

ON MISCONCEPTIONS GENERATED BY TRANSLATING *PARRHESIA* AND *ISEGORIA*  
AS “FREEDOM OF SPEECH”

by

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## Abstract

The ancient Greek terms *parrhesia* and *isegoria* are both frequently translated as “free speech” or “freedom of speech”. Translating these terms in a straightforward fashion as “free speech” obscures a number of significant differences among what are in truth three very distinct concepts. These dis-analogies may appear unimportant at first glance, but when we understand the central role these concepts play in their respective cultures – more specifically, in their political and legal systems – it becomes clear that small differences in meaning can make a big difference in our ability to grasp the nature of Athenian civic culture. I will outline the most salient of these dis-analogies, and the mistaken conceptions of Athenian political culture that can, and do, result from them. In particular, though the idea of freedom features prominently in *parrhesia* and *isegoria*, what freedom amounts to in Athens is sometimes nearly antithetical to what it amounts to in modern liberal republics. Ancient Athenian freedom was the freedom of opportunity. In the case of *parrhesia*, it was a custom or value which was not a feature of government or law, but part of the Athenian character. The fact that Athenians valued free speaking was formalised in political practice under the democracy through the equal opportunity to address the political assemblies known as *isegoria*. There was in Athens no explicit or implied protection against the negative consequences of what one said. In contrast, “freedom of speech” means that the individual is protected against the negative consequences of speaking, in particular protected against action by the government to suppress speech and to punish speech after the fact. This difference in what having “freedom” with respect to speech amounts to, makes the translation of *isegoria* as “freedom of speech” nearly always systematically misleading, and so we should refrain from doing so in any context in which such confusion might be generated. This misunderstanding is compounded by the frequent translation of *parrhesia* as “freedom of speech” or “free speech”. *Parrhesia* is the name for a certain mode of speech, namely speech which is direct and truthful, and risks negative consequences. As such, it has both positive and negative connotations, and correspondingly was only valued in contexts in which direct truthful speech would be preferable to other modes of speech. *Parrhesia* was never formalised as *isegoria* was, since *isegoria* was a political privilege while *parrhesia* was merely a mode of expression. In contrast, free speech is legally protected. Speech which is not believed to be valuable is protected, in order to ensure that valuable speech is not suppressed by the powerful through the instruments of government.

## **Chapter 1: Introduction**

The renderings of *isegoria* and *parrhesia* as “free speech” or “freedom of speech” are problematic because of the nature of the concept of free speech as a right, and hence as a feature of the legal institutions of nations which guarantee such a right.<sup>1</sup> The purpose of this thesis is to clarify the meanings of *isegoria* and *parrhesia*, so as recommend with justification that they no longer be unreflectively translated as “free speech” or “freedom of speech”. This will hopefully prevent the proliferation of false beliefs about the nature of Athenian civic and political culture and the relationship that our own bears to it.<sup>2</sup> In fact, the translation of *isegoria* and *parrhesia* as “free speech” are so misleading that they are only acceptable when demands for brevity trump the need for accuracy, and no significant statement about the political scene in Athens is being discussed. I will be examining the use of *isegoria* and *parrhesia* in the extant literature as the starting point for my claims.

This thesis will firstly argue that *isegoria* should not be translated as “free speech”. *Isegoria* refers to a highly formalised *activity* involving speech in ancient Athens, whereas “free speech” refers generically to all speech under a government which protects the right of free speech. The essence of freedom of speech as a right is the guarantee that one will be protected by law against retribution at the hands of the government. In contrast, *isegoria* involved no such guarantees of protection, but merely provided the very specific privilege to citizens that they would be allowed to address the political assemblies if they so chose, and were not previously

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<sup>1</sup> Saxonhouse, Arlene. 2006. *Free Speech and Democracy in Ancient Athens*. Cambridge: Cambridge University Press, 86, 88.

