

NOT TALKING BUT THINKING AND VOTING: DEMOCRATIC DELIBERATION IN CLASSICAL ATHENS

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Abstract. Classical Athenian democracy is often described as deliberative, implying that discussion by the *dêmos* played an important political role. But of the three Greek verbs associated with deliberation, only one, *bouleuomai*, denoted an action performed by the *dêmos*, and in mass political contexts it suggested not discussion but internal decision-making communicated by voting. While speech was crucial to democratic politics, it was oratorical rather than dialogical and performed by *rhêtores*, ‘orators’ or ‘politicians’, who by the very act of speaking were conceived as casting themselves outside the deliberating *dêmos*. With respect to public speech, classical Athenian democracy had more in common with modern democratic politics than is usually recognized. This similarity makes it more, not less, useful as a model today.

Deliberative democracy, it is often said, was born in Periclean Athens. ‘The idea of deliberative democracy and its practical implementation are as old as democracy itself’, writes Jon Elster. ‘Both came into being in Athens in the fifth century B.C.’ Gutmann and Thompson agree, invoking both Pericles, who ‘saw discussion “not as a stumbling-block in the way of action” but as an indispensable preliminary to any wise action at all’, and Aristotle, ‘the first major theorist to defend the value of a process in which publicly discuss and justify their laws to one another’. James Fishkin characterized the ‘day of deliberation’ held by the Greek political party Pasok in 2006 as ‘the first time in 2400 years’ that ‘a random sample of citizens had been convened in Athens to deliberate and then officially make an important public decision’. Ryan Balot argues the point most clearly. Classical Athenians believed that that ‘frank speech’ (*parrhêsia*) made possible ‘true democratic deliberation—a public conversation in which ideas are floated freely, objections and dissent are confidently and respectfully aired, further revisions and refinement of different opinions can take place, and a collectively supported decision issues in the end.’ And ‘in these terms’, he continues, ‘Athenian democratic deliberation sounds strikingly similar to the public conversations advocated by modern theorists of deliberative democracy.’³

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² I thank Daniel Betti, Paul Cammack, Stefan Eich, Amos Espeland, Conor Farrington, Bryan Garsten, Robert Goodin, David Grewal, Beth Janairo, Melissa Lane, David Langslow, Jane Mansbridge, Josiah Ober, Gary Remer, David Runciman, Daniel Schillinger, George Scialabba, Peter Spiegler, Paul Steedman, Richard Tuck, Philippe Urfalino, two anonymous referees and audiences at Harvard, Cambridge, Stanford, and Yale. I have used the Loeb Library for Greek texts and often, to illustrate translation practices, its English renderings as well. Unattributed translations are my own.

³ Elster 1998, p. 1, citing Thuc. 2.40. Gutmann and Thompson 2004, p. 8, citing Thuc. 2.40 and Aristot. *Pol.* 1281a-b. Note that the word translated ‘discussion’ is *logos*, which may also mean ‘speech’; as will become clear, I think that is a better translation. Fishkin 2009, p. 11. Balot 2006, pp. 63-6, also citing Aristot. *Pol.* 1281a-b. Cf. Dahl 1989, p. 18; Dunn 2005, pp. 27, 178; Finley 1985, p. 13; Held 2006, pp. 13-15; Ober 2008, pp. 161-7, 264, 279; Monoson 2000, ch. 2; Saxonhouse 2006; Urbinati 2000; Waldron 1995; Yack 1996. On *parrhêsia*, see also Landauer 2012; Miller 2001; Radin 1927; Sluiter and Rosen eds. 2004.

Thus described, classical Athenian deliberation *does* sound like a plausible historical precedent for the kind of practice promoted by deliberative theorists today: briefly, a special form of group discussion, often judged essential for democratic legitimacy, in which the give-and-take of arguments concerning a public matter among diverse participants will, it is hoped, lead to a better understanding of the issues involved and thus to a more reasonable outcome.⁴ In addition to the passages from Pericles and Aristotle and the practice of *parrhêsia*, one may point to Athenians' equal right of speech (*isêgoria*);⁵ to the large corpus of surviving speeches;⁶ and most compelling, or so it would seem, to the fact that the Athenian *dêmos* is found 'deliberating', 'discussing' and 'debating' throughout our translated texts, while references to 'deliberative speakers' and 'deliberative rhetoric' are also common.⁷ Combined with evidence of informal discussion about politics—as suggested, for example, by Plato's dialogues—one may wonder if Athenian citizens did much other than engage in political speech.

Yet, as numerous scholars have also observed, Athenian political speech was more oratorical than dialogical, closer to the 'plebiscitary rhetoric' characteristic of the Roman Republic than to true group discussion.⁸ In part, this was a function of scale. The assembly typically included some five to eight thousand citizens, rising to fourteen or even twenty thousand by the end of the democratic period; accordingly, the overwhelming majority of assemblygoers attended to listen and to vote, not to speak.⁹ Recognizing this, several scholars—including Fishkin and Josiah Ober—have identified the council of five hundred as Athens' principal deliberative venue, but intriguingly, as we shall see, its activity was seldom described as deliberation.¹⁰ Athens' democratic courts raise another question. Judges were often asked to 'deliberate well' (*bouleuesthe kalôs*), but this did not imply speech.¹¹ Aristotle reports that most Hellenic legislators did not let judges 'speak together' (*koinôlogôntai*), and Athens was no exception. Once both sides of a case

⁴ Benhabib ed. 1996; Bohman 1996; Cohen 1989; Dryzek 2000; Gutmann and Thompson 1996, 2004; Habermas 1985, 1989, 1996; Manin 1987; Mansbridge et al. 2012; Rawls 1999. On the diversity of conceptions of deliberative democracy, see Bächtiger et al. 2010.

⁵ Hdt 5.78; Eur. *Supp.* 438, 441; Ps. Xen. *Ath. Pol.* 1.2; Plat. *Gorg.* 461e, *Prot.* 319b-d, 322d-23a; Dem. 15.18, 20.105-6; Aeschin. 3.20; Finley 1985, pp. 18-19; Lewis 1971; Miller 2001; Monson 2000, pp. 56-60; Ober 1989, pp. 72-9, 295-7; Sluiter and Rosen ed. 2004.

⁶ Ober 1989, pp. 341-9, catalogues 104 speeches addressed to courts, 27 to assemblies and 5 to councils, 5 mass funeral orations, and 22 related texts.

⁷ Lys. 14.45 trans. Lamb. Aeschin 1.1, 195, 2.56, 60, 109-10, 134, 3.71, trans. Adams. Dem. 10.10, 15.1, 31, 18.73, 165, 19.15, 22.48, 23.13, 25.9, trans. Vince. Isoc. 13.2, trans. Norlin. Din. 2.15, 17 trans. Burt. Thphr. *Char.* 26.1, trans. Rusten. Aristot. *Rh.* 1354b, 1358b-62a, 1369b, 1377b, 1413b, 1415b trans. Barnes, Freese, Lawson-Tancred.

⁸ The phrase is Chambers' (2009). This point is emphasized by Manin 1997, 2011; I develop his arguments by establishing the distinction between speakers, who advised, and audience, which deliberated. Cf. Finley 1985, p. 56; Remer 1999, 2000; Urfalino 2005.

⁹ Forsén and Stanton eds. 1996; Hansen 1999, 130-2. Elster 1998, p. 2; Fishkin 2009, p. 12; Finley 1985, p. 24; Hansen 1989, pp. 93-127, 1999, pp. 142-7; Johnstone 1997, p. 110; Ober 1989, pp. 324-5, 2008, p. 164; Rhodes 1972, p. 80. Cf. Dahl 1989, 225-31.

¹⁰ Fishkin 2009, pp. 11, 82; Ober 1989, pp. 142-51; Ober 2013; Ruzé 1997, pp. 437-543.

¹¹ Antiph. 5.71-3, 90-4; Lyc. 1.2, 11, 14-15, 83; Aeschin. 3.255; Din. 1.26, 98. Cf. Andoc. 4.7; Lys. 6.8, 9.15, 19, 21.13, 25.21, 23, 28.16; Isoc. 5.170, 178, 248; Dem. 20.15, 35, 25.14, 48.52, 53.29; Aristot. *Pol.* 1286a25-30, 1287b30-5; Hyp. 5, fr. 3.

had been heard, the judges simply collected their ballots and voted secretly.¹² Nothing prevented them from making noise during speeches (often referred to as *thorybos*, ‘uproar’) or from exchanging comments on their way to the voting urns, but the deliberations to which litigants referred were largely internal.¹³ Might this have been the case more generally?

This investigation requires some care with terminology. Three Greek verbs are associated with the translation ‘deliberative’. One, *dēmēgoreō*, ‘speak before the people’, ‘address the assembly’, ‘orate’ or more negatively ‘harangue’, certainly indicated public speech, though not discussion.¹⁴ Hence it is never rendered ‘deliberate’, but ‘deliberative’ is found in translations of related terms such as *hē dēmēgoria*, ‘deliberative oratory’, *ho dēmēgoros*, ‘deliberative orator’, *hē rhētorikē dēmēgorikē*, ‘deliberative rhetoric’.¹⁵ *Symbouleuō*, ‘advise or ‘counsel’, also indicated communication, though again the action was always one-way.¹⁶ Hence it, too, is never translated ‘deliberate’, though *ho symbouleuōn* may be rendered ‘deliberative speaker’ and *hē rhētorikē symbouleutikē* ‘deliberative rhetoric’.¹⁷

The only Greek verb conventionally translated ‘deliberate’ is *bouleuomai*, while *to bouleesthai* or *hē bouleusis* lie behind most appearances of ‘deliberation’ and *bouleutikos* behind many of ‘deliberative’. Most important, of these three verbs, only *bouleuomai* denoted an action performed by the *dēmos*. *Dēmēgoreō* and *symbouleuō* were associated with individuals, but the subject of *bouleuomai* could be an individual, a small group, or a mass.¹⁸ Still more interesting, the actions represented by *dēmēgoreō* or *symbouleuō* and *bouleuomai* were often performed by solo speakers and mass audiences *simultaneously*.¹⁹

It follows that any investigation of democratic deliberation in ancient Greece must centre on the meaning of *bouleuomai*. The use of ‘deliberative’ to render cognates of *dēmēgoreō* and *symbouleuō* is misleading, since those verbs did not

¹² Aristot. *Pol.* 1268b5-10. Boegehold 1995, pp. 21-42.

¹³ Andoc. 1.69-70; Isoc. 15.272; Dem. 18.52, 23.19, 47.44, 50.3, *Ex.* 5, 21, 26; Lyc. 1.52, 58, 127; Hyp. 1.2, 20, 4.41; Thphr. *Char.* 7; Bers 1985; Schwartzberg 2010; Boegehold 1995, p. 39.

¹⁴ From *dēmos*, ‘people’, and *agoreuō*, ‘speak in the *agora*’. Aeschin. 1.3, 3.71, trans. Adams; Dem. 21.202, trans. Vince; Isoc. 8.75, trans. Norlin; Dem. *Ex.* 9, trans. DeWitt; Plat. *Gorg.* 519d, trans. Lamb. Cf. Aeschin. 1.1, 2, 3, 19-20 *et passim*, 3.220; Ps-Aristot. *Ath. Pol.* 28.3; Isoc. L1.9, L8.7, *Panath.* 9; Plat. *Gorg.* 482c, 519d.

¹⁵ Aristot. *Rh.* 1354b, 1413b, trans. Lawson-Tancred; Lys. 14.45 trans. Lamb; Dem. 19.15, 22.48, 23.13 trans. Vince; Aeschin. 1.1, 195, 2.56 trans. Adams; Din. 2.15, 17 trans. Burt.

¹⁶ Isoc. L1.2, L2.1, L6.6; Dem. *Ex.* 3; Din. 1.35; Aeschin. 1.110-11.

¹⁷ Aristot. *Rh.* 1358b-62a, 1369b, 1377b, trans. Barnes, Kennedy, Lawson-Tancred. Yunis 1996, p. 16, n. 24, discusses the shift in translating *symbouleutikon* from ‘political’ to ‘deliberative’ [rhetoric]. I suggest ‘advisory’ for *symbouleutikon* and ‘public’ for *dēmēgorikon*.

¹⁸ Individuals: Hom. *Il.* 2.114; Aristot. *NE* 1112b12-18; Isoc. L2.20. Small groups: Hdt. 3.71-84; Plat. *Crit.* 119d, 120c-d, *Gorg.* 487c-d; Dem. 19.122. Masses: Aeschin. 1.22, 33, 2.50, 60-1, 67, 70, 82, 120, 3.67, 151, 251, 255; Dem. 3.1, 5.2, 6.28, 9.19, 10.30, 18.86, 19.96, 23.109, 24.99, 25.14, *Ex.* 6; Plat. *Prot.* 319a-d.

¹⁹ Plat. *Prot.* 319b-d, 322d-24c, *Gorg.* 455b-56a, *Alc.* I 106c-7d; Thuc. 3.43, 38; Xen. *Mem.* 3.6; *Hell.* 1.7.16, 19, 2.2.15, 2.4.40; Andoc. 4.12; Lys. 6.54, 25.27, 33.3; Isoc. 3.19, 21, 4.3, 19, 170-1, 5.88, 143, 7.77-8, 8.1-2, 8-13, 27, 52-55, 12.170-1, 15.256; Aeschin. 1.26, 64, 1.110-11, 120, 180, 186, 2.29, 49, 65, 157, 165, 3.158, 225-6; Dem. 4.1, 8.1, 73, 10.17, 75, 14.8, 15.1, 18.86, *Ex.* 1, 3, 6, 11, 20, 26-7, 30, 33, 35-6, 56; Din. 1.31, 35-6, 40, 72, 76-8, 81, 93, 2.14, 15; Hyp. 5 col. 28; Ps. Aristot. *Ath. Pol.* 23-4, 29.

suggest discussion. To be sure, it is not strictly necessary to infer from these translations that the deliberation implied is dialogical rather than internal. ‘Deliberative rhetoric’, for example, may suggest rhetoric intended to assist the *dēmos* in its internal deliberations. Indeed, when such translations were first advanced, in the nineteenth century and earlier, that was possibly what the translators had in mind. Even so, these renderings seem ill-advised. That is because when ‘deliberate’, ‘deliberative’ and ‘deliberation’ appear in connection with both speakers and listeners, the impression naturally arises that speakers and listeners are engaged in the same activity. On the dialogical interpretation of deliberation, that looks fine: both speakers and listeners are indeed part of the deliberating group. But in our ancient Greek texts, typically, speakers alone orate (*dēmégoreō*) and advise (*symbouleuō*), while the audience alone deliberates (*bouleuomai*).

