Professor John Haldane, Chair of the Royal Institute of Philosophy, introduced Professor Lane as a distinguished philosopher, classicist and historian with an interest in the social and environmental sciences. Before Princeton, she held positions in the University of Cambridge Faculty of History. She has written extensively on Ancient Greek and Roman political ideas.

The idea of calling people to account has been central to many concepts of constitutional rule across time, according to Professor Lane. And it has been claimed by historian Mogens Herman Hansen that the leaders of ancient Athens were called to account more than any other such group in history. So an inquiry into ancient Athenian and, more generally, Greek ideas of accountability is potentially pertinent and productive for the concept of accountability which is highly resonant today. The Professor cited a recent Institute for Government report as saying that accountability in the UK is about a relationship "between those responsible for something and those who have a role in passing judgement on how well that responsibility was discharged".

We can learn from the differences and the similarities between Ancient Greek ideas of accountability and our own. Professor Lane said it could help us understand "ways to maintain accountability as a meaningful relationship, preventing it from devolving into tick boxes or shadow play."

Much of her focus was on a nine-month interruption in Athenian democracy that became known as the rule of the Thirty Tyrants (404–403 BCE), as an illustration of the perils of unaccountability and how to rectify them. Their period of power, and its aftermath, highlights the issue of what makes us think of a regime as legitimate or illegitimate. This issue is normally seen in terms of procedure and substance – whether someone comes to power in the right or wrong manner and whether they exercise power in right or wrong ways. But the Professor argued that a third question, less often asked, is the key to understanding what went wrong with 'The Thirty': "the question of how power is constitutionally structured and whether or not it is structured in terms of accountable office." While they came to power in a largely lawful way, the roles they took on "lacked the limits and control that would make an office accountable". Furthermore, their exercise of power "made a mockery" of the accountability attaching to subordinate offices.

Professor Lane then turned to how 'The Thirty' rose to power, noting that for some decades there had been a consolidation of Athenian democracy through the Assembly and the courts. Even the poorest free male citizens had a voice. However, the humiliating defeat that ended the Peloponnesian War in 404 BCE created political tensions. The Assembly decided to choose thirty men who were, according to
Xenophon, charged with writing up the ancestral laws according to which they were to govern. This law commission was uncontrolled, with no boundaries, time limits or requirement to render accounts. There were echoes of the previous short-lived regime of ‘The Four Hundred’, which rose at an earlier time of crisis. This, according to Professor Lane, underlines that the Athenians knew that they were “flirting” with oligarchy.

Some of the initial actions of ‘The Thirty’ were popular, but they soon began to act in a “violent and transgressive way”. The democratic police were reconstituted and named the “whip bearers”. They were used to arrest opponents on capital charges and many were killed. Under ‘The Thirty’, some 1,500 Athenians were executed and thousands were expelled and dispossessed, while non-Athenians were terrorised. This violence and transgression, Professor Lane argued, emerged because they were unaccountable. “If they had known they would be subject to accountability for their uses of power, they would not have dared to use it in the transgressive ways they did.”

To explain these developments, the Professor then stepped back to show that ancient Greek cities standardly used “constitutions” to organise power by ordering offices. This ensured that while office holders had discretionary powers, they were subject to controls. In some cities, terms of office were just a year; officials in one Cretan city were held to account for any property law violations during their term. There were even bodies set up to fine or otherwise punish officials found at fault – addressing the time-old issue of who guards the guards.

A major difference between Ancient Greece and current systems was the absence of a division between politicians and civil servants. The concept was of an office holder as someone to whom a set of powers was entrusted and who would be held to account. In Athens, they had the right to act on initiative, they could give orders and they held judicial powers. Certain fundamental powers, for example to make war, were reserved to the Assembly. However, the Assembly spent much of its time enforcing accountability.

Looking at how office holders are held to account today, Professor Lane cited four mechanisms identified by the Institute of Government. These are: oversight; regulation; inspection; and scrutiny. In Ancient Greece, there was little regulation or oversight, and the emphasis was on how someone would be held to account, rather than defining in detail in advance what they should do.

In Greek city-states, inspection and scrutiny were carried out in ways that offered meaningful public engagement. This is something, the Professor argued, that is instructive for today, when office holders often seem to be reduced to bureaucratic box-ticking exercises. The Ancient Greeks also had prequalification exercises intended to ensure that anyone holding office was fit to do so – checking, for example, whether someone had paid their taxes. There was no immunity in office, and any citizen could bring a charge of misuse of power against any official at any time. In Athens, an office holder’s freedom to travel, dispose of property and other actions were curtailed while they were in authority. The Assembly had frequent votes that could depose people and court action could also be taken. At the end of their term, they were also expected to account for their period in office [euthunai]. No one was shielded by collective responsibility; punishment for failure could extend from fines to exile or execution. Accountability was both personal and inescapable. Some aspects of euthunai were well defined in Athens, such as punishment for embezzlement. Beyond the financial domain, however, things were less well defined and citizens could make any accusation they wished. This raises the issue of the fairness of a system in which roles were ill defined but then allowing people to face accusations they could not anticipate. But it also placed fundamental and meaningful power in the hands of the citizen body.
Returning to ‘The Thirty’ with the benefit of these insights, Professor Lane explored the restoration of accountability after its period of suspension. The oligarchy was overthrown in a civil war and the victorious democrats declared the first known political amnesty for their enemies. It was, though, conditional on the rendering of accounts. This, she argued, was of great significance, as it imposed accountability on people who had not expected it precisely because no limits had been set to their power.

The Athenians recognised, as the Professor said we must do today, that power without accountability is dangerous. She concluded with the words of Xenophon, summing up the arbitrariness and violence to which unaccountable office can lead. This can involve the mimicry of judicial or official process. When a previously pro-regime figure turned against ‘The Thirty’, the leadership simply removed him from the list of the 'Three Thousand' who were protected from execution without a special vote, and then decided to execute him.

Professor Lane said: “What this shows is that unaccountability, whether through rejecting the limits of office or mocking them, can underwrite the most heinous of crimes. What we can learn from ‘The Thirty’ and the Athenian response to their crimes is the need to recognise the danger of any grasp on power that rejects or flouts the constitutional disciplines of office, and the urgency of re-establishing the principles of accountability in their wake.”

Questions

Following the US Presidential elections, Professor Lane was asked what could be done if a candidate seems not to accept constitutional norms. One option, she suggested, was prequalification. Athenians also had the ability to make accusations at any time, on which juries were free to decide. These mechanisms may have been more effective than those we have today.

Questioned on whether there could be too much accountability, she said that this is most problematic precisely when it becomes a matter of targets and micro-management. In contrast, in Athens, accountability was meaningful precisely because of the fundamental relationship that it embodied, not limited in advance to certain specific objectives but subject to the overall judgment of the citizen body through inspection and scrutiny.

With such scrutiny and severe punishments, the Professor was asked how the Athenians persuaded anyone to take office. She said it was a high stakes business, but that fame, power and glory are powerful motivators and that people will have a great capacity to misjudge and imagine that they can succeed where others fail.

Questioned on what we could take from Ancient Greece, the Professor gave the example of citizen juries that were able to ask any questions they liked. Today, we are deeply concerned with the predefined remit of any investigation, but there may be things we can achieve by approaching matters from a different angle.

The evening ended with a Vote of Thanks offered by Dr Alison Elliot OBE, General Secretary of the RSE.