<sup>2</sup> The problem of translating Athenian “political” terms incorrectly is compounded by the fact that, as Josiah Ober has correctly assessed, “Much modern scholarship on ancient democracy has been marred by a tendency to overstress the similarities [to modern democratic principles and practice].” Ober, Josiah. 1989. *Mass and Elite in Democratic Athens: Rhetoric, Ideology, and the Power of the People*. Princeton, N.J.: Princeton University Press, 8-9.

debarred.<sup>3</sup> In this respect, the right of freedom of speech does not entail the opportunity to directly address the organs of government. On this issue, I am in agreement with David Konstan, who points out that the modern-day average citizen “cannot address their congresses or parliaments at will... Free speech is understood as a right of self-expression, not as a passport to participation in the political organs of the state.”<sup>4</sup>

Secondly, I will argue that *parrhesia*, another term commonly translated as “free speech”, should not be translated in this way, either. *Parrhesia* is a more common or everyday term than either *isegoria* or “free speech”. Whereas “free speech” means something very specific in legal terms, *parrhesia* refers to a general manner of speaking characterised by an unusual degree of candour which may place the speaker in a perilous situation. Opportunities for speaking with *parrhesia* can manifest themselves in various contexts, the political being one of them. As Baltussen and Davis correctly point out, “In ancient Greece the notion of frank speech (*parrhesia*) was both political and social. We find it in the context of the city assembly, but also in historical and philosophical writings.”<sup>5</sup> Freedom of speech, on the other hand, is a specifically political and legal term, since it primarily protects the individual against the government.

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<sup>3</sup> Austin, Colin, and S. Douglas Olson. 2004. *Aristophanes: Thesmophoriazusaе*. New York: Oxford University Press, 213; Carey, Christopher. 2006. *Democracy in Classical Athens*. London: Bristol Classical Press, 33; Carter, D. M. 2004. “Citizen Attribute, Negative Right: A Conceptual Difference between Ancient and Modern Ideas of Freedom of Speech”. *Free Speech in Classical Antiquity*, ed. Ineke Sluiter and Ralph M. Rosen. Boston, M.A.: Brill, 200, 217; Griffith, G. T. 1967. “*Isegoria* in the Assembly at Athens”. *Ancient Society and Institutions: Studies Presented to Victor Ehrenberg on his 75<sup>th</sup> Birthday*. New York: Barnes & Noble, 115, 117; Hansen, Mogens Herman (trans. J. A. Crook). 1999. *The Athenian Democracy in the Age of Demosthenes: Structure, Principles, and Ideology*. Norman, O.K.: University of Oklahoma Press, 81, 83-84, 306-307, 396; Lewis, J. D. 1971. “*Isegoria* at Athens: When Did It Begin?” *Historia: Zeitschrift für Alte Geschichte* 20: 129-130; Nakategawa, Yoshio. 1988. “*Isegoria* in Herodotus”. *Historia: Zeitschrift für Alte Geschichte* 37: 257, 262; Nippel, Wilfried (trans. Keith Tribe). 2015. *Ancient and Modern Democracy: Two Concepts of Liberty?* New York: Cambridge University Press, 43; Ober (1989) 78, 296, 317, 324-325; O’Sullivan, Lara. 2015. “*Parrhesia* and Censorship in the *Polis* and the Symposium: An Exploration of Hyperides *Against Philippides* 3”. *The Art of Veiled Speech: Self-Censorship from Aristophanes to Hobbes*. Philadelphia, P.A.: University of Pennsylvania Press, 42.

<sup>4</sup> Konstan faces a major problem here, however, since he conflates *parrhesia* with *isegoria*. Konstan, David. 2012. “The Two Faces of *Parrhesia*: Free Speech and Self-Expression in Ancient Greece”. *Antichthon: Journal of the Australian Society for Classical Studies* 46: 3-4.

<sup>5</sup> Baltussen, Han, and Peter J. Davis. 2015. “*Parrhesia*, Free Speech, and Self-Censorship”. *The Art of Veiled Speech: Self-Censorship from Aristophanes to Hobbes*. Philadelphia, P.A.: University of Pennsylvania Press, 6.