This article argues that in mass political contexts in classical Athens, deliberation implied not interpersonal talk but internal thought, culminating in a vote. As such, it foregrounds the ‘internal-reflective’ form of deliberation discussed by Robert Goodin and found in, amongst others, Aristotle, Hobbes and Rousseau.²⁰ I begin by using largely non-Athenian evidence to establish three models of deliberation represented by *bouleuomai*: internal, dialogical and what I call guided. The arguments presented are both philosophical and philological; the latter material may be unfamiliar to some readers, but I hope not alienating. Next, I analyze Athens’ courts, council and assembly in the light of this framework and other historical and textual evidence, and find that dialogical deliberation, at least on the ancient Greek conception, did not take place in any of them.²¹

Athenian democracy should thus not be treated as a historical precedent for deliberative democracy as it is conceived today. This claim should interest not only deliberative democrats, but also, I hope, classicists, ancient historians and translators who have—unwittingly perhaps—buttressed the deliberationists’ case by ascribing both speech acts and deliberation to speakers and audiences alike instead of to the one and the other, as the Greek suggests. It may also prove useful to those interested in the political thought of Aristotle, whose conception of deliberation does not imply discussion, as is often imagined, but typically coming to an internal decision about actions within one’s own power.

These implications are largely negative. Yet the study of Athenian deliberation still has value for political theorists. For one thing, it offers a fresh perspective on the relationship between deliberation and decision-making.²² Unlike some modern uses of ‘deliberate’, *bouleuomai* denoted both the consideration involved in the run-up to a decision and the moment of decision itself. To consider an action without deciding it—or to consider issues not open to being altered by human action—was not, in ancient Greek, to deliberate at all, but to contemplate (*theōreō*) or to converse (*dialogō*). The implication for democracy was clear. If

²⁰ Aristot. *Eud. Eth.* 1227a18, *Nic. Eth.* 1112b15; Hobbes *Civ.* 13.16, *Lev.* I.6; Rousseau *Cont. Soc.* II.3.3. Goodin 2003, 2008; Manin 2011; Stevens 1933.

²¹ Another venue worth examining would be Athens’ local assemblies or *dēmoi*: cf. Ober 1989, p. 106; Osborne 1985; Whitehead 1986. What little evidence we have supports my case: e.g. the use of *dēmégoreō*, not *bouleuomai*, to describe speech-making at Dem. 57.9.

²² Compare e.g. Habermas 1985, 1996; Gutmann and Thompson 1996, 2004; Urfalino 2010.

large numbers of people were to deliberate politically, that is, to make political decisions, the deliberation had to be internal and culminate in a vote.

Additionally, the fact that most Athenians participated in politics by voting rather than by speaking suggests a greater similarity between classical Athenian and modern democratic politics than is often supposed. Athens, like all modern polities, was too large for ‘genuine public conversation’.²³ Many political tasks, including speech-making, were consequently ‘outsourced’ to small numbers of individuals eager to increase their personal honour and renown.²⁴ Accordingly, the most important difference between classical Athenian and modern democracy concerns not political dialogue but the fact that in Athens, all political decisions were made by very large groups of ordinary citizens, under advice from those who sought a leading political role, and that the bar to performing a leading role was low, while the risks associated with it were high—the opposite of the case today. Such a system would not be beyond our power to imitate, if we chose.

I. Three Models of Deliberation

Bouleuomai is widely attested from Homer to Aristotle. We shall begin, therefore, by exploring its use outside Athenian political settings. Three models of deliberation emerge. The first, both chronologically and as presented by Aristotle, was internal deliberation by a single agent. Dialogical deliberation, featuring small group discussion, also appears from the fifth century on. A third type, which we may call guided deliberation, featured an internally deliberating decision-maker who took advice from others. Though seldom discussed, the last is the most important for understanding the Athenian democratic process, and may also have something to offer political theorists today.

Introducing bouleuomai: Aristotle’s account

Aristotle provides the only surviving philosophical examination of *hê bouleusis* or *to bouleuesthai*, ‘deliberation’.²⁵ His account is clear, consistent, supported by a noteworthy feature of Greek grammar and uncontradicted by any other evidence, though it does need to be supplemented. Deliberation, as represented by Aristotle, was typically internal; it meant coming to a decision about a course of action within the deliberator’s power; it was a two-stage process, involving first considering, then deciding; and while it could be performed by groups, Aristotle gave no sign that such cases had to or even might include discussion.

That Aristotle took the paradigm of deliberation to be internal is shown by the fact that all his exemplars are single men—a doctor, a general, a gymnastic trainer, a Lacedaimonian, an orator, a prudent man, Pericles.²⁶ Though the first person plural (*bouleuometha*, ‘we deliberate’) also appeared in his account, by ‘we’ Aris-

²³ Pace Gutman and Thompson 1996, p. 131.

²⁴ See Finley 1985, pp. 38-75.

²⁵ Significant discussions include Bickford 1996, pp. 25-54; Hardie 1980; Irwin 1975; Mulgan 1999; Yack 1996. See also Cammack 2013b.

²⁶ Aristot. *Eud. Eth.* 1227a19, 1227b25; *Nic. Eth.* 1112a32, 1112b12-14, 1140a26, 1140b6. Cf. *Hist. Anim.* 488b25; *Pol.* 1260a1.

total usually meant people in general rather than a group acting together, and that was the case here. There were exceptions: in the *Nicomachean Ethics* he said that ‘all particular divisions of men deliberate (*bouleuontai*) about things attainable by their own actions’, while in the *Eudemian Ethics* he observed that ‘we do not deliberate (*bouleuometha*) on affairs in India’, presumably thinking of Greek communities rather than single citizens.²⁷ In the *Rhetoric* and *Politics*, too, the grammatical subject of *bouleuomai* was often a group.²⁸ But nothing in Aristotle’s philosophical analysis required the presence of others. Its focus was ‘the deliberator’ (*ho bouleuomenos*) in the singular.²⁹

What did this activity involve? According to Aristotle, we deliberate exclusively about ‘things from us and from action’, or more elegantly ‘practical matters within our power’.³⁰ We do not deliberate about eternal things such as geometrical truths, regular things such as solstices, irregular things such as the weather, random things such as finding treasure, or anything else caused by nature, necessity or chance.³¹ We deliberate only about outcomes attainable by human agency and not even most of those. A Lacedaemonian would not deliberate about the best political system for the Scythians, for Scythian government is not under his control.³² Equally, we do not deliberate about spellings: we may wonder how to spell a word correctly, but the correct spelling is not up to any one of us.³³ Deliberation concerns solely *things within the power of the deliberating agent to effect*, via either his own agency or that of others under his direction.³⁴ Its subject matter is limited because its purpose is limited. Deliberation decides the action of the deliberator. It is thus inextricably linked to agency and choice. It presupposes that the deliberator is choosing between at least two possible courses of action.³⁵

This may seem a surprisingly narrow account. Aristotle would have been puzzled by the idea of deliberating in a seminar room: it would have struck him as a misuse of terms.³⁶ On his understanding, philosophical, historical and scientific questions cannot be deliberated about, because they cannot be influenced by the actions of the deliberator. That is not to say that such questions cannot be considered, examined, contemplated, discussed and so on. Ancient Greek, like English, recognized many kinds of intellectual activity. Among the terms Aristotle used to describe his characteristic occupation were *theôrêo*, ‘theorize’ or ‘contemplate’, *skeptomai*, ‘consider’, and *skopeuô*, ‘examine’.³⁷ But *bouleuomai* he reserved for

²⁷ Aristot. *Nic. Eth.* 1112b37; *Eud. Eth.* 1226a28.

²⁸ Aristot. *Pol.* 1275b20-25, 1281b25-30, 1286a27, 1298a4-35, 1298b10-35, 1322b37; *Rh.* 1358b.

²⁹ Aristot. *Eud. Eth.* 1227a6-8; *Nic. Eth.* 1142a34.

³⁰ Aristot. *Nic. Eth.* 1112a30-1. Cf. *Eud. Eth.* 1226a26-33; *Rh.* 1357a.

³¹ Aristot. *Nic. Eth.* 1112a20-30.

³² Aristot. *Nic. Eth.* 1112a36.

³³ Aristot. *Nic. Eth.* 1112b1-4.

³⁴ Aristot. *Nic. Eth.* 1112b28.

³⁵ Aristot. *Eud. Eth.* 1227a18-19, *NE* 1113a2-12. See further Cammack 2013b.

³⁶ E.g. Bohman 1996, p. 3.

³⁷ *Theôrêo*: *Hist. Anim.* 491a, *Met.* 1001a4, *Nic. Eth.* 1104a12, 1139a1, *Pol.* 1334b5; *skeptomai*, Aristot. *Eud. Eth.* 1214a15, 1217b1, 1218b27, *Pol.* 1324a14; *skopeuô*: *Eud. Eth.* 1214b29, 1217b16, *Nic. Eth.* 1112a10.

practical decision-making, excluding even the process of settling on an opinion.³⁸ Though some form of imagination is common to all animals, he said in *On the Soul*, the deliberative (*bouleutikê*) imagination belongs only to those that decide whether to *do* this or that.³⁹

Deliberation, according to Aristotle, thus involved coming to a decision about an action within one's power. And this, importantly, was a two-stage process. In English, 'coming to a decision' is ambiguous: either the consideration performed prior to the decision or the final act of decision-making may be meant. There was less ambiguity about *bouleuomai*, because the stage reached was often indicated by tense.⁴⁰ In the present tense, *bouleuomai* could suggest either the entire deliberative process, both considering and deciding, or more specifically the process of consideration alone; in past tenses, it specified 'decide after consideration'.⁴¹

The present participle, for instance, was used when the deliberator was still making up his mind. 'The deliberator (*ho bouleuomenos*, present) always deliberates for the sake of something...he always has some aim in view'.⁴² The aorist (or another past tense) confirmed that the decision had been made. 'The weak, having come to a resolution (*bouleusamenoî*, aorist), on account of passion do not keep to what they decided (*ebouleusanto*, aorist). The impetuous, on the other hand, on account of not making a resolution (*to mê bouleusasthai*, aorist), are led by passion throughout'.⁴³ Neither the weak nor the impetuous, on this account, fail entirely to deliberate: the weak actually complete both parts of the deliberative process and form a decision, though they fail to execute it, while the impetuous may begin but do not complete the decision-making process. And the stage reached is shown by tense.

This leads to a significant point. The fact that *bouleuomai* represents a two-stage process may hardly matter when the deliberator is a single person, since both considering and deciding are internal and the transition between them may be virtually seamless. When the deliberating agent is a group, however, it matters quite a lot, because different processes will necessarily feature at each stage. 'Considering' may involve internal thought, hearing speeches, or group discussion; 'deciding' may involve voting, either publicly or in secret, or establishing a verbal consensus. Any combination of these options could be represented by *bouleuomai*. The modern English 'deliberate' is different in this respect, since even in past tenses it may refer to the consideration stage alone, with a different term (e.g. 'deciding') used to specify the moment of decision.⁴⁴

³⁸ Aristot. *Nic. Eth.* 1111b30-12a13.

³⁹ Aristot. *De An.* 434a7-9 (italics mine).

⁴⁰ Including in parts of speech that do not show tense in English, such as participles and infinitives. In such cases tense shows not time but aspect: progressive/repeated aspect by the present tense, simple aspect by the aorist, and completed aspect by the perfect.

⁴¹ Liddell et al. 1996, s.v. *bouleuô*.

⁴² Aristot. *Eud. Eth.* 1227a6-7.

⁴³ Aristot. *Nic. Eth.* 1150b18.

⁴⁴ As illustrated by e.g. Yack 1996, p. 420. Sintomer 2010 notes that the association of deliberation with decision-making remains strong in modern Italian and Portuguese. Conversely, the German *deliberative Stimme* ('deliberative voice') is strictly consultative (p. 485, n. 16).

This poses a problem for those interested in the mechanics of mass deliberation in ancient Greece. *Bouleuomai* tells us only that a decision is reached; if we want to know *how*, we need more information. What can we glean from Aristotle? Only that nowhere in his dedicated philosophical analysis nor anywhere else does he associate *bouleuomai* with group discussion.

Groups certainly did deliberate. Writing of court cases, Aristotle confirms that panels of citizens (*syniontes*, ‘those gathered together’) hear trials (*dikazousin*), deliberate (*bouleuontai*), and judge (*krinousin*).⁴⁵ Yet, as already noted, according to Aristotle judges did not confer.⁴⁶ Groups also made policy. Aristotle observes that decisions (*kriseis*) about war and peace, alliances, laws and so on may be assigned to all citizens, to some, or to single officials, and he adds that allowing all to deliberate (*bouleuesthai*) about everything was standard in democracies of his day.⁴⁷ But he never implies that such deliberation involved group discussion.⁴⁸

The defence of rule by a multitude in *Politics* III has been interpreted as though it did. Aristotle argues that many men can contribute more of a certain politically salient thing than a small number or a single man, and this contribution has been interpreted as diverse speech.⁴⁹ But as I have argued elsewhere, that reading must be mistaken.⁵⁰ The specific tasks that Aristotle assigns to the multitude are deciding elections, audits (the routine inspection of office-holders after their tenure) and trials, and none of these involved speech on the part of the decision-makers.⁵¹ Elections were typically held in assemblies but without debate, while audits (usually) and trials were decided by judges, who as we have just observed did not engage in discussion.⁵² Most important, Aristotle’s remark that his argument ‘would also apply to animals’ proves that speech played no part in it.⁵³ *Logos*, verbal reason, was to Aristotle the essential difference between human beings and other animals.⁵⁴ Consequently, it cannot have been the politically salient thing he had in mind. *Arété*, ‘virtue’ or ‘excellence’, aggregated and even amplified through collective action, seems a more plausible candidate.⁵⁵

Another line, from *Politics* IV, may also be interpreted dialogically: ‘They will deliberate (*bouleusontai*) better when all deliberate (*bouleuomenoi*) together, the *dêmos* with the notables and they with the majority’.⁵⁶ The present participle in ‘all deliberate together’ suggests that Aristotle was thinking of the consideration stage, but what is meant by ‘together’ is unclear. Group discussion is possible, but so is internal deliberation guided by oratory, as in court cases. Moreover,

⁴⁵ Aristot. *Pol.* 1286a25-30; cf. 1287b30-7.

