follow. Theseus, portrayed as a wise, though sometimes hesitating leader who listens to his subjects, is exactly such a model, both for later rulers and for citizens. He indicates important virtues, development paths, and potential goals for both. Moreover, the authority of Theseus is also reflected in the role of Athens desired by the tragedy writer. Just as the hero does not rule alone but respects the opinion of his people and the applicable laws, Athens cannot become a lonely island in Hellas. Instead, they must take care of universal values, becoming an authority for other *poleis*.<sup>45</sup> That is also the role of Theseus. He cannot resign himself to the role of a local authority, a mere king, since it is not a mere city that he rules. His authority must surpass him and become embodied in the city itself. Thus, he cannot isolate himself but needs to participate in the affairs of the whole Hellas and participate in them justly,<sup>46</sup> not by the strength of his arms, since only in this way he can guarantee glory to both his own name and the city. And he achieves this goal since, a generation later, it is there that the Heraclides seek help, counting on the fact that not only the leader will protect them but also the whole city.

Furthermore, the portrayal of Theseus in tragedies, obviously highly influenced by democratic ideals,<sup>47</sup> tells us more about the people who deemed him the worthy model, not just of a leader but of a pattern of relations within the *polis*. Theseus judges, yet is also a constant object of judgment, both from foreigners and from his own citizens. Each of his decisions is observed and examined. The people he leads are no mere stock that would follow him unquestioningly; on the contrary, they are not afraid to ask, to suggest different solutions, as do the choir, Aethra, and even representatives of different *poleis*. The thing that underscores the importance of Theseus, not as a specific person but as an example of leadership, is that he is aware of such a relationship. It is much more equal than that between a ruler and his subjects. Theseus does not “rule” in a sense of imposing his decisions on the citizens, he does not put them in line, to remain quiet and obedient. He leads, tries to reason with them, to present them with the best solution, to earn their respect and trust. When they go to war, he goes and fights with them, when they judge, he offers his opinion. In such way he gains the aforementioned credibility, which strengthens his influence more than any force or law ever could. He makes decisions regarding the fate of the *polis*, and they are respected, nevertheless, evaluated at the same time. He has the right to be wrong; however, when given advice, he also has to admit it and correct his wrongs. In addition to that, he depends on the voice and choice of the people and wins their approval because of mutual trust, not by strength or birthright. If we substitute the person of “Theseus” with the term “leader” we clearly receive an example of what the “leader” should be. Not a perfect leader, ideal in a platonic sense but an achievable one, much more, as Aristotle would see it. This gives another depth to the analysis, since the tragedians lived before the times of the great philosophers, yet the ideas they transmit seem strikingly similar. Similarly to the myth itself, all subsequent interpretations form

<sup>45</sup> Walker, *Theseus and Athens*, 163–6.

<sup>46</sup> Morwood, “Euripides’ *Suppliant Women*”, 555.

<sup>47</sup> Rhodes, “Tezeusz demokrata”, 23.

the web of values, attitudes, and concepts that constitute the Greek culture, which is inherited by the next generations.

Over time, Theseus became a more universal hero. He remained a warrior and conqueror, but also began to be associated with arts and athletics,<sup>48</sup> an ideal of a chivalrous, desired, heroic young man. He embodied all the best and desired qualities of a Greek, especially Athenian, citizen. What may serve as a model for today and encourage the reflection regarding ancient thought and values is the fact that he achieved that not by the power of his office but by the power of his credibility. Therefore, this mythological hero served as a role model for subsequent rulers, leaders, and citizens, presenting the desired values and traits that are by no means obsolete nowadays. Instead, these are exactly the traits that are expected and searched for in a leader: fairness, prudence, courage, wisdom, and even though the hero is as imperfect as most of the “average” citizens, he struggles to achieve them, because these traits grant him respect and secure his leadership, especially in times of crisis, when the Athenians follow him because they trust in him, not because they bow before his strength. And securing a stable relationship with his followers, based on mutual trust and respect, should be what all leaders aim for, especially those holding high offices. Theseus is not important solely because of who he is: hero, ruler, even a son of a god, but most importantly because of the values and concepts he relates and how he represents the development of political thought.

Therefore, contrary to Heracles, Theseus is a hero deeply rooted in politics and society. He is a mythological justification for the fact that power, authority, and democracy are not set in an antagonistic triangle but rather complement each other. And precisely because of his mythological nature, he can be a better, more relatable example of what was seen as and what was desired from a leader than any abstract model that a philosophical treatise may provide, especially for “normal citizens” and general education, not only philosophers or scientists. He has to deal with social issues and solve them not by force, but first and foremost – by persuasion. Violence is the last resort. Given all of that, the king of Athens might actually be a better example for judges and politicians, as well as a better educational model. Refreshing the image of Theseus and seeing him not only as a myth but as an example of a leadership-based rule could help with understanding that fact and maybe achieving that ultimate goal. May once again the reference to Demophon, the son of Theseus mentioned at the beginning, serve as a conclusion, since he verbalises the relationship between the ruler or leader and the citizens that Theseus embodied: “only if I do what is fair will I be fairly treated.”<sup>49</sup> This, according to mythology, is precisely the legacy left by Theseus.