Next, I will provide a philosophical history of the concept of rights, and how modern notions of free speech grew out of that history. I will also contrast this with the risks and rewards associated with practising political speech in Athens. This will allow us to better understand the contrast between freedom of speech on the one hand, and *isegoria* and *parrhesia* on the other. It will also allow us to address the question of whether the Athenians had anything that we would recognise as freedom of speech, as some translators seem to believe. My answer to this question will be a negative one, and here I am in agreement with both Konstan<sup>6</sup> and Carter<sup>7</sup>, who observe that *parrhesia* was not a right so much as a social expectation (Konstan) and a privilege (Carter). I am also in agreement with Lara O’Sullivan, who explains that although the Athenians laid special claim to *parrhesia*, it was “not a formalised ‘right’ (in the sense that the liberty to speak frankly was not enshrined in law).”<sup>8</sup> In addition, *isegoria* was not a right to free speech as protected by law, but merely the opportunity to address the demos in the *Ekklesia* or the *Boule*. Thus neither through *isegoria* nor through *parrhesia* did the Athenians have anything like free speech.

### ***Parrhesia***

The word *parrhesia* has its first known appearance in the works of Euripides (*Hipp.* 422). In the existing ancient Greek texts, the term *parrhesia* is found more frequently than the term *isegoria*.<sup>9</sup> This is because *parrhesia* is a common term and concept. It is used in many contexts, not just in the political and legal contexts in which *isegoria* is used. An etymological analysis of *parrhesia* tells us that the verb ἐρῶ, “to speak”, lies at the root of it. With the prefix -παν, then,

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<sup>6</sup> Konstan (2012) 4.

<sup>7</sup> Carter (2004) 215.

<sup>8</sup> O’Sullivan (2015) 42.

<sup>9</sup> A lemma search through the entire corpus using the online Thesaurus Linguae Graecae (TLG) tool shows 129 results for *isegoria*, as opposed to 8,001 results for *parrhesia*.

the literal meaning of *parrhesia* is “say everything” or “say all”. *Parrhesia*, however, is a noun, and it refers to a particular mode of speaking, or an act of speaking, as I will argue later. This mode of speaking is one in which the speaker says what is on his mind (Eur. *Phoen.* 392), and does not hold back.

The general concept of *parrhesia* has a couple of main components. Firstly, what is said must be true, and known by the speaker to be true (Dem. 11.17; 60.26). Secondly, whenever someone speaks with *parrhesia*, he is putting himself in a position of risk or danger.<sup>10</sup> The source of the danger is the fact that the hearer(s) or some subset of them would rather have the truth suppressed, or have mixed feelings about having the truth expressed, and that they have some means of harming the speaker in retaliation, or at the very least rejecting him. Translating *parrhesia* as “frankness” or “outspokenness” is therefore apt, as both of these words indicate a higher than usual standard or level of speaking the truth, and speaking it plainly. They also indicate that one has spoken in a way which could be interpreted, at the very least, as a breach of etiquette. Thus speaking with *parrhesia*, even in a social situation, entails an element of risk on the part of the speaker. This risk may be as minimal as being thought to have breached decorum, and the corresponding judgement that one is an impolite person (Dem. 3.3, 4.51); or it may more serious, such as being thought a shameless person.<sup>11</sup> In a political situation, the risks are higher, as I will discuss.

The person speaking with *parrhesia*, then, is always exposed to risk, but this risk is not always political. My contention is that, in political and legal contexts, *parrhesia* should not be

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<sup>10</sup> Carter (2004) 217; Foucault, Michel. 1983. *Discourse and Truth: the Problematisation of Parrhesia: Notes to the Seminar Given by Foucault at the University of California at Berkeley*. Collection of Boston College library, M.A.; Konstan (2012); Momigliano, Arnaldo. 1973. “Freedom of Speech in Antiquity”. *Dictionary of the History of Ideas: Studies of Selected Pivotal Ideas*. Vol. 2. New York: Scribner, 260; Ober, Josiah. 2004. “I, Socrates... The Performative Audacity of Isocrates’ *Antidosis*”. *Isocrates and Civic Education*. Austin, T.X.: University of Texas Press, 38.