⁴⁶ Aristot. *Pol.* 1268b5-10.

⁴⁷ Aristot. *Pol.* 1298a1-35; cf. 1318b22-30.

⁴⁸ Pace Bickford 1996; Mulgan 1999; Waldron 1995; Yack 1996.

⁴⁹ Aristot. *Pol.* 1281a-b, 1286a25-32. In addition to the works just cited, see Goodin 2008, p. 94; Gutmann and Thompson 1996, p. 131, 2004, p.8; Landemore 2012, pp. 59-64; Ober 2008, pp. 110-14.

⁵⁰ Cammack 2013a. Contra: Ober 2013, pp. 109, 111.

⁵¹ Aristot. *Pol.* 1281b30-35, 1282a6-14, 1282a25-35, 1286a25-28. Cf. Lane 2013.

⁵² Hansen 1983, pp. 119-21; Piérart 1974; Rhodes 1981.

⁵³ Aristot. *Pol.* 1281b20-82a16.

⁵⁴ Aristot. *Pol.* 1253a1-17, 1332b5. Cf. *Hist. Anim.* 536b.

⁵⁵ Cammack 2013a.

⁵⁶ Aristot. *Pol.* 1298b20. Cf. Thuc. 1.87.4-5.

the rest of the passage suggests a different interpretation. Aristotle was considering how to improve *to bouleuesthai*, here best translated ‘policy-making’, in communities where the *dêmos* was maximally powerful, and to this end he listed several possible measures: increasing the number of elite citizens on the deliberative body; fining elite citizens for non-attendance—the immediate prompt for the line above; electing deliberators or choosing them equally by lot from each class; giving pay for attendance to no more than the number of non-elite citizens needed to balance those in the political class; and eliminating by lot any excess of the former over the latter.⁵⁷ The theme is balancing the numbers of notables and members of the *dêmos* who would take part in deliberation, and this suggests that Aristotle was thinking principally of the outcome of the *vote*. What will apparently be better when more elite citizens take part is the final result, not (at least on this evidence) the quality of any prior discussion. The same idea seems to have underlain the custom of not allowing those with land near the frontier to take part in deciding whether to go to war against a neighbouring *polis*, on the ground that ‘private interest would prevent them from being able to decide well’ (*bouleusasthai kalôs*).⁵⁸ Here, the use of the aorist confirms that Aristotle was thinking specifically of the final decision.

According to Aristotle, then, *bouleuomai* meant coming to a decision about a course of action within one’s power, in political contexts perhaps especially through voting, and the dominant paradigm was internal. Groups did deliberate, but Aristotle did not specify exactly how. Evidently it did not strike him as sufficiently important—which is in itself instructive.

Deliberation in early sources: the internal model confirmed

As noted above, Aristotle’s account of the purpose of deliberation is nowhere contradicted. Where variations appear, they concern only the number of deliberators and whether their activity was internal, dialogical, or a combination. Nonetheless, the internal model came first, not only in Aristotle’s philosophical presentation but also historically. It has been said that internal deliberation is ‘modelled upon’ our interpersonal experiences of discussion and debate, but the ancient Greek evidence suggests otherwise.⁵⁹ Every early use of *bouleuomai*, from Homer to Sophocles, represents internal activity.

In its first appearance, in the *Iliad*, Zeus is said to have gone back on an earlier promise and ‘determined upon (*bouleusato*) cruel deceit’.⁶⁰ Theognis advises his reader to ‘think (*bouleuou*) twice and thrice...for the headstrong man comes to grief’, while Semonides’ vicious woman ‘all day long...ponders (*bouleuetai*) only this, how to do the greatest harm she may’.⁶¹ Later examples include Electra’s ‘Hear what I have determined (*bebouleumai*) to accomplish!’; Oedipus’s ‘O Zeus,

⁵⁷ Aristot. *Pol.* 1298b10-28.

⁵⁸ Aristot. *Pol.* 1330a22-6.

⁵⁹ Goodin 2003, p. 169. Cf. Mulgan 1999, p. 195.

⁶⁰ Hom. *Il.* 2.111-14, rpt. 9.18-21.

⁶¹ Theog. 633-4; Sem. *Censure* 81-2.

what have you decreed (*bebouleusai*) for me?'; and Phaedra's statement that she goes to die, but how 'shall be my own devising' (*bouleusomai*).⁶²

Such uses are just what Aristotle leads us to expect. But something else emerges from our earliest texts that we might not have anticipated. Although *bouleuomai* was always associated with internal decision-making, that activity could *also* be represented by *bouleuô*, 'plan'. In Hesiod, Phocylides and Pindar, *only* *bouleuô* appears in this context, while in Homer and Aeschylus *bouleuomai* appears only once, *bouleuô* many times. In Sophocles and Euripides, however, *bouleuomai* and *bouleuô* are used about equally, while in the fourth century *bouleuomai* was far more common. What accounts for these usage patterns?

The answer both confirms the association of *bouleuomai* with internal decision-making and, in introducing us to the wider family of terms related to planning and advising in the classical era, lays the groundwork for an improved understanding of the division of labour within and among Athenian political bodies.

We must here tackle another grammatical point. Technically, *bouleuô* and *bouleuomai* are not distinct verbs, but two voices of the same verb, *bouleuô* the active and *bouleuomai* the middle. The textbook distinction between these voices is that the active 'represents the subject performing the action of the verb', while the middle 'shows that the action is performed with special reference to the subject'.⁶³ Specifically, Smyth writes, 'as contrasted with the active, the middle lays stress on the conscious activity, bodily or mental participation, of the agent'.⁶⁴ Heading Smyth's examples are '*bouleuô*, plan, and *bouleuomai*, deliberate'.

Drawing on their earliest uses, we may elaborate on Smyth's distinction. Though *bouleuô* could show the subject planning—that is, designing and/or deciding⁶⁵—his, her or their own action, it could also indicate the designing of a plan by someone *other than* the decider of the action, i.e. the preparation or provision of advice. *Bouleuomai*, by contrast, emphasized that the subject of the verb was himself or herself the decider. It indicated that the subject was engaged in forming his or her own will (*boulê*).

The flexibility of *bouleuô* is clearly apparent in Homer. The subject is most often a single person planning (or more negatively 'plotting') his or her own action, as in Phoenix's report, 'Then I hatched a plan (*bouleusa*) to slay him with the sharp sword'.⁶⁶ But plural subjects were also common. The Trojans wish to know 'whether our foes are planning (*bouleousi*) flight', so Dolon goes to Agamemnon's ship, 'where the chief men will be holding council' (*boulas bouleuein*, literally 'planning plans').⁶⁷ Here communication is certain, as in Achilles' lament, 'Never more in life will we sit apart from our friends and make plans together' (*boulas...bouleusomen*).⁶⁸ Additionally, Nestor's request that Agamemnon

⁶² Soph. *El.* 947, *Oed. Tyr.* 738, trans. Lloyd-Jones; Eur. *Hipp.* 723, trans. Kovacs.

⁶³ Smyth 1956, §§1703, 1713.

⁶⁴ Smyth 1956, §1728. Ancient Greek verbs also had a passive voice, which does not need to be discussed here.

⁶⁵ *OED*, s.v. 'plan'.

⁶⁶ Hom. *Il.* 9.458. Cf. 2.204-6, 9.96, 10.343-4; *Od.* 1.1443-4, 5.22, 9.299, 420, 11.229, 12.55, 14.490, 24.478. 'Plot': *Od.* 5.178, 187, 10.300, 344.

⁶⁷ Hom. *Il.* 10.310-11, 325, tr. Murray, rev. Wyatt. Cf. 10.398, 14.464; *Od.* 23.217.

⁶⁸ Hom. *Il.* 23.77-8. Cf. 1.531, 2.344-6, 377, 10.415; *Od.* 6.60, 13.439, 16.233-4.

‘follow whoever devises the wisest counsel’ (*boulên bouleuse*) and Odysseus’ reference to a Phoenician who had given him ‘lying counsel’ (*bouleusas*) suggest ‘advise’, producing a plan for another rather than for oneself.⁶⁹

In other archaic texts, we find not only ‘plan’, ‘plot’, and ‘advise’, but also ‘conspire’, ‘deliberate’ and ‘consult’.⁷⁰ Several of these reappeared in Aeschylus. *Bouleuô* suggests ‘plan’ or ‘decide’ in the frantic exclamation of an Argive elder, ‘One who wants to act must first plan (*bouleusai*) what action to take’; ‘advise’ in Prometheus’ sad plaint, ‘I, though advising (*bouleuein*) for the best, could not persuade the Titans’; and ‘decide’ or ‘decree’ in Eteocles’ declaration, ‘If anyone fails to obey my authority, a sentence of death will be decreed’.⁷¹

Bouleuomai, by contrast, appeared *only* when the subject was himself or herself deciding, especially when this involved opposition to the will of another. In the line from the *Iliad* quoted above, what will transpire is what Zeus has privately determined upon, as opposed to what he had previously promised. Likewise, Theognis’ ‘Think twice and thrice’ and Semonides’ ‘All day long she ponders’ suggest private, even secretive, decision-making. Aeschylus’ sole use of the middle *bouleuomai* is especially revealing.⁷² When the Theban maidens defy Eteocles, he tells them, in Sommerstein’s translation, not to ‘behave imprudently’ (*bouleou kakôs*).⁷³ ‘Behave’ is hardly a literal rendering of *bouleou*, but it aptly conveys the connection between internal thought and the subject’s own action.

The association between *bouleuomai* and deciding one’s own action was then reconfirmed in the striking reduction in the relative frequency of *bouleuô* during the classical period. While in Homer the proportion of active to total uses was 32/34, in the other archaic poets 8/10 and in Aeschylus 16/17, in Sophocles it was 13/22; Euripides, 18/32; Pseudo-Xenophon, 3/9; Aristophanes, 6/21; Herodotus, 23/133; Antiphon, 5/14; Andocides, 6/19; and Thucydides, 23/110. In Lysias, in the fourth century, the figure was 23/42; Isocrates, 2/114; Xenophon, 9/114; Plato, 5/103; Isaeus, 0/11; Aeschines, 6/46; Demosthenes, 14/168; Aristotle, 14/145; Lycurgus, 0/10; Hypereides, 0/4; Dinarchus, 1/8; and Theophrastus, 0/3.

What accounts for the change is specialization. The early prominence of *bouleuô* gave way to less frequent usage as several of its functions devolved to other terms. Most importantly, ‘deliberate’, i.e. ‘come to a decision about a course of action within one’s own power’ became the near-exclusive province of *bouleuomai*.⁷⁴ What had been a way of emphasizing the subject’s authority over

⁶⁹ Hom. *Il.* 9.74-5, *Od.* 14.295-7, trans. Murray, rev. Wyatt. Cf. *Il.* 10.146, 24.650.

⁷⁰ Tyrtaeus. *Rhetra*; Theog. 69-72, 1050-1, 1088; Pind. *N.* 9.37; Phoc. in Orion *Anth.* i.22.

⁷¹ Aesch. *Ag.* 1346, *PB* 169, trans. Sommerstein (modified), *Seven* 198, trans. Smyth. Cf. *Ag.* 1223, 1614, 1627, 1634; *Eum.* 696; *Pers.* 758; *Seven* 200, 248; *PB* 206, 1031.

⁷² Aesch. *Lib.* 716-18 and *Ag.* 844-5 are future middles used passively: see Smyth 1956, §807ff.

⁷³ Aesch. *Seven* 223, tr. Sommerstein (modified). Cf. Aristoph. *Eccl.* 769-70.

⁷⁴ Pace Ober 2013, p. 116, where *bouleuein* (the present infinitive active) is defined as ‘to deliberate’. See e.g. Soph. *El.* 1046, *Oed. Tyr.* 537, 1367, *Ant.* 772, *Trach.* 589, *Phil.* 1228; Eur. *Supp.* 248, *IA* 1102, *Ba.* 842-3, *Phoen.* 735, *Andr.* 63, 1280, *El.* 269, *Hipp.* 900, *Med.* 567, 893, *Orest.* 637-8, 1131; Aristoph. *Frogs* 865, *Kn.* 88, *Lys.* 951, *Peace* 58, 106, 230; Hdt. 1.20, 79, 91, 116, 3.17, 119, 134, 153, 154, 5.35, 111, 6.3, 86; 7.10, 12, 13, 49; 8.100, 101; 9.12, 13, 14, 16; Thuc. 1.36, 2.64, 3.48, 5.8, 71, 6.12, 8.58; Antiph. 1.17; Andoc. 1.42, 145; Lys. 14.45; Xen. *Hell.* 1.30-1; Isaeus 1.11, 20, 41, 43, 50, 2.1, 15, 3.64, 7.33, 8.36, 10.16; Isoc. 1.34, 35, 2.2, 47, 51, 3.51,

an action gradually became standard usage whenever the proposed action was decided by the subject. *Bouleuô* still performed this function in the fifth century⁷⁵ and when the meaning was closer to ‘plot’ than to ‘plan’.⁷⁶ But eventually ‘plot’, too, was largely taken over by another verb: *epibouleuô*, literally ‘against-plan’, first seen in Aeschylus.⁷⁷ Similarly, and as we shall soon see significantly, ‘advise’ was from the late fifth century nearly always expressed not by *bouleuô* but by *symbolleuô*, literally ‘with-plan’, first seen in Sophocles.⁷⁸

In place of these uses, *bouleuô* became primarily associated with the activity of formally constituted councils and councillors. It had, as we have seen, appeared in this context in Homer; likely later examples appear in Herodotus, Pseudo-Xenophon and Aristophanes, and definite examples in Antiphon and Andocides.⁷⁹ Lysias’s speeches, which date mainly from the early fourth century, contain only one use of *bouleuô* that does *not* indicate council activity.⁸⁰ Those of Demosthenes, by far the largest corpus among the extant orators, also contain only one.⁸¹ Conversely, in Demosthenes, ‘come to a decision about a course of action within one’s power’, without negative intent, was always represented by *bouleuomai*—just as in Aristotle.⁸²

Demosthenes and Aristotle were exact contemporaries (384-22), so it may not be surprising to find that they used *bouleuomai* in the same way. But we should note how fully Aristotle’s analysis has been confirmed. Our earliest examples of *bouleuomai* suggest not only that it originally indicated internal deliberation, but that it actually emphasized the internality of the deliberation taking place. Later, just as Aristotle attests, *bouleuomai* gradually became the *only* way to indicate coming to a decision about the subject’s own action. During the same period,

9.41; Plat. *Rep.* 390b, L1 309b, L7 324a, 346d-47c; Aeschin. 1.64, 2.114, 3.81, 209; Dem. 21.74; Din. 2.24; Hyp. 6.15.