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<sup>48</sup> Agard, “Theseus”, 85.

<sup>49</sup> Eur., *Children of Heracles*, 424.

## Bibliography

### Primary sources

- Aristotle [Arist.]. *Constitution of Athens*. Transl. Thomas J. Dymes. London: Seeley and Co., Limited, 1981.
- Aristotle [Arist.]. *Poetics*. Transl. William H. Fyfe. Cambridge, MA–London: Harvard University Press, William Heinemann Ltd., 1932.
- Demosthenes [Dem.]. *Against Neaera*. Transl. Norman W. DeWitt. Cambridge–London: Harvard University Press, William Heinemann Ltd., 1949.
- Euripides [Eur.]. *Children of Heracles*. Transl. David Kovacs. Cambridge: Harvard University Press, 1995.
- Euripides [Eur.]. *The Suppliants*. Transl. Edward P. Coleridge. New York: Random House, 1938.
- Plutarch [Plut.]. “Theseus”. In: *Plutarch’s Lives*. Transl. Bernadotte Perrin. Cambridge–London: Harvard University Press, William Heinemann Ltd., 1914.
- Polybius [Polyb.]. *Histories*. Transl. Evelyn S. Shuckburgh. London–New York: Macmillan, 1889.
- Seneca [Sen.]. *Ad Lucilium Epistulae Morales*. Vols. 1–3. Ed. Richard M. Gummere. Cambridge–London: Harvard University Press, William Heinemann, Ltd., 1917–1925.
- Solon. *Elegy and Iambus*. Vol. 1. Transl. John M. Edmonds. Cambridge–London: Harvard University Press, William Heinemann Ltd., 1931.
- Sophocles [Soph.]. *Oedipus at Colonus*. Transl. Francis Storr. New York–London: The Macmillan Company, William Heinemann Ltd., 1912.
- Thucydides [Thuc.]. *The Peloponnesian War*. Transl. Steven Lattimore. Indianapolis: Hackett Pub. Co., 1998.

### Studies

- Agard, Walter R. “Theseus. A National Hero”. *The Classical Journal*, 24/2 (1982): 84–91.
- Arendt, Hannah. *Between Past and Future*. New York: The Viking Press, 1961.
- Bakewell, Geoffrey W. “Tragedy as Democratic Education”. *Administrative Theory & Praxis* 33/2 (2011): 258–67.
- Buchner, Wojciech. “Władza autorytarna w Grecji i w Rzymie”. *Horyzonty Polityki* 10/32 (2019): 11–29.
- Ceglarska, Anna. “Law as a fable: The issue of myth in the interpretation of law”. *Studia Iuridica Lublinensia* 30, no. 2 (2021): 49–61.
- Ceglarska, Anna. “The role of myth in political thought”. *Krakowskie Studia z Historii Państwa i Prawa* 11, issue 3 (2018): 343–55.
- Davie, John N. “Theseus the King in Fifth-Century Athens”. *Greece & Rome* 29, no. 1 (1982): 25–34.
- Del Mar, Maksymilian. “Beyond universality and particularity, necessity and contingency: On collaboration between legal theory and legal history”. In: *Law in Theory and History: New Essays on a Neglected Dialogue*, eds. Maksymilian Del Mar and Michael Lobban, 22–38. Oxford: Hart Publishing, 2016.
- Favreau-Linder, Anne-Marie. “Lucien et le mythe d’ Ἡρακλῆς ὁ λόγος: Le pouvoir civilisateur de l’ éloquence”. *Pallas* 81 (2009): 155–68.
- Kane, John and Patapan, Haig. “Good Democratic Leadership”. In: *Good Democratic Leadership. On prudence and judgment in modern democracies*, eds. John Kane, Haig Patapan, 1–14. Oxford: Oxford University Press, 2014.

- Mills, Sophie. *Theseus, Tragedy, and the Athenian Empire*. Oxford: Clarendon Press, 1997.
- Mitchell, Thomas N. *Democracy's beginning: The Athenian story*. New Haven–London: Yale University Press, 2015.
- Morwood, James. “Euripides’ *Suppliant Women*, Theseus and Athenocentrism”. *Mnemosyne* 65, issue 4–5 (2012): 552–64.
- Neils, Jenifer. “Inventing the other: the opponents of Theseus”. *Notes in the History of Art* 15, no. 1 (1995): 17–24.
- Rhodes, Peter John. “Tezeusz demokrata”. *Klio* 22, no. 3 (2012): 3–28.
- Samsonowicz, Henryk. *O „historii prawdziwej”. Mity, legendy i podania jako źródło historyczne*. Warszawa: Novus Orbis, 1997.
- Shaw, Michael H. “The ἦθος of Theseus in «The Suppliant Women»”. *Hermes* 110, issue 1 (1982): 3–19.
- Walker, Henry J. *Theseus and Athens*. New York–Oxford: Oxford University Press, 1995.