<sup>11</sup> Konstan (2012) 4, 6; Momigliano (1973) 259; Saxonhouse (2006).

translated as “free speech” or “freedom of speech”. “Freedom of speech” refers to what one *can* do, as it is a legally protected liberty. Free speech is the actualisation and exercise of this right. Every act of speech in a country which protects speech is an exercise of the right of freedom of speech. Speech is thus only correctly called “free” when it is protected by law, and conversely all instances of speaking which are protected by law are “free”. In contrast, speaking freely; being frank, outspoken, candid, and forthright; are all synonymous with speaking with *parrhesia*, as “ways” of speaking. Konstan likewise stresses the difference between *parrhesia* and the modern concept of legal rights: “... *parrhesia* is perhaps better conceived as a licence to express one’s views, whatever the context. An Athenian citizen felt the he could speak up and did not have to defer to superiors... This was not a right guaranteed by law, or by a constitution... Thus *parrhesia* as such is not specific to democracy...”<sup>12</sup>

### ***Isegoria***

Occurrences of the term *isegoria* are rarer in the literature than occurrences of *parrhesia*, and translators are often careful in handling the term. The term *isegoria* refers to the nearly universally extended (within the male citizen population), conditional, revocable privilege of addressing the *Ekklesia* and other political assemblies. Because of the specificity of the term, it is sometimes rendered in fairly long and accurate phrases such as “the equality of political participation”. But it is frequently enough, and problematically, rendered as “freedom of speech”. This is common when context dictates brevity over specificity.

The relative rarity of occurrences of the term *isegoria* in the literature, and the fact that it is often translated accurately, might justify relegating its mistranslation as “free speech” to a mere footnote of this work. The concept of *isegoria* comes into play in this study in a significant

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<sup>12</sup> Konstan (2012).

way, however, because of the prominent place it holds in the cultural and political life of Athenian democracy. It is this backdrop which constitutes one reason why someone might argue that the translation of both *parrhesia* and *isegoria* as “free speech” is apt even in the face of the dis-analogies I am pointing out. Such an objector might argue that the citizens of the Athenian democracy as a matter of fact *had* the right of freedom of speech with the combination of *parrhesia* and *isegoria*, even though the Athenians had no single word for it. One goal of this thesis is to counter this claim, by demonstrating that though there may be some parallels between Athenian political life and our own, the Athenians could not possibly have had freedom of speech. Freedom of speech is a right, and the sort of legal and political apparatus on which rights depend had not yet come into existence. This explains why, in Josiah Ober’s words, “The Athenians never developed the principle of inalienable ‘negative rights’ (freedom from governmental interference in private affairs) of the individual or of minorities vis-à-vis the state – a central tenet of modern liberalism.”<sup>13</sup>

### **History of scholarship on *isegoria* and *parrhesia***

One of the first scholars to study the concepts of *parrhesia* and *isegoria* in the twentieth century was Arnaldo Momigliano. He stressed the importance of studying the two concepts in tandem in his paper “*Parrhesia* and *Isegoria*: Two Aspects of Freedom of Speech in the Greek World”.<sup>14</sup> His view was that, as opposed to the rest of the world in antiquity, the Greek world manifested “liberty of speech” in the popular assemblies, although this was not a “regular feature”. He regarded the Athenians of the fifth century as having “invented liberty of speech”. This is a view I will be arguing against in this thesis: the Athenians may have felt less

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<sup>13</sup> Ober (1989) 10.

<sup>14</sup> Momigliano, Arnaldo. 1953. “*Parrhesia* and *Isegoria*: Two Aspects of Freedom of Speech in the Greek World”. *Proceedings of the Classical Association* 50: 18.

constrained to express their true thoughts publicly than citizens of other city-states; however, this does not mean they had “liberty of speech”. Momigliano followed this early paper with another, published two decades later,<sup>15</sup> in which he again argued that “*Parrhesia* represented democracy from the point of view of equality of rights.” He contrasted *parrhesia* in a democracy with the decline of *parrhesia* in a monarchy, but this view is mistaken, since Demosthenes, Isocrates, and other Greek writers often complain that it is highly dangerous to speak forthrightly in the democracy of Athens. Additionally, as Konstan has argued, *parrhesia* was not a right but a licence to express one’s views.<sup>16</sup> More problematically, Momigliano conflates the notions of *parrhesia* and *isegoria*, claiming that the term that best expressed the feature of Athenian democracy whereby “every Athenian citizen had the right to speak [in the assembly] unless he disqualified himself by certain specific crimes”<sup>17</sup> was *parrhesia*. It was in fact *isegoria*, although this was not a right but a privilege, or at least an equal opportunity of speech, and this thesis will provide an explanation of the workings of this institution.