⁷⁵ Soph. *Oed. Tyr.* 618, 1417, *Ant.* 1179; Eur. *Ion* 984, *El.* 618, *Med.* 874, *Or.* 773; Aristoph. *Birds* 637, *Clouds* 419, *Ass.* 505, poss. *Peace* 690; Hdt. 1.73, 117, 120, 3.84, 6.52, 130, 8.97, 100, 9.106; Thuc. 1.85, 97, 132, 2.6, 3.28, 4.15, 37, 41, 51, 74, 5.63, 87, 111, 116, 6.18, 91, 8.50; Lys. 3.42; Dem. 19.21; Aristot. *Met.* 1013a.

⁷⁶ Soph. *Aj.* 1055, *El.* 1001, 649, *Oed. Tyr.* 606, *Ant.* 490, *Trach.* 807; Eur. *Andr.* 804, *El.* 27, 1012, *Hec.* 855, 870, *Med.* 37, 316, 401, *Orest.* 1089, *Rh.* 862, 950; Hdt. 1.11, 210, 5.106, 6.61, 7.197, 9.110; Antiph. 1.26, 3.7, 6.16; Andoc. 1.95, 2.20; Aeschin. 2.115, 117; Dem. 19.21; Din. 1.30; Aristot. *Pol.* 1310a10.

⁷⁷ Aesch. *Seven* 29; Soph. *Oed. Tyr.* 618; Eur. *Or.* 1237; Hdt. 1.24, 99, 183, 209, 210, 2.121, 3.119, 122, 134, 6.65, 137, 8.132; Aristoph. *Kn.* 894, *Peace* 404, 407, *Thes.* 83, 335, *Plat.* 570, 1111; frequently thereafter.

⁷⁸ *Bouleuô* suggests ‘advise’ at Soph. *Antiph.* 267, *Phi.* 423, Eur. *Hipp.* 89, *Rh.* 108, Thuc. 3.42, 4.68, 6.39, 8.76, Lys. 31.31, and seldom thereafter. *Symbolleuô* appears in Soph. *Oed. Tyr.* 1370; Hdt., 57 uses; Thuc. 1.65, 8.68; Aristoph. *Cl.* 475, 793-4, and frequently thereafter.

⁷⁹ Hdt. 6.37; Ps. Xen. 1.9; Aristoph. *Eccl.* 444, *Kn.* 774, *Peace* 690; Antiph. 6.45; Andoc. 1.75, 90.

⁸⁰ Lys. 3.42. Cf. 13.19, 20, 74; 16.8; 25.14; 26.10-11; 30.10, 22, 23; 31.1, 2, 5, 14, 24, 26, 32, 31, 34; Isoc. 16.43; Aeschin. 1.80, 110; 3.72.

⁸¹ Dem. 19.21 (suggesting ‘plot’). Cf. Aeschin. 2.115, 117. Contrast Dem. 18.25; 19.154, 286; 21.111; 22.5, 9, 12, 16, 36, 40; 47.44; 57.8; 59.3, 4.

⁸² Dem. 4.33, 8.67, 18.235, 272, 19.226, 21.41, 74, 23.12, 27.4, 36.31, 50, 37.13, 47.71, 52.30, 61.34, 41, 56, *Ex.* 19.

however, we also find our first examples of *bouleuomai* used with a plural subject; and many of these, unlike in Aristotle, featured group discussion.

Dialogical deliberation: decision-making through discussion

The earliest known cases of *bouleuomai* suggesting group discussion are mid-fifth century: ‘Have they in fact decided (*bebouleuntai*) to do this to me?’, spoken by Sophocles’ Electra with reference to her mother Clytemnestra and stepfather Aegisthus, and Aeneas’ comment to Hector in Euripides’ *Rhesus*, ‘if this signalling is a trap to catch us, we shall...take counsel (*bouleusomestha*)’.⁸³ In neither case is speech explicitly attested, though it may be assumed. Elsewhere it is certain.

Herodotus, for instance, used *bouleuomai* to refer to the first meeting of the seven Persians who hoped to kill the Magian pretender to the Persian throne, a meeting at which they explicitly ‘exchanged speeches’ (*edidōsan sphisi...logous*).⁸⁴ It reappeared in relation to the so-called ‘constitutional debate’ said to have taken place a few days later, when ‘words were uttered which to some Greeks seem incredible’.⁸⁵ Similar cases appear in Thucydides, such as ‘the allies deliberated (*ebouleuonto*) which of the remaining places they should go against next—the Eleans urged Lepreon, the Mantineans Tegea, and the Argives and Athenians sided with the Mantineans’;⁸⁶ in Plato, as in Socrates’ comment to Callicles, ‘I once overheard you (pl.) debating (*ebouleuonto*) how far the cultivation of wisdom should be carried’, and the line in the *Critias* that ten kings ‘took counsel (*ebouleuonto*) about common affairs’, agreeing that ‘if anyone should attempt to overthrow any city...they should all lend aid, taking counsel in common (*koinê...bouleuomenoi*)’;⁸⁷ and in Demosthenes, ‘the envoys met and discussed (*ebouleuonth*)’ which of them should be left behind’.⁸⁸ What can we say about these cases and others like them?

To begin with, each involves small numbers. Clytemnestra and Aegisthus are two, the senior Trojans in *Rhesus* not many more, the Persian noblemen seven, Callicles and friends four, the kings in the *Critias* ten, and the envoys in Demosthenes nine. The group in Thucydides may be larger, but not by much. Such figures are comparable to the eight to ten participants that make up focus groups today or the fifteen to eighteen canvassed in deliberative polling.⁸⁹ Then as now, it would seem, group discussion coincided with limited participation.

Next, though *bouleuomai* in these examples certainly indicated discussion, so could other verbs. One, already encountered in Aristotle’s report of the ban on discussion among judges, was *koinologeomai*, ‘speak together’.⁹⁰ Others included

⁸³ Soph. *El.* 385, trans. Lloyd-Jones; Eur. *Rh.* 129-30, trans. Murray.

⁸⁴ Hdt. 3.71. Cf. 3.74, 76, 84.

⁸⁵ Hdt. 3.80. Cf. 1.112, 133, 143, 2.160, 4.102, 119, 137-8, 178, 5.92, 119-20, 6.7, 22, 138, 7.144-5, 173-5, 207-8, 219, 8.4, 7, 18, 40, 49, 57, 71, 75, 108, 130, 9.23, 41, 51-2, 86, 96-7, 106.

⁸⁶ Thuc. 5.62. Cf. 6.1, 25, 46, 93, 7.1, 47, 50, 8.8, 54; Xen. *Hell.* 2.1.6, 31, 6.4.15.

⁸⁷ Plat. *Gorg.* 487c, *Criti.* 119d, 120c-d, trans. Lamb. Cf. *Meno* 90e-91a, *Charm.* 176c, *Laws* 784b.

⁸⁸ Dem. 19.122, tr. Vince. Cf. *Lys.* 13.24.

⁸⁹ Fishkin 2009, p. 38.

⁹⁰ Aristot. *Pol.* 1268b5-10. Cf. Thuc. 8.63, 98.

didômi autous logous, ‘give each other speeches’, just seen in Herodotus;⁹¹ *anakoinoô*, ‘communicate’, found in Lysistrata’s demand, ‘get your allies’ heads together (*anakoinôsate*) and come to some decision (*bouleusasthe*)’;⁹² and *dialegô*, ‘converse’, source of the English ‘dialogue’. *Dialegô* often appeared in philosophical contexts, and the speech it named, ‘dialectic’, was conventionally contrasted with political speech, as in Plato’s *Gorgias* or the opening of Aristotle’s *Rhetoric*.⁹³ A more political example appears in a decree quoted in Demosthenes’ speech ‘On the Crown’, which directed envoys to visit Philip of Macedon and ‘confer’ (*dialexontai*) with him.⁹⁴

Another option was *koinoô*, ‘make common’ (middle *koinoomai*, ‘make common to each other’). An important use appears in Aeschylus’ *Agamemnon*.⁹⁵ Hearing Agamemnon’s groans, the chorus of elders suspects he has been killed and, in Sommerstein’s translation, declares ‘Let us deliberate (*koinôsômeth*) and see if there might be any safe plan to follow’. What happens next looks like ideal deliberative practice on the dialogical conception. A small number of speakers (between six and twelve) discuss what the group should do, responding to each other and giving reasons for their positions. Three proposals are made: to call for help from the citizenry, to apprehend the murderers on the spot, and to ascertain the facts before proceeding. The last secures general assent and they act accordingly. This is probably the best ancient Greek example of dialogical deliberation, but it is represented not by *bouleuomai* but by *koinoomai*, a verb never seen in a mass political setting.⁹⁶

What distinguished cases where *bouleuomai* was used from those where it was not? The principal difference was exactly what Aristotle leads us to expect. *Bouleuomai* appeared only when what was reported was not merely discussion, but specifically coming to a decision about a course of action within the group’s power—and sometimes not even then, as the *Agamemnon* example shows. Herodotus’ constitutional debate is known for its theoretical content, but the reported context was practical. The future government of the Persians lay in these men’s hands, and after three speeches, they voted, with four out of the seven favouring monarchy.⁹⁷ Similarly, though a conversation on the cultivation of wisdom may sound fully philosophical, the exhortations of Callicles and his friends to each other to ‘beware of making yourselves overwise’ imply a practical interest: they are deciding what style of life to pursue.⁹⁸ The allies’ next steps, the ten kings’ policymaking and the envoys’ plan also fall into this category. Conversely, when *only* discussion, not decision-making, is intended—as in the decree ordering the

⁹¹ Hdt. 3.71, 76, 84, 6.138, 8.9. Cf. Eur. *Orest.* 774.

⁹² Aristoph. *Lys.* 1176, trans. Lindsay. Cf. Xen. *Hell.* 6.3.8; Isoc. 1.34, 5.19, 235, 12.235; Plat. *Prot.* 314b, 349a; Aeschin. 2.64, 68.

⁹³ See especially Plat. *Gorg.* 448e-49b, 500c; Aristot. *Rh.* 1354a1. Cf. Isoc. 5.18, 234, 9.34; Plat. *Prot.* 314c-d, 335d-36a. For discussion, see Chambers 2009; Garsten 2006.

⁹⁴ Dem. 18.164, cf. 28, 73; Isoc. 2.46, 15.256; Aeschin. 2.18, 103.

⁹⁵ Aesch. *Ag.* 1347-71, cf. *Lib.* 673, 716-18; Aristoph. *Cl.* 197; Thuc. 4.4.

⁹⁶ See also the soldiers’ assembly at Thuc. 8.63, 76-7; again, *bouleuomai* does not appear.

⁹⁷ Hdt. 3.83.

⁹⁸ Plat. *Gorg.* 487d, trans. Lamb.

conference with Philip, after which the envoys were to report back to the assembly—a different verb is used.

Most importantly, when *bouleuomai* indicated dialogical deliberation, every member of the group was involved in making the decision. This is clearest in the Persian example, since the debate culminates in a formal vote. It is also evident in Thucydides: the Mantineans' plan is adopted because it is supported by the Argives and Athenians, leaving the Eleans in a minority. How the council of kings in the *Critias* reaches its decisions is not specified, but we can assume that no one attended simply to air his opinion. Each king, as sovereign in his own community, would be expected to have a vote, as well.⁹⁹ The same seems true of Callicles and friends and the envoys in Demosthenes. The decisions they are making—respectively, how far they will pursue wisdom and who among them should be left behind—are ones in which all can be expected to participate, not merely through their voices but also through their votes.

In Aristotelian terms, *bouleuomai* was used in discursive contexts when each member of the group took part not only in considering, but also in deciding what to do. As we have seen, the decision was often taken by a vote; establishing a consensus verbally would also have been possible. Either way, the deliberative process culminated in the choice of an action for which the deliberating agent, here the group as a whole, was responsible—just as in previous examples.

Guided deliberation: internal decision-making with advice

The third type of deliberation found in our ancient Greek sources is a partial combination of the first two. Like dialogical deliberation, it involved communication, yet the deliberation that took place was internal. Several people might offer opinions, but only one agent—often a single person—made the decision, and to that agent only was *bouleuomai* applied.

We may call this model guided deliberation, since those who deliberated were guided by the advice of others. Typical cases involved a ruler and his counsellors, such as the Milesian tyrant Aristagoras and his followers prior to the Ionian revolt, Xerxes and his commanders before his return to Persia, or Philip of Macedon and his would-be advisor Isocrates.¹⁰⁰ Other examples involve a father taking advice from his sons and a husband from his wife.¹⁰¹ In each case the decision-maker received input from others, often serially rather than through group discussion, but the final decision was his alone.

Two consecutive speeches in the Demosthenic corpus illustrate the difference between this and dialogical deliberation. In 'Against Olympiodorus', two men swear to proceed by mutual agreement and take counsel together several times before relations go sour. Here *bouleuomai* appears in the plural and *koinê*, 'in common', is added for clarity. 'Mutual agreement' is *koinê bouleuomenoi* (a present participle) and the two men's discussions are described by *ebouleuometha koinê*, 'we came to a decision together'.¹⁰² This is a clear example of dialogical

⁹⁹ Schwartzberg 2010.

¹⁰⁰ Hdt. 5.36, 8.101, Isoc. 5.18 (quoted below).

¹⁰¹ Hdt. 1.61, 2.107.

¹⁰² Dem. 48.9, 10, 22, 28. Cf. Lys. 13.24; Isoc. 17.7; Hyp. 3.12.

deliberation: joint decision-making through discussion. In ‘Against Evergus’, however, though discussion takes place, the decision—and thus the attribution of *bouleuomai*, ‘deliberate’—falls to one man only. The prosecutor describes deliberating with his friends, but, crucially, *bouleuomai* appears in the singular: *ebouleuomên meta tôn philôn*, ‘I deliberated with my friends’.¹⁰³ Though others spoke, only one deliberated, because only one decided—a clear example of guided deliberation.