During the period between Momigliano’s two seminal papers, G. T. Griffith published his paper “*Isegoria* in the Assembly at Athens”,<sup>18</sup> in which he framed the question of when *isegoria* was introduced into the Athenian political system around the use of the term in Herodotus 5.78. Like his predecessor, he mistakenly takes *isegoria* to be freedom of speech, although he later qualifies it as “freedom to address meetings of the people”, which is in fact the correct translation of the term, if we take “freedom” to mean generally freedom from interference rather than freedom guaranteed by law. His most astute comment in this paper is that, as I will also argue in the next chapter, “the business of advising the people called for

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<sup>15</sup> Momigliano (1973).

<sup>16</sup> Konstan (2012) 4.

<sup>17</sup> Momigliano (1973) 259.

<sup>18</sup> Griffith (1967).

qualities of nerve, application, and expression that eliminated all save a comparatively few, who could be summed up loosely yet intelligibly as *οἱ ῥήτορες*, those citizens who became habitual and almost professional politicians.”<sup>19</sup> Despite starting off the paper by characterising *isegoria* as a right, however, he later calls it a “gift”,<sup>20</sup> which is the more correct way of characterising this institution. That is to say, while every citizen who had not been debarred had the privilege to address the assemblies, this was not a right, as this privilege could be taken away in a number of ways which I will be discussing. Moreover, his speech itself was not protected as a right, but he was only allowed the act of speaking in a highly specified context. These are the distinctions that scholars have failed to make, and which I will address in this thesis.

A few years after Griffith’s paper, J. D. Lewis published his, titled “*Isegoria* at Athens: When Did It Begin?”, likewise framing this question around Herodotus 5.78. He begins his paper by differentiating between different uses of the term *isegoria*, some of which were purely social rather than political, as I will also demonstrate in the next chapter. These might have been incorrect usages of the term, strictly speaking, but nevertheless the term was at times used loosely, just as we nowadays incorrectly but often informally use the term “freedom of speech” (a potentiality) interchangeably with “free speech” (the actualisation of this potentiality and legal right), or use these terms or refer to the associated concepts as though they are divorced from their legal protections as well as consequences (as in the phrase, “I’m entitled to my opinion”, or “It’s a free country; I’ll say what I want.”). Lewis also speculates on the use of *isegoria* in the dikastic context.

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<sup>19</sup> Griffith (1967) 124.

<sup>20</sup> Griffith (1967) 126.

More than a decade after Lewis' paper, Frederick Ahl published "The Art of Safe Criticism in Greece and Rome",<sup>21</sup> in which he examines how Greek and Roman writers used "figured" speech for the sake of personal safety and tact. Ahl's paper is therefore about self-censorship, as opposed to uncensored speech or the freedom to utter it. Unfortunately, although Ahl introduces his paper by stating that "*isegorie*, 'equality of speech', and what the Greeks more generally called *parrhesia*, 'the right to say everything', is for most of us, as it was for Herodotus, 'the first requisite of a state'", he differentiates neither between rights and privileges nor between equality of speech and freedom of speech. Equality of speech refers to the equal opportunity to speak, no matter one's family background or socio-economic status, whereas freedom of speech refers to a legal right and potentiality. It is important to make this distinction, since equality of speech is the main reason that *isegoria* was such a groundbreaking concept, as elites had always felt "free" to address political assemblies since they had traditionally almost exclusively dominated political discourse.

In 1988, another paper on the use of *isegoria* in Herodotus 5.78 was published, authored by Yoshio Nakategawa,<sup>22</sup> who argues that "Freedom of speech in the assembly is *χρημα σπουδαϊον* in itself... It must also have exalted the spirit of every citizen attending the assembly... The most important characteristic of *isegoria* consists in rousing a sense of community, a sense that the Polis is not a tyrant's possession but every citizen's own property".<sup>23</sup> This is in fact the basis upon which Herodotus makes the claim that the Athenians flourished under democracy but not under tyranny. Ober has made similar claims,<sup>24</sup> and this is also one reason that modern-day commentators tend to look to ancient Athens as a predecessor of modern

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<sup>21</sup> Ahl, Frederick. 1984. "The Art of Safe Criticism in Greece and Rome". *The American Journal of Philology* 105: 174-208.