What verb, if not *bouleuomai*, represented the activity of those who spoke but did not decide? The answer is *symbouleuô*, ‘advise’ or ‘counsel’, as encountered above, or sometimes a synonym.¹⁰⁴ While the speaker in ‘Against Evergus’ deliberated, *ebouleuomên*, his friends advised, *symbouleuontôn*.¹⁰⁵ Similarly, Xerxes asked Artemisia to ‘advise (*symbouleuson*) me as to which of these things I shall best decide (*bouleusamenos*) to do’,¹⁰⁶ and Isocrates’ friends cautioned him, ‘You are about to send something offering advice (*symbouleusonta*) to Philip, a man who...can hardly fail to believe that he more than anyone is able to deliberate (*bouleuesthai*) by himself’.¹⁰⁷

That *bouleuomai* and *symbouleuô* often appeared together should be no surprise. As discussed above, both denoted meanings at one time expressed by *bouleuô*: they represented two strands of a single advising/deciding dyad. In Greek, this impression is reinforced by the fact that the middle and passive forms of the Greek verb look the same. *Bouleuomai* could mean either ‘come to a decision’ or ‘be advised’. The English equivalent is ‘take counsel’: one may take counsel either alone or more literally from others. *Bouleuomai* appears in the latter sense in Aeschylus’ *Libation-bearers*: ‘Since we are not short of friends’, Clytemnestra announces, ‘we will take counsel’ (*bouleusomestha*).¹⁰⁸ The mention of friends makes it clear that advice is expected. This situation could also have been expressed by the middle voice of *symbouleuô*, i.e. *symbouleuomai*, ‘consult’, as seen several times in Herodotus. When Sesostris’ house is set on fire, ‘he at once consulted his wife’ (*symbouleuesthai tê gynaikê*), that is, ‘took advice from his wife’.¹⁰⁹ Similarly, Masistes, in a moment of uncertainty, *symbouleusamenos* (sing.) *toisi paisi*, ‘consulted his children’.¹¹⁰ These cases are equivalent to that found in ‘Against Evergus’. Though discussion took place, the use of the singular shows that Sesostris and Masistes deliberated, i.e. decided, alone. They were the rulers in these contexts, their wives or children their counsellors.

¹⁰³ Dem. 47.71. Cf. Thuc. 1.128; Isoc. 5.69, 12.233; Plat. *Rep.* 400b.

¹⁰⁴ E.g. *peithomai*, ‘persuade’, Hdt. 1.124; *paraineô*, ‘exhort, recommend, advise’, Hdt. 9.79, Isoc. 2.46, L3.3.

¹⁰⁵ Dem. 47.71.

¹⁰⁶ Hdt. 8.101.

¹⁰⁷ Isoc. 5.18. Cf. Hdt. 3.156, 5.124, 7.10; Xen. *Hell.* 2.14-15; Isoc. 1.5, 34-5, 44, 2.6, 49-53, 3.8, 12, 17, 5.88, 6.4-5, 8.13, 54-5, 12.170-1, 17.7-8. Cf. Aristot. *Nic. Eth.* 1112b8-12, Lys. 22.8-9.

¹⁰⁸ Aesch. *Lib.* 718 (a future middle used passively). Cf. *Ag.* 844.

¹⁰⁹ Hdt. 2.107.

¹¹⁰ Hdt. 9.113. Cf. Aristoph. *Cl.* 457; Thuc. 8.68; Xen. *Cyrop.* 2.1.7; Plat. *Theag.* 122a; Isoc. 9.44.

II. Deliberation in Classical Athenian Political Settings

Three models of deliberation thus appear in our ancient Greek sources: one internal, one dialogical, and one guided. In each case, the deliberator or deliberators came to a decision about a course of action within his, her, or their own power. How did the activities of the Athenian courts, council, and assembly compare?

The courts: the internal model aggregated

In Athens' courts, charges were brought by volunteer prosecutors who were given a fixed amount of time to make their case. The defendant had the same amount of time to respond, and a panel of citizen-judges, selected daily by lot from among volunteers (two hundred or more for *dikai* or private charges, five hundred or more for *graphai* or public ones) voted their decision.¹¹¹

As noted above, these judges certainly deliberated. 'Do not discover too late that you have put to death an innocent man', pleaded a client of Antiphon. 'Rather decide (*bouleusasthe*) well while there is still time'.¹¹² Lycurgus, opening a prosecution for treason, urged: 'You who in your deliberations (*bouleuomenous*) are now defending your fathers, wives, and children...be inexorable judges'.¹¹³ Aeschines, prosecuting Demosthenes in 'On the Crown', asked his audience to 'deliberate (*bouleuesthe*)...not as for some foreign state, but for your own...decide (*bouleusasthe*) not with the help of your ears alone, but with your eyes, looking sharply among yourselves to see who...proposes to aid Demosthenes'.¹¹⁴ Dinarchus, also prosecuting Demosthenes a few years later, told his listeners to 'remember these things and decide (*bouleuesthe*) wisely', and asked, 'will you...preserve him? Not if you deliberate (*bouleuesthe*) well'.¹¹⁵

Some of these exhortations are present tense, suggesting the process of consideration; others are aorist, specifying the moment of decision. All are second person plural imperatives, paralleled by other requests to think the matter through carefully.¹¹⁶ And the form of deliberation they imply is internal. Modern judicial deliberation, in which groups of a dozen or fewer judges or jurors discuss cases and decide them either by consensus or by majority vote, is certainly dialogical.¹¹⁷ But as noted above, Greek judges, including Athenian ones, did not normally discuss cases. Although shouting and brief conversations were possible, judges were not expected to communicate with one another and each man's vote was secret.

Indeed, judicial deliberation in Athens was not even precisely collective. Votes were cast serially, and the collective quality of the decision came solely

¹¹¹ Boegehold 1995, pp. 21-42.

¹¹² Antiph. 5.71, trans. Maidment; cf. 5.73, 90-1, 94.

¹¹³ Lyc. 1.2, trans. Burrt; cf. 1.11, 14-15, 83.

¹¹⁴ Aeschin. 3.255, trans. Maidment (modified).

¹¹⁵ Din. 1.26, 98, trans. Burrt. Cf. Andoc. 4.7; Lys. 6.8, 9.15, 19, 21.13, 25.21, 23, 28.16; Isoc. 5.170, 178, 248; Dem. 20.15, 35, 25.14, 48.52, 53.29; Aristot. *Pol.* 1286a25-30, 1287b30-5; Hyp. 5, fr. 3.

¹¹⁶ E.g. *skepsasthe*, 'consider', Dem. 21.73, 25.73, Lyc. 1.52; *skopeite*, 'examine', Dem. 20.36, 19.105, 24.117, 25.38, 35.54, Din. 1.111; *logizesthe*, 'reflect on', Dem. 22.22; *enthymeisthe*, 'think', Dem. 19.310, 21.197; *theôrêsate*, 'contemplate', Lyc. 1.75, 111, Din. 1.26, 75.

¹¹⁷ Allen 2000, pp. 3-11.

from their final aggregation, which took place after both the consideration and decision-making stages were complete. Perhaps because of this, judicial panels were never addressed by the collective singular *dikastêrion*, ‘court’, but always in the second person plural, often as *andres dikastai*, ‘men of the jury’ (literally ‘judge-men’).¹¹⁸ Altogether, deliberation in Athenian courts resembled an aggregated version of the internal model: internal decision-making by a large number of single agents.

The council: not normally a deliberating body

The Athenian council (*boulê*) was a body of five hundred citizens responsible for the daily administration of the city, including overseeing offices, welcoming official visitors and, most important, preparing material for assembly meetings. This often involved approving draft decrees, each one attributed to a named councillor.¹¹⁹ Like a judicial panel, the council was chosen by lot from volunteers; unlike a judicial panel, it was constituted not for a single day, but for a year, meeting most days.¹²⁰ Councillors worked especially closely with other members of their tribe (one of ten), even living and dining together when that tribe held the presidency.¹²¹ These conditions would seem to favour deliberation on the dialogical model, as several scholars have suggested.¹²² What can we tell from the evidence available?¹²³

In our sources, the Athenian council is the subject of *bouleuomai* eight times. In three cases the council was acting as a court, as it occasionally did; as such, we must assume that normal judicial procedure was followed, i.e. no discussion among the judges (we know for sure that a secret ballot was used).¹²⁴ Two cases concern the oligarchical ‘council of the future’ designed by conspirators in 411 but never realized: we cannot treat these as evidence of the normal activity of the democratic council.¹²⁵ Two more are from Lysurgus, in a speech referring to the time of Athens’ greatest crisis, its defeat by Philip of Macedon at Chaeronea in 338.¹²⁶ Only Pseudo-Xenophon’s text, ‘the council has to consider (*bouleuesthai*) many issues...war, revenues, law-making, things do with the *polis*, allies, tribute, care of dockyards and shrines’, uses *bouleuomai* in connection with the normal running of the democratic council, and he is a notoriously sloppy writer.¹²⁷

However, we find scores of examples of *bouleuô*, ‘plan’ or, as noted above, ‘perform council activity’,¹²⁸ and *probouleuô*, ‘pre-plan’, used in connection with

¹¹⁸ E.g. Lys. 13.92; Aeschin. 1.78; Lyc. 1.80.

¹¹⁹ Ps. Aristot. *Ath. Pol.* 43.2-4, cf. Aristot. *Pol.* 1299b30. Rhodes 1972, pp. 52-87.

¹²⁰ Ps. Aristot. *Ath. Pol.* 43.3; Rhodes 1972, p. 30; Hansen 1999, pp. 250-1.

¹²¹ Rhodes 1972, p. 16.

¹²² Fishkin 2009, pp. 11, 82; Ober 1989, pp. 142-51; Ober 2013; Ruzé 1997, pp. 437-543.

¹²³ Illustrating the relative lack of evidence, the accounts in Ober 2008 and 2013 are hypothetical.

¹²⁴ Lys. 26.21, 24; Dem. 51.9. Rhodes 1972, pp. 38-9.

¹²⁵ Ps. Aristot. *Ath. Pol.* 30.4.

¹²⁶ Lyc. 1.37, 126.

¹²⁷ Ps. Xen. *Ath. Pol.* 3.2; Marr and Rhodes 2008, p. 8.

¹²⁸ Ps. Xen. 1.6, 9; Aristoph. *Ass.* 444, *Kn.* 774; Antiph. 6.45; Andoc. 1.75, 90, 91, 95; Lys. 13.19, 20, 74, 16.8, 25.14, 26.10-11, 30.10, 22, 23, 31.2, 5, 14, 24, 26, 31, 32, 34; Plat. *Ap.* 32b, *Gorg.* 473e; Aeschin. 1.80, 110, 3.76; Dem. 18.25, 28, 19.154, 286, 21.111, 22.5, 9, 12, 16, 36, 40,

the council.¹²⁹ And this is, in fact, just what we should expect. *Bouleuomai* indicated that the subject was coming to a decision on the matter under consideration, but the council almost never decided the issues that came before it.

When acting as a court, it did: thus Lysias' and Demosthenes' uses of *bouleuomai* with respect to councillors acting as judges was appropriate. Equally, oligarchical councils made decisions, as did democratic councils in emergencies, such as when (as in Lycurgus's speech) the citizenry was under arms.¹³⁰ But under normal circumstances, only the Athenian assembly and courts made decisions on behalf of the *polis*. Even when a decree was originally prepared by a councillor, the assembly could change or reject anything it disliked, and this authority was reflected in Athenian political terminology. As early as Homer, as we saw above, *bouleuô* had been used to describe the production of plans by agents who were not themselves decision-makers (leading to the usage 'advise').¹³¹ This was exactly the role of the council in democratic Athens. Indeed, it was the role of *both* the council and the assembly in 411, when the *polis* was temporarily governed by a gang of oligarchs, and Thucydides, accordingly, used *bouleuô* to refer to the activity of both those bodies at that time.¹³² On the ancient Greek conception, however, this activity was not deliberation but planning or preparation.

Was such planning nonetheless dialogical? Even that much is not clear. The acoustics of the council-chamber were good, and a defence speech written by Antiphon for a former councillor suggests that 'voicing...opinions' was a regular part of a councillor's role.¹³³ Andocides also claimed that councillors, unlike assemblygoers, had the opportunity to consider (*skepsasthai*) issues 'at leisure', which may suggest prolonged discussion.¹³⁴

On the other hand, five hundred participants seems too many for genuine group discussion, and what we know of proceedings tends to support that view. Meetings followed an agenda, set by the tribe in presidency, and speakers spoke not conversationally, from their seats, but serially, from a central platform: both features imply oratorical rather than dialogical behaviour.¹³⁵ Written submissions were also used. The Greek word 'propose', *graphô*, literally meant 'write', and the council retained a secretary to read proposals and other documents aloud and to assist in drafting when necessary.¹³⁶ There is no evidence that submitting a proposal necessitated making a speech: indeed, the common description of political activity as 'speaking and proposing' (*legein kai graphein*) shows that the two were regarded as distinct tasks.¹³⁷ Most significantly, Demosthenes and Aeschines

47.44, 57.8, 59.3, 4; Aristot. *Pol.* 1282a32, 1306b6; Ps. Aristot. *Ath. Pol.* 4.3, 30.2-3, 30.6, 31.1, 3, 45.3, 62.3. Cf. Xen. *Hell.* 1.31.

¹²⁹ Thuc 8.1.2; Dem. 18.53, 169, 19.34, 185, 20.4, 21.162; Aeschin. 2.58; Ps. Aristot. *Ath. Pol.* 45.4. Cf. Hdt. 1.133; Aristot. *Pol.* 1298b30, 1299b30, 1322b16.

¹³⁰ Lyc. 1.37.

¹³¹ Hom. *Il.* 9.74-5, 10.146, 24.650; *Od.* 14.295-7.

¹³² Thuc. 8.66.1, cf. 72.1.

¹³³ Johnstone 1997, pp. 105-6; Antiph. 6.45.

¹³⁴ Andoc. 2.19.

¹³⁵ Rhodes 1972, pp. 20, 30, 37-8, 80; Johnstone 1997, p. 105.

¹³⁶ Dem 18.25, 19.154; Aristoph. *Thesm.* 375, 431-2; Rhodes 1972, pp. 134-41.