<sup>22</sup> Nakategawa (1988).

<sup>23</sup> Nakategawa (1988) 270.

<sup>24</sup> during a talk at the University at Buffalo, State University of New York, 9<sup>th</sup> September 2014, and elsewhere.

republics, because they believe that only under a “democracy” can man flourish. Whether this is the case is outside of the scope of this thesis. More significantly, Nakategawa believes that “In the course of time, the significance of *isegoria* seems to have changed its emphasis from ‘equality of speech in the assembly’ to ‘freedom of speech’ in the social life.”<sup>25</sup> He cites Pseudo-Xenophon 1.12 as evidence for this trend. The problem with this idea is that, while it is true that Greek authors used the term *isegoria* loosely, as I have mentioned, the term “freedom of speech” cannot be taken to refer to a social phenomenon divorced from its legal aspects, and while we may often use the term informally, these are in fact incorrect usages even if widely accepted.

The most significant contributor to the literature on Athenian political systems and their workings is perhaps Ober, who, along with Mogens Herman Hansen, is also the most systematic. In 1989, two short years before Hansen’s similarly trailblazing work *The Athenian Democracy in the Age of Demosthenes*, Ober published the groundbreaking study *Mass and Elite in Democratic Athens*,<sup>26</sup> which focuses on the political interplay between elites and non-elites primarily during fourth century democratic Athens. Ober defines *isegoria* in various ways, as “freedom of debate”,<sup>27</sup> “the right of all citizens to speak on matters of state importance in the Assembly”,<sup>28</sup> and “the right of the citizen to address the sovereign Assembly of the people”.<sup>29</sup> Apart from the fact that *isegoria* was never a right, since the privilege could be taken away for various reasons,<sup>30</sup> including (indirectly) through ostracism,<sup>31</sup> as I will discuss, the problem with Ober’s interpretation of *isegoria* is that he equates *isegoria* with public deliberation, and in this

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<sup>25</sup> Nakategawa (1988) 274-275.

<sup>26</sup> Ober (1989).

<sup>27</sup> Ober (1989) 72.

<sup>28</sup> Ober (1989) 78.

<sup>29</sup> Ober (1989) 296.

<sup>30</sup> such as immoral behaviour towards parents, irresponsible handling of one’s inheritance, failure to fulfil one’s military obligations (including cowardice on the battlefield), or prostitution (Aeschines 1.27-30).

<sup>31</sup> Ober (1989) 74.

connection he emphasises political rhetoric, which he calls “the child of *isegoria*”. Our sources do not tell us whether debate in the political assemblies was a requisite of *isegoria*, and there is no reason to suppose that public deliberation by the demos was *required* each time a citizen chose to take advantage of the opportunity to address the demos. Voting could just as well have happened without deliberation, as indeed did happen within the dikastic system (Arist. *Pol.* 268b8-11) on issues often just as important as those presented in the assemblies.<sup>32</sup> In the same way, just as in modern republics we like to think that voters are well-informed and discuss political issues with their peers with intellectual rigour, in reality no discussion, intelligent or not, needs to take place before approaching the voting booth.

Deliberation was not in fact intrinsic to the concept of *isegoria*, and therefore ought to be characterised rather as a major component of assembly meetings in the sense that it almost always took place, and was viewed as an essential feature of the democracy because it was believed to facilitate responsible voting. Ober’s emphasis on deliberation is aimed towards conveying an image of responsible citizenship, whereby a citizen, through *isegoria*, as Ober claims, “was forced to think about and choose among the various policy options presented to him.” He adds, “From a forum to ensure that responsibility for decisions would be collective and so morally binding upon the citizenry, the Assembly became the focus of public political discussion, debate, and decision.” My objection is that there is no way to enforce responsible voting, or indeed to even define it. If we agree with Plato, it is impossible for a citizen without training in philosophy to vote responsibly.