¹³⁷ Dem. 18.66, 86, 88, 173, 302, 307, 19.35, 22.16, 30, 32-3, 23.3, 146; 26.23; Din. 1.100, 2.12; Ps. Aristot. *Ath. Pol.* 39, 45.

both distinguished the small number of ‘talkers’ (*legontes*) or ‘orators’ (*rhêtores*) on the council from the rest; Demosthenes adds that the latter for the most part do not even go to the council-chamber.¹³⁸ Shouting or ‘uproar’ (*thorubos*) seems to have been a more normal way for the majority to make its voices heard.¹³⁹

The regular activity of the council was thus not only not called deliberation, represented by *bouleuomai*, it did not even necessarily resemble group discussion of the kind found in Homeric councils, represented by *bouleuô*. What about informal political discussion, for example at dinners? Presumably there was a lot of political conversation, but since it will have been even more divorced from decision-making than councillors’ speeches during meetings, we may assume that *bouleuomai* was not used.

The assembly: mass guided deliberation

Since at least the era of John Stuart Mill, the Athenian assembly has often been called ‘the Ecclesia’.¹⁴⁰ But *ekklêsia* meant ‘meeting’ (literally ‘call-out’) and was virtually never the subject of a verb. The assembly as an agent was represented by *dêmos*; hence *dêmos*, implying the assembly, was often the subject of *bouleuomai* in decrees, speeches and in the philosophers and historians.¹⁴¹ What then did *ho dêmos ebouleuse*, ‘the assembly deliberated’, mean?

Many translations suggest dialogical deliberation. Adams’ Aeschines cites a motion restricting ‘the *dêmos*’s discussion (*bouleusasthai*) of peace’ to particular days, and another specifying that ‘the *dêmos* should discuss (*bouleusasthai*) an alliance’.¹⁴² Maidment’s Andocides recalls how after the rule of the Thirty Tyrants ‘you discussed (*ebouleusasthe*) ways and means of reuniting the city’ and ‘called a meeting to discuss’ (*ebouleusasthe*) revising the laws.¹⁴³ Vince’s Demosthenes berates his audience for ‘not discussing (*bouleuesthai*) any question at your leisure, but waiting until you’re already losing’, and elsewhere argues that ‘while the sum of money you’re discussing (*bouleuesthe*) is a trifle, the habit of mind it fosters is serious’.¹⁴⁴ The translation ‘debate’ has a similar effect.¹⁴⁵ Like ‘deliberate’ it may suggest either internal activity or dialogue, but in this context dialogue is likely to be assumed.

As noted above, however, with five to eight thousand attendees, later fourteen or even twenty thousand, genuine group discussion was impossible. Not only was the group far too large, meetings, at two or three hours long, were too short.¹⁴⁶ The vast majority of assemblygoers at any given meeting will thus not have been

¹³⁸ Dem. 22.36-8. Cf. Plat. *Laws* 758b; Rhodes 1972, p. 39.

¹³⁹ Aeschin. 3.9; Andoc. 1.43-5, 2.15.

¹⁴⁰ E.g. Mill 1978 [1856], p. 326, following Grote 1846-56.

¹⁴¹ Hansen 2010; Aeschin. 2.60, 67-8, 110, 3.71; Dem. 18.73, 165, 20.4, L1.2; Din. 1.90; Ps. Xen. *Ath. Pol.* 1.16, 2.17; Plat. *Prot.* 319a-d, *Gorg.* 500c, 515d; Aristot. *Pol.* 1282a25-35, 1298b20-35; Thphr. *Char.* 26.

¹⁴² Aeschin. 2.109-10. Cf. 2.134, 3.71.

¹⁴³ Andoc. 1.73, 82. Cf. 2.19, 3.40.

¹⁴⁴ Dem. 10.29, 13.2. Cf. 15.6, 18.24, 19.13, 234.

¹⁴⁵ Dem. 10.10, 15.1, 31, 25.9, trans. Vince; Isoc. 13.2, trans. Norlin; Thphr. *Char.* 26.1.

¹⁴⁶ Aristot. *Rh.* 1354b1-4; Cicero *Pro Flacco* 15ff. Hansen 1999, pp. 136-7.

able to speak.¹⁴⁷ And most, surely, will not have wanted to. The formal barrier to speaking was certainly low: one only had to approach the stage at the herald's call, 'who wishes to speak (*tis agoreuein bouletai*)?'¹⁴⁸ But not everyone relishes the prospect of addressing an audience of thousands, especially one given to shouting and abuse.¹⁴⁹ The acoustics were also difficult. The Pnyx, where meetings were usually held, was simply a hollow on an open hillside: reconstructions suggest that one would have had to have been a trained speaker in order to be heard, and even then, Christopher Johnstone argues, 'during the fifth century, it is doubtful whether even half of the 5000 present could regularly understand what speakers were saying'.¹⁵⁰ Things improved after 403/2, when the 180° reorientation of the space (requiring the construction of enormous new retaining walls) blocked some of the wind.¹⁵¹ But Aeschines' strong voice still provoked envy, if Demosthenes's jibes are any guide; Demosthenes himself trained for months in order to be heard; and Isocrates never spoke in the assembly, blaming his weak voice.¹⁵² Perhaps most revealing, the position of secretary to the assembly, responsible for reading motions and other documents aloud (a position once held by Aeschines), was, unusually for Athens, elected.¹⁵³ This cannot have been necessitated by uneven levels of literacy, since other positions requiring literacy were filled by lot.¹⁵⁴ Rather, it must have been sufficiently audible speech that was in short supply.

Yet if genuine group discussion must be ruled out, what we may call *vicarious* group discussion need not be. The entire gathering may have been conceived as engaging in dialogical deliberation via the contributions of some few speakers. Exactly how few is debatable: Hansen estimates that 700-1400 citizens (some 2-5% of the citizen body) acted occasionally as *rhêtores*, 'orators' or 'politicians',¹⁵⁵ in the years 355-22, in addition to the ten or twenty at any given time who spoke regularly.¹⁵⁶ But Hansen's calculations are based on the number of proposers and amenders found in extant decrees, and it is not clear that all or even most of these men actually spoke in the assembly.¹⁵⁷ As noted above, many decrees were initially drafted by councillors, and an oral defence before the *dêmos*

¹⁴⁷ See n. 17 above.

¹⁴⁸ Aeschin. 1.23, 27, 3.2-4, 20; Dem. 1.1, 18.170; Plut. *Cim.* 8.1; Lewis 1971, pp. 136-7. *Bouletai*, 'wishes' or 'wants', is distinct from *bouleuomai*, 'deliberate': *boulomai* refers to the formed will, *bouleuomai* to the development of the will.

¹⁴⁹ Aristoph. *Ass.* 86-7; Dem. 2.29, 19.23; Hyp. 5, col. 12. Cf. Xen. *Mem.* 3.6 and Plat. *Alc.* I; Thuc. 1.42, 4.27-8; Eur. *Orest.* 901-2; Aristoph. *Ach.* 37-9; Lys. 12.73; Aeschin. 1.80-5, 2.84; Dem. 13.3, 19.122, *Ex.* 4, 5, 21, 26, 47, 56; Rhodes 2016, pp. 248-50; Roisman 2004; Schwartzberg 2010; Tacon 2001; Villacèque 2012; Wallace 2004.

¹⁵⁰ Johnstone 1997; cf. Ober 1989, p. 138. Aristot. *Rh.* 1414a16-17. Note also the portrayal of Demos as 'half-deaf' at Aristoph. *Kn.* 42.

¹⁵¹ Forsén and Stanton eds. 1996.

¹⁵² Dem. 19.206, 216, 338-9; Plut. *Dem.* 6-11; Isoc. 12.9, L8.7.

¹⁵³ Ps. Aristot. *Ath. Pol.* 54.5; Dem. 19.70.

¹⁵⁴ Ps. Aristot. *Ath. Pol.* 54.3-4.

¹⁵⁵ Hansen 1989, pp. 1-24, avoids 'politicians', but cf. Ober 1989, p. 106, with whom I agree. See also Connor 1972, pp. 116-17.

¹⁵⁶ Hansen 1989, pp. 93-127, 1999, p. 272. Others, such as Ober 1989, pp. 107-9, prefer a higher estimate, but as Hansen 1989, p. 124, emphasized, that entails a significant decrease in the number of occasional *rhêtores*.

¹⁵⁷ Hansen 1989, pp. 97-8, 124-5, with Aeschin. 3.125, 159; Dem. 59.43.

does not seem to have been required.¹⁵⁸ Indeed, Hansen himself has argued convincingly that many decrees were passed without debate, through *procheirotonia*, literally ‘early raising of hands’.¹⁵⁹ Moreover, even new proposals or amendments made from the assembly floor could be submitted in writing, read aloud by the secretary, and immediately put to the vote.¹⁶⁰ Some, no doubt, will have provoked debate, but many need not have required it: for example, the request that a reference to ‘Skiathos’ in a decree be corrected to ‘Old Skiathos’, that certain Samians be given a dinner, or that a third brother be honoured alongside two others.¹⁶¹

The number of proposers and amenders of decrees is thus not a good guide to the number of assembly speakers. Yet even if the overwhelming majority of attendees only listened and voted, the entire group may still have been conceived as engaged in discussion, especially since all had the right to speak. Something like this is often implied by ancient historians as well as political theorists. The Athenians are said to have had an ‘ideal’ of mass discussion, even if it was never achieved: the relevant distinction is said to have been between ‘active’ participants, who spoke, and ‘passive’ participants, who listened and voted.¹⁶² Was this how the Athenians saw it?

One point suggests that it was: the use of *bouleuomai* in the first person plural by speakers to refer to both speakers and listeners. Diodotus, for example, when attacking Cleon’s proposal regarding the Mytilenaeans, argued: ‘We are deliberating (*hēmas...bouleuesthai*) not about the present but about the future...we are considering (*bouleuometha*) a question of policy’.¹⁶³ Similarly, Aeschines argued that Solon had laid down ‘the proper manner of conducting our deliberations (*hēmas...bouleuesthai*); and Isocrates and Demosthenes also used these forms.¹⁶⁴

Such uses of the first person plural by speakers are expected in modern deliberative settings and have sometimes even been required.¹⁶⁵ But in the classical Athenian assembly they were in fact rare. They usually appeared when speakers were emphasizing their identification with their audience, as when distinguishing themselves from a rival speaker (Diodotus), showing respect to a founding hero (Aeschines), or discussing an external threat to the *polis* (Demosthenes).¹⁶⁶ At other times, speakers commonly used the first person plural to refer to themselves *and other speakers*, as in Demosthenes’ reference to ‘all of us who address you’, or Hypereides’ use of ‘it’ to refer to the *dēmos* and ‘us’ to those who spoke before it.¹⁶⁷ Most significantly, the vast majority of uses of *bouleuomai* by assembly

¹⁵⁸ Ps. Aristot. *Ath. Pol.* 29.1, 45; Hansen 1989, p. 97, with notes; Rhodes 1972, pp. 52-87, cf. 2016, pp. 247-8.

¹⁵⁹ Hansen 1989, pp. 123-30. Cf. Aeschin. 1.23; Ps. Aristot. *Ath. Pol.* 43.6; Dem. 24.11.

¹⁶⁰ Aeschin. 2.64, 68, 83-4.

¹⁶¹ *IG* i³ 110, *IG* ii² 1, 212.

¹⁶² Hansen 1989, pp. 11-17, 1999, pp. 267-8; Manin 1997, p. 16; Ober 1989, pp. 324-5; Rhodes 1995, p. 159, though cf. 2016, p. 264; Urbinati 2000, pp. 762-3.

¹⁶³ Thuc. 3.44.

¹⁶⁴ Aeschin. 1.22, 2.62, trans. Adams. Cf. 1.33, 3.68. Isoc. 8.15, 52. Dem. 23.211, 24.99.

¹⁶⁵ Gutmann and Thompson 2004, p. 18 (quoting the Oregon Health Commission).

¹⁶⁶ Thuc. 1.86, 3.44; Andoc. 24, 29, 34; Dem. 6.5, 8.3, 9.7, 17.17, 18.89, 196.

¹⁶⁷ Dem. 14.2; Hyp. 5, cols. 28-9. Cf. Thuc. 3.37-8, 43; Andoc. 3.40; Isoc. 13.8; Dem. 8.22.

speakers were in the second person plural, referring to the activity of the audience *as opposed to* that of the speaker.

This may have been noticed in the lines from Andocides and Demosthenes quoted at the beginning of this section. But it extended far more widely. Cleon told his audience, ‘You (*hymeis*) are more like men at an exhibition of sophists than deliberators (*bouleuomenois*)’, and other Thucydidean orators (in Athens and elsewhere) spoke similarly.¹⁶⁸ Dinarchus described the herald praying ‘before he hands over to you the task of deliberation’ (*hymín to bouleuesthai*), while Aeschines reported Demosthenes saying to the assembly, ‘You have your answer; it remains for you to deliberate’ (*hymín...bouleusasthai*).¹⁶⁹ Other notable lines include ‘these speakers...make the mistake of submitting to you the wrong subject for deliberation’ (*bouleuesthe*); ‘if in the past their advice had been sound, there would have been no need for you to deliberate (*hymas...bouleuesthai*) today’; and ‘deliberation (*to bouleuesthai*) is naturally difficult, but you...have enhanced the difficulties; others deliberate before the event, you (*hymeis*) after’.¹⁷⁰

Deliberation was thus typically represented as the task of the audience. But then what did speakers do? The answer recalls the guided type of deliberation described above. While the audience deliberated, represented by *bouleuomai*, speakers advised, represented by *symboloueuô*.¹⁷¹

‘When they have to decide (*bouleusasthai*) something to do with...the *polis*, the man who rises to advise (*symboloueui*) them...may equally well be a smith, a shoemaker, a merchant, a naval captain, rich, poor, well-born or otherwise’, claims Socrates in the *Protagoras*, using a formulation found throughout our texts.¹⁷² Demosthenes, according to Aeschines, declared that he was ‘amazed at both parties, as well the listeners as the ambassadors, for they were carelessly wasting time—the listeners the time for taking counsel (*bouleuesthai*), the ambassadors the time for giving it (*symboloueuein*)’.¹⁷³ Demosthenes also said that it was ‘your duty when deliberating (*bouleuomenous*)...to be willing to listen to all your advisers (*tôn symboloueuontôn*)’; that ‘when considering (*bouleuomenous*) such important matters, you ought to give each of your advisers (*tôn symboloueuontôn*) freedom of speech’; and that while all previous advisers (*tôn symbebouleukotôn*) were inadequate, he would explain ‘what would profit you who deliberate’ (*tois bouleuomenois*). Many further examples can be found.¹⁷⁴

A line from Aristotle’s *Rhetoric* illustrates both the difference between *bouleuomai* and *symboloueuô* and the way that that difference may be effaced in

¹⁶⁸ Thuc. 3.37-8. Cf. 1.72, 73, 78, 80, 4.87, 6.17, 6.36, 92, 7.14.

¹⁶⁹ Din. 1.14, trans. Burr; Aeschin. 2.50, trans. Adams. Cf. Andoc. 1.73, 75, 2.19, 3.12, 33; Aeschin. 2.60, 61, 70, 82, 134; 3.69, 120, 150-1, 251-2.

¹⁷⁰ Dem. 3.1, 4.1, 5.2, trans. Vince. Cf. 4.33, 41, 5.3, 6.28, 8.1, 9.20, 10.1, 28-30, 13.2, 15.1-2, 6, 13, 21, 31, 18.24, 65, 86, 19.5, 13, 34, 96, 206, 23.109, 115, 24.32.

¹⁷¹ Kallet-Marx 1994; Ober 1989, pp. 317-23, 2008, p. 164.

¹⁷² Plat. *Prot.* 319b-d. Cf. *Prot.* 322d-24c; *Gorg.* 455b-56a; *Alc.* I 106c-7d; *Xen. Mem.* 3.6; *Hell.* 1.7.16, 19, 2.2.15, 2.4.40; *Andoc.* 4.12; *Lys.* 25.27, 33.3; *Isoc.* 4.3, 19, 170-1, 5.143, 8.1, 27; *Aeschin.* 1.26, 64, 1.110-11, 120, 180, 186, 2.29, 65, 157, 165, 3.158, 225-6; *Dem.* 8.73, *Ex.* 3, 33; *Din.* 1.31, 35-6, 40, 72, 76-8, 81, 93, 2.14, 15; *Hyp.* 5 col. 28; *Ps. Aristot. Ath. Pol.* 23-4, 29.

¹⁷³ Aeschin. 2.49, trans. Adams.

¹⁷⁴ *Dem. Ex.* 26-7, 6. Cf. 4.1, 8.1, 10.17, 75, 14.8, 15.1, 18.86, *Ex.* 1, 11, 20, 27, 30, 33, 35-6, 56; *Thuc.* 3.43, 38; *Lys.* 6.54; *Isoc.* 3.19, 21, 5.88, 8.1-2, 8-13, 52-55, 7.77-8, 12.170-1, 15.256.

translation. One rendering refers to the most important subjects ‘of deliberation, and those most often discussed by deliberative speakers’; another has ‘about which all men deliberate and deliberative orators harangue’.¹⁷⁵ A more accurate rendering would be ‘about which all men deliberate (*bouleuontai*) and those who advise (*hoi symbouleuontes*) speak publicly (*agoreusin*)’. In the Greek, if not the English, deliberating and advising were distinct.

This distinction should not be overstated. There was an important connection between deliberating and advising, as Aristotle’s claim that ‘all men deliberate’ implies. Yet this connection only underlines the difference between deliberators and advisors at the moment of communication. Speakers did not deliberate along with the audience not because they *never* deliberated, but because *they had already done so*. The audience was supposed to have an open mind during meetings: as Demosthenes argued, sound judgment meant ‘not having decided (*bebouleuesthai*) before you have heard that upon which you should base your decision (*bouleusasthai*)’.¹⁷⁶ This entailed giving all speakers a hearing and listening quietly.¹⁷⁷ But the point of listening quietly was to get the benefit of each speaker’s *prior* thought. ‘The same arguments which we use in persuading others when we speak in public, we employ also when we deliberate (*bouleuomenoi*)’, Isocrates explained.¹⁷⁸ Aeschines attributed both his speeches and his silences to ‘having deliberated’ (*bouleusamenos*),¹⁷⁹ while Demosthenes reported that ‘it is difficult...not only to say before you what must be done, but even to have found it out by solitary reflection’. Good policies were ‘rare and hard to discover’; still he wished ‘to tell you what I have convinced myself is expedient’.¹⁸⁰

So proud was Demosthenes of his preparations that he sometimes even mentioned the notes he had made.¹⁸¹ But such forethought was not exceptional. The sophist Alcidas mocked those who wrote out their speeches in full, yet did not recommend ‘speaking offhandedly’. Public speakers ‘ought to prepare carefully, choosing in advance their arguments and overall organization’; only ‘the actual words should be supplied at the time of speaking’.¹⁸² Even those (few, Demosthenes implies) who came forward on the spur of the moment came because a ‘timely suggestion’ had *already* occurred to them.¹⁸³

Addressing the assembly was thus typically conceived not as participating in dialogical deliberation but as offering advice to those who were still deliberating. And that deliberation was internal. In 346, two assembly meetings were held concerning peace with Philip of Macedon: the first featured speeches, the second only a series of votes, but the *dēmos* was described as deliberating on both occasions.¹⁸⁴ Second person plural imperatives indicating mental activity also com-

¹⁷⁵ Aristot. *Rh.* 1359b20, trans. Lawson-Tancred, Freese.

¹⁷⁶ Dem. *Ex.* 18. Cf. *Ex.* 10, 47, 56.

¹⁷⁷ Dem. 1.1, 13.3, *Ex.* 56.

¹⁷⁸ Isoc. 13.8, trans. Norlin. Note the use of the first person plural to refer to speakers alone.

¹⁷⁹ Aeschin. 3.128, trans. Adams. Cf. Xen. *Hell.* 1.1.30; Dem. 21.74.

¹⁸⁰ Dem. *Ex.* 33. Cf. Lys. 14.45.

¹⁸¹ Dem. 21.130, 191. Cf. Aeschin. 2.35.

¹⁸² Alc. 2.33, trans. Gagarin and Woodruff 1995.

¹⁸³ Dem. 1.1 = *Ex.* 3.1.

¹⁸⁴ Aeschin. 2.65-8; Dem. 19.13.

monly appeared alongside *bouleuesthe*.¹⁸⁵ Also striking is a speech made by a Corcyraean envoy to the assembly early in Thucydides where *bouleuomai* appears in the singular. ‘If anyone thinks that this course is...inexpedient, but fears that if he yields...he will be breaking off the truce...he should understand...that he is deliberating (*bouleuomenos*) upon the interests, not so much of Corcyra, as of Athens’.¹⁸⁶ Evidently, the speaker took it for granted that each listener was, at that very moment, coming to a decision internally.

The collective agent and its rule

As noted, the activity of the assembly recalls guided deliberation, where the decision-maker takes advice from others. But in one respect it differs significantly from the examples of guided deliberation seen above. The division of political labour between, say, Xerxes and Artemisia was absolute: Xerxes decided, Artemisia advised. But at the end of his speech, a *rhêtor* returned to his seat and, when called to vote, raised his hand along with everyone else. He thus took an equal part in decision-making, even if he played the more rarefied role of advisor during the consideration stage. What then was the relationship between speaker and audience? Were speakers really not conceived as part of the deliberating *dêmos*?

The cleavage between speaker and audience that opened up when a man came forward to speak does seem to have persisted beyond the duration of his speech. Presumably it made some difference how frequently one spoke, but speakers and non-speakers were conventionally represented as very different groups. Pericles distinguished those who had ‘besides politics, their private affairs to attend to’ from others who ‘though occupied with the pursuits of industry, are still fair judges of public matters’.¹⁸⁷ Isocrates called orators a ‘tribe’ (*genos*) opposed to the majority (*plêthos*), while Hypereides characterized speakers as ‘snakes’ distinct from ‘men’, though some at least could be useful.¹⁸⁸

One basis for the distinction was the different responsibilities of speakers and audiences. Orators made proposals, took a ‘broad view’ and ‘explored best policy’, discerned the trend of events, forecast results and offered warnings when necessary.¹⁸⁹ By contrast, ‘the right course for you’, Demosthenes said, ‘is first to hear the facts, next to decide (*bouleusasthai*), and finally to carry out your decision’.¹⁹⁰ His obligation was ‘to tell you what I have convinced myself is advantageous’, his audience’s ‘to listen, to judge, and if it is your pleasure, to adopt’.¹⁹¹ Most significantly, the audience was responsible for the actions of the *polis*. ‘Who sent reinforcements to Byzantium and prevented the entrapment of the Hellespont?’ Demosthenes asked, and answered: ‘You, and when I say you I mean the

¹⁸⁵ E.g. *skepsasthe*, ‘consider’, Andoc. 1.144, 3.2, 17, Aeschin. 2.7, 51-2, 153; *skopeite*, ‘examine’, Aeschin. 2.69, 160. 3.120, 176, Dem. 13.2, 15.26; *logizesthe*, ‘reflect on’, Dem. 8.19, 13.2, 15.17.

¹⁸⁶ Thuc. 1.36, trans. Smith.

¹⁸⁷ Thuc. 2.40.2, trans. Crawley. Cf. 3.37-8, 43, 6.39; Loraux 2006, pp. 229-33.

¹⁸⁸ Hyp. frag 19.5, Isoc. 8.129. Cf. Hyp. 4, Isoc. 8.26; Dem. 21.189-90; Aeschin. 2.74; Lyc 1.31; Din. 3.19. Cf. Ober 1989, pp. 104-18.

¹⁸⁹ Din. 1.35; Dem. 16.1, 18.246.

¹⁹⁰ Dem. 19.34, trans. Vince.

¹⁹¹ Dem. Ex. 33, trans. DeWitt.

polis'. He went on: 'Who advised the *polis*, moved resolutions, took action? I did'.¹⁹²

This division of political labour had a legal underpinning. Speakers were not responsible for the *polis*' actions, but they were accountable for their advice, and the penalties might be severe. Long after their interventions, they could be indicted for having made an illegal proposal, for deceiving the *dêmos*, or for having spoken when prior immoral behaviour prohibited it.¹⁹³ By contrast, voting carried no risk at all. As Diodotus said, 'we are accountable for our advice to you, but you who listen are accountable to nobody'.¹⁹⁴

This system has struck some as inconsistent, even absurd. Why, especially, should voters blame their advisors for advocating actions that they had approved? As Thucydides observed, when the Athenians heard of the disaster in Sicily in 413, 'they were angry at the orators who had taken part in promoting the expedition—as though they had not voted for it themselves'.¹⁹⁵ Yet Demosthenes allowed that his liability was a fair exchange for political influence. 'No man is...compelled to handle politics', he argued. 'When a man puts himself forward...[you] give him appointments and entrust him with public business. If he succeeds, he will be honoured, and so far gain an advantage over ordinary people; but if he fails, shall he put forward excuses and apologies?' That would be 'unfair' and 'poor consolation' to those he had ruined.¹⁹⁶

Another way to put this point is to say that speakers chose to play an individual role in a political system defined by the rule of the collective, i.e. the *dêmos*. In doing so they knowingly cast themselves outside that collective.¹⁹⁷ And in disciplining its advisors while maintaining its own inviolability the Athenian *dêmos* was only enjoying one of the prerogatives of *kratos*, 'superior power' or 'rule'. Xerxes, Darius and Philip treated their advisors with exactly the same freedom.¹⁹⁸

The direct evidence identifying the *dêmos* with the audience in the assembly is strong. It is implied in the verb *dêmêgoreô*, 'address the *dêmos*', encountered above. Speakers also spoke *en tô dêmô*, 'in' or 'among' the *dêmos*, or *pros ton dêmon*, 'before' the *dêmos*, and were called *ho tou dêmou symboulos*, 'counsellor of the *dêmos*'.¹⁹⁹ *Dêmos* was the direct object of speech and often equated with

¹⁹² Dem. 18.88, trans. Vince. Cf. *Ex.* 4; Aeschin. 2.160.

¹⁹³ Hansen 1974, 1975; Aeschin. 1, Dem. *Ex.* 6.

¹⁹⁴ Thuc. 3.43, trans. Smith. Cf. Ps. Xen. *Ath. Pol.* 2.17; Hyp. 4.4, 9, 27, 31.9; Dem. 19.182, 21.189-90, 23.4, 24.123, 25.41, 26.4-6, *Ex.* 25; Aeschin. 1.194-5, 2.160; Landauer 2013.

¹⁹⁵ Thuc. 8.1, trans. Smith. Dem. 23.97; Ps. Aristot. *Ath. Pol.* 28.3; Knox 1985.

¹⁹⁶ Dem. 19.103-4, trans. Vince. Cf. 23.97; Hyp. 4.9.

¹⁹⁷ Finley 1985, p. 62 (quoting Grote); Ober 1989, p. 295.

¹⁹⁸ The parallel between the *dêmos* and a monarch was not lost on contemporaries. Aeschines observed that 'in *dêmokratia*, through law and vote, the *idiotês* (ordinary citizen) is king' (2.33), while Aristotle described extreme *dêmokratia* as a system in which 'the *dêmos* becomes a monarch' and 'demagogues arise' (*Pol.* 1292a10).

¹⁹⁹ Andoc. 1.11, 75, Lys. 16.20, Isaeus 11.48, Aeschin 1.20, 27-8, 35, 64, 80, 2.17, 25, 47, Dem. 19.114, 135, 182, 234, 22.59, 61, 23.172, 58.62, Din. 2.12, 16-17, Hyp. 5 col. 25; Hdt. 9.5, Thuc. 5.27, Aeschin. 1.81, 2.43, 3.220; Aeschin. 1.120.

‘you’. *Pros ton dêmon* was equivalent to ‘before you’, and ‘the deliberating dêmos’ to ‘you deliberating’.²⁰⁰

Brief consideration of the term *dêmos* explains why speakers should have been regarded as distinct. *Dêmos* is a collective noun that takes only singular verbs. By definition, it performed only collective action: not only deliberating but listening, shouting, judging, voting, and acting, all capable of being performed by a crowd.²⁰¹ The ancient Greeks did not lack a term for ‘people’ conceived as a disaggregated multitude: *laoi*, a plural noun.²⁰² But the *dêmos*, not *laoi*, ruled in *dêmokratia*. Still, *dêmokratia* featured several roles that could only be performed by a single man, such as general, treasurer, envoy, prosecutor, and *rhêtor*.²⁰³

Orators were then a structural necessity, as Moses Finley argued long ago.²⁰⁴ Someone had to put forward and advocate proposals, go on missions abroad, and generally play a larger political role than ordinary voters. One Greek term for this role was *dêmagôgos*, literally ‘leader of the people’ (from *dêmos* and *agô*, ‘lead’).²⁰⁵ There was nothing inherently pernicious about the Athenian demagogue. But by definition, he was not a member of the *dêmos*; and as a result, he was not regarded as deciding policy.²⁰⁶

It is true, of course, that coming forward to speak did not entail losing one’s vote. But being one in tens of speakers was so much more conspicuous than being one in thousands of voters that we should not be surprised if the former seems to have overshadowed the latter. Moreover, *bouleuomai* indicated coming to a decision, but as we have seen, those who came forward to advise the *dêmos* had *already* decided how they would vote, and their speeches announced their position. This is not necessarily the case in modern dialogical-deliberative contexts: there, everyone is assumed to be open to changing their minds down to the last minute.²⁰⁷ But Athenian political speech was partisan and monological, not in the sense that there were no interruptions—as we have observed, shouting was common—but in the sense that each speaker offered a single connected argument either for or against a proposed course of action. ‘Symbouleutic’ (that is, advisory) speeches emphatically did *not* resemble philosophical dialectic.

For an orator to vote against the position he had just recommended would thus have been an extraordinary volte-face, as incredible as a Republican candidate for office publicly endorsing his Democratic opponent. It follows that when orators voted, they were effectively repeating themselves. They remained cut off from the crowd even in the decision-making moment, because they had already revealed

²⁰⁰ Thuc. 5.28; Plat. *Gorg.* 502c-e; Aeschin. 1.25, 81-2, 84-5, 2.43, 59-61, 79, 3.251-2; Dem. 23.97; Ps. Aristot. *Ath. Pol.* 22.7.

²⁰¹ Din. 2.16, Dem. 2.31, 19.8, 34, 234; Aeschin. 1.85; Aristot. *Rh.* 1.4, Thuc. 6.39; Andoc. 1.77, Aeschin. 2.60, 160, Dem. 8.19; Dem. 19.34, 18.88, Hyp. 4.9.

²⁰² See further Cammack forthcoming.

²⁰³ Cf. Aristot. *Pol.* 1281b25-30.

²⁰⁴ Finley 1985, pp. 38-75 (first published 1962).

²⁰⁵ E.g. Din. 1.40, 72, 98. In addition to Finley (cited above), see Connor 1972, pp. 108-10 (see also 110-15 on *prostatês tou dêmou*, one who ‘stands before’ the *dêmos*); Ober 1989, p. 106; Rhodes 2016.

²⁰⁶ As emphasized by Finley 1985, pp. 24-25; Hansen 1989, p. 3.

²⁰⁷ Cohen 1989; Fishkin 2009, p. 30; Manin 1987; Dryzek 2000.

their hands. If an audience-member's voice was his vote, speakers' votes were their voices, and they cast them before everyone else.

We may conclude that, as Bryan Garsten has suggested, the unity of the *dêmos* did indeed rest on common deliberation—just not the dialogical kind.²⁰⁸ *Dêmos* implied those who came to a decision *as a collective*. And although this process involved many collective acts, the most important was voting, for three reasons. One, it was above all the act of simultaneously raising hands (assessed by estimation, significantly, not counted) that rendered the collective identity of the decision-maker visible.²⁰⁹ Two, every other collective act performed prior to the vote depended on it: there would have been no need to attend, listen, think and so on had the *dêmos* not been about to make a decision. And three, it was the vote of the *dêmos* that decided the actions of the *polis*. In this respect, it seems a mistake to label those who listened and voted in the assembly 'passive' participants. The agency of the *polis* was lodged in their deliberations, even if they did not speak.

Conclusion

Classical Athenian democracy was complex and care is needed to distinguish between the different tasks involved. The foregoing analysis clarifies the division of political labour in an area of special interest to political theorists. Both judges and assembly audiences deliberated (*bouleuomai*), i.e. came to decisions about actions within their power. This deliberation was internal, apart from shouting and brief exchanges, and communicated through voting. Assembly speakers addressed the *dêmos* (*dêmêgoreô*) and advised (*symbouleuô*). The council prepared material (*bouleuô*, *probouleuô*) for decision-making by the assembly and courts. This activity may have been dialogical, but it was not deliberative on the ancient Greek conception because it did not involve deciding the matter under consideration.

Conversations about politics did take place outside political institutions, in the *agora*, shops, stoa, and schools, for example.²¹⁰ And they surely influenced later decisions, just as similar interactions do today. But they were called not *bouleusis*, 'deliberation', but *dialogos*, *sylogos* or *logos*, 'conversation', 'discussion' or 'speech', again because they did not involve decision-making. And they do not seem to have been regarded as part of a wider system of distributed deliberation.²¹¹ Whether a decision was about to be made was assumed to make a significant difference. As Isocrates wrote, mockingly: 'What we condemn before we enter the assembly, we vote for when we are in session...and a little later, when we go home, we disapprove of the resolutions we made there'.²¹² Demosthenes, too, remarked on the gulf between informal conversation and formal meetings. 'Before we come up...any one of you...is prepared to say readily by what means the present state of affairs may be improved; and then again, the minute you leave

²⁰⁸ Garsten 2013.

²⁰⁹ Schwartzberg 2010.

²¹⁰ Antiph. 6.39, 40; Isoc. 18.9; Dem. 19.122, 21.4; Aeschin 1.94, 3.1; Din. 1.32. Connor 1972, 64-6; Finley 1985, pp. 22, 54; Vlassopoulos 2007.

²¹¹ Mansbridge et al. 2012. Cf. Owen and Smith 2015.

²¹² Isoc. 8.52.

the assembly each man is just as ready to say what we ought to do. But when we meet together...you hear anything but this from certain speakers'.²¹³

The examples we have of dialogical deliberation in political settings in ancient Greece are all oligarchical. Two have already been discussed: the cases of the Persian noblemen in Herodotus and the council of kings in Plato's *Critias*. Additionally, Xenophon used *bouleuomai* in connection with Athens' Thirty Tyrants, who arrived at decisions through discussion in council.²¹⁴ Plato's *Laws* showcases a form of participatory oligarchy: young men were to offer advice (*symbolia*) while the 'wise old men' would decide (*bouleuesthai*). Aristotle described a broader form: all could take part in advising (*symbolês*) but only elected magistrates decide (*bouleuesthai*), possibly after discussion.²¹⁵ These examples make sense: oligarchy means rule by small numbers, and small numbers may deliberate dialogically. Yet they are hardly encouraging for democrats.

What can political theorists take from this evidence? For one thing, it suggests that the claim that dialogue is an essential feature of democracy is relatively novel, perhaps no older than the nineteenth century. Consider, for example, John Stuart Mill's view that the proper function of a deliberating body was 'talking' rather than 'doing'.²¹⁶ Why should this have seemed plausible, after the long-standing association of deliberation with thought and action? The expansion of the franchise may well be relevant. The compatibility of representative and deliberative democracy is now accepted; I would suggest that they are logical bedfellows.²¹⁷ It cannot be a coincidence that the association between deliberation and decision-making became weaker around the same time that large numbers of ordinary citizens were being incorporated into the political process, albeit not in order to decide law and policy themselves, but rather to decide who would do so. Yet these citizens could still talk, not only to one another but also to their representatives, including via the media and public protests, and such communicative action gradually came to seem a more important channel of popular political agency than voting. The modern interest in deliberative democracy, on this view, is just what arises when policy-making by ordinary voters has been ruled out, but some sort of participation beyond voting in elections still seems desirable.

The beginnings of this view appeared in Mill's writing on Athens. The Athenian political system 'had the...characteristic, far more practically important than even the political franchise; it was a government of boundless publicity and freedom of speech'.²¹⁸ To be sure, Mill's conception of dialogical deliberation within representative government differed from later models: the conversations of the nation's elected representatives would provide the fodder for those who drafted the laws. These representatives would retain decision-making power in the form of an eventual vote on legislation, but importantly, in Mill's presentation, this decision-making power *supplemented* their discursive function—it was not intrinsic

²¹³ Dem. Ex. 14, trans. Vince.

²¹⁴ Xen. *Hell.* II.3.13, cf. e.g. 3.27; Lys 12.25, 50.

²¹⁵ Plat. *Laws* 965a. Aristot. *Pol.* 1298b28. Cf. Plat. *Laws* 674b, Isoc 3.19.

²¹⁶ Mill 1991 [1861], pp. 432-3. For discussion, see Urbinati 2002.

²¹⁷ Gutmann and Thompson 1996, p. 131; Mansbridge and Parkinson eds. 2012; Urbinati 2000, 2002.

²¹⁸ Mill 1978 [1856], p. 324.

to it.²¹⁹ Contrast this with Burke's exclamation, 'What sort of reason is that, in which the determination precedes the discussion; in which one sett [*sic*] of men deliberate, and another decide...?'²²⁰ To Burke, the decoupling of deliberation from decision-making was self-evidently absurd. Yet Mill helped to advance it and strengthened the association of deliberation with dialogue.

The Athenians' reliance on guided deliberation prompts another question. What is gained by speaking about something *oneself* as opposed to listening to others and thinking about it? Presumably it *does* make a difference to one's engagement with an issue to enter a meeting expecting to participate publicly rather than internally or as one of a crowd; and certainly, whoever does not speak deprives everyone else of the benefit of their thoughts. On the other hand, since there is seldom enough time for everyone to speak, some compromise on this score seems inevitable; moreover, privileging speech acts—especially of a narrowly defined kind—puts many people at a disadvantage,²²¹ and recent evidence suggests that more is gained from being exposed to information about an issue than from discussing it.²²²

Most interesting, even those, such as James Fishkin, who are dedicated to expanding participation in discussion often write as though the main goal is thought. 'Our subject is how to achieve *deliberative democracy*: how to include everyone under conditions where they are effectively motivated to really *think* about the issues'.²²³ Does such motivation arise only when group discussion takes place? Or—as the Athenian case implies—might participating in a decision prove an adequate incentive? After all, huge numbers of people attended the assembly and courts. Only the council struggled to attract members, and the council, of course, was the only major institution that did *not* decide political issues itself.²²⁴

Still, as noted above, the main reason to insist on dialogical deliberation has been to support the legitimacy of democracy as a regime. If many views are aired, justified and interrogated publicly, it is said, the chances of arriving at mutual understanding and thus reasonable outcomes increase. On this logic, the decisions of democracies are legitimate to the extent that they are based on dialogue. The decision-making process determines the legitimacy of the result.

In the ancient Greek evidence, this kind of argument is largely conspicuous by its absence. Only Plato, as far as one can tell, sought to connect the legitimacy of regimes to the processes through which decisions were made; even Aristotle did not think it illegitimate for a *dêmos* to hold *kratos* and to decide whatever and however it pleased, though he still believed that democracy was defective and could lead to unjust actions.²²⁵ On the usual ancient Greek conceptualization, it was the decision-maker that determined the deliberative process, not the deliberative process that determined who decided. In monarchies, the norm was guided deliberation; in oligarchies, dialogical; in democracies, guided deliberation again.

²¹⁹ Mill 1991 [1861], pp. 424, 430.

²²⁰ Burke 1999 [1774], p. 11.

²²¹ Sanders 1997; I.M. Young 1996.

²²² Goodin 2008, pp. 38-63; cf. Landemore 2012, pp. 130-6.

²²³ Fishkin 2009, p. 1 (italicisation of 'think' mine). Cf. pp. 2, 27, 30, 40 *et passim*.

²²⁴ Rhodes 1972, pp. 3-4; Hansen 1999, 248-9.

²²⁵ On Plato, see Cammack 2015. For Aristotle, see *Pol.* 1279a-b, 1281a.

No attempt was made, except by Plato (most obviously in the *Gorgias*), to evaluate these models against each other with respect to any external benchmark.

The modern interest in the legitimizing effects of public reason-giving may seem an improvement over ancient Greek norms. It has certainly helped to ground a specifically liberal conception of democracy. But political theorists' focus on dialogue has also drawn attention away from what, to an ancient Greek democrat, was the entire point of democratic deliberation: the making of political decisions *by the dêmos*. As Cristina Lafont has suggested, small-scale, politically effective dialogical deliberation has an oligarchical tendency.²²⁶ The ancient Greek evidence supports that view. Indeed, the form of participatory oligarchy mentioned by Aristotle, in which all may take part in advising but elected magistrates decide, is not so distant from some versions of deliberative democracy—or from representative democracy more generally.

Yet if on this account Athenian democracy looks less useful for proponents of dialogical deliberation, its value for political theorists may be increased. At least in respect of public speech, classical Athenian and modern democratic politics seem more similar than is often supposed. In both cases, an overwhelming majority of citizens engage in politics through voting and informal conversation, while a small number take leading political roles. The crucial differences concern not the role of dialogue but the fact that in Athens, large groups of ordinary voters decided all political issues; that the formal bar to speaking publicly was low; and that the risks associated with speaking publicly were high, thanks to the *dêmos*'s use of the courts to discipline politicians. This is the opposite of the case today, when a high bar to entry as a politician (often financial, but also social and cultural) is combined with a low risk of being held accountable for one's actions.

In an important argument, Josiah Ober suggested that democratic decision-making in classical Athens was made possible by the 'mediating and integrative power of communication between citizens—especially between ordinary and elite citizens.'²²⁷ It was the ideological hegemony of the mass over the elite, revealed in the willingness of orators to bow, rhetorically, to mass audiences, that in his opinion ensured the preservation of the democratic political system.²²⁸ Ober's conviction that in Athens, the mass really did rule is, I think, entirely merited. Nonetheless, the only reason orators *needed* to appeal rhetorically to mass audiences was because those audiences held decision-making. In that respect, Ober's argument illustrates a more general tendency to minimize the significance of formal institutional control as opposed to communicative action among scholars in recent decades. What secured the rule of the Athenian *dêmos* over its political elite was its jealous preservation of its right to deliberate, i.e. to make its own decisions, in both the assembly and courts. This entailed using a type of deliberation appropriate to the size of those institutions: internal, concluding in a vote. The only Athenian who we know lamented the resulting lack of *dialogos* within the political system was Plato, and he is hardly a model for democrats today.

²²⁶ Lafont 2015.

²²⁷ Ober 1989, p. 35.

²²⁸ Ober 1989, pp. 156, 191, 307, 328-38.

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