Moreover, Ober paints a distorted picture of collective responsibility, since the extant speeches from Athenian orators, most prominently Demosthenes and Isocrates, as well as the historical accounts of Thucydides and Xenophon, clearly show that the demos was never

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<sup>32</sup> Hansen (1999) 202; Nippel (2015) 54, 56.

responsible for its mistakes: only those who had “misled” the demos were ever held responsible.<sup>33</sup> Indeed, as I will demonstrate, it was impossible to hold the demos accountable for anything, since the system only allowed individuals to be prosecuted,<sup>34</sup> and not “the government” or the collective demos.<sup>35</sup> Put in another way, the individual *was* the government.<sup>36</sup> Arlene Saxonhouse argues that, since the people were the government, it makes no sense to refer to an “‘oppressive government’ against which the people, the *demos*, need to protect themselves”.<sup>37</sup> Voting with impunity<sup>38</sup> therefore meant that there was no collective responsibility for decisions made by the citizenry,<sup>39</sup> and whether something can be “morally binding” if there is no punishment involved is hard to determine, and not within the scope of this thesis. Whether Ober borrows from Griffith, who also characterises *isegoria* as “freedom of debate for all”, among other descriptors, is not something I will speculate on. What is certain is that Ober’s project throughout his career has been one of portaying Athens as a positive model for modern republics, a project which did not begin until the nineteenth century with George Grote’s history of Greece.

More recent literature has tended to concentrate on *parrhesia* rather than *isegoria*. One influential study is Saxonhouse’s *Free Speech and Democracy in Ancient Athens*,<sup>40</sup> which emphasises the way that *parrhesia* introduced a new paradigm of discourse as it morphed from an extremely rare social practice on the part of the non-elite when no political equality existed –

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<sup>33</sup> Hansen (1999) 78; Nippel (2015) 41.

<sup>34</sup> Hansen (1999) 203; C. D. C. Reeve (trans.). 1998. *Aristotle: Politics*. Indianapolis, I.N.: Hackett, 47.

<sup>35</sup> Hansen (1999) 78.

<sup>36</sup> Ober (1989) 7; Saxonhouse (2006) 28-29.

<sup>37</sup> Saxonhouse (2006) 23, 28-29.

<sup>38</sup> As Nippel (2015) suggests, there was an institutionalised irresponsibility for the demos, which thought itself immune from wrongdoing but looked for a scapegoat when needed (70).

<sup>39</sup> This is true of voting in the dikastic system, too, even though fines accrued from verdicts of guilt helped pay the judges’ salaries. In *Laws* 761e, therefore, Plato’s Athenian stranger calls for court officials to be held accountable for their actions.

<sup>40</sup> Saxonhouse (2006).

as seen in Homer<sup>41</sup> – to a social as well as political practice as the collective power of shame was slowly eroded. Saxonhouse concludes that a rejection of shame (*aidos*) entailed a rejection of all the inherited cultural values in order to make room for the radically new experiment that democracy was. Viewed in this light, Socrates is the ultimate democratic hero (despite his negative views of democracy), since he was condemned to death for speaking with *parrhesia*, and *parrhesia* was seen as the hallmark of political equality. One of Saxonhouse’s most important insights in this work is one that this thesis also hopes to convey: that since *parrhesia* was “uttering all without respect for hierarchy and a reverence for the past and its traditions”, “democracy becomes a balancing act between [the] foundational principles of freedom and equality and the excessive expression of those principles”.<sup>42</sup>

The most recent major study involving *parrhesia* in ancient Greece is that edited by Baltussen and David,<sup>43</sup> although this collection of papers is not so much about *parrhesia* as it is about self-censorship in ancient and early modern writings. In the introductory chapter, the editors describe *parrhesia* as “the property of a free citizen: it characterises a man who is free (i.e., he is not a slave) and who participates in the affairs of his native city”.<sup>44</sup> While this is also the way that an ancient Athenian might have characterised *parrhesia*, most prominently Euripides’ Polynices (*Phoen.* 391), we must bear in mind that *parrhesia* as the hallmark of democracy was more of an ideology than a reality, as I will demonstrate. *Parrhesia* as mere forthrightness in speech could take place within any political system, as Konstan has pointed out. Baltussen and David are right in one thing, however, that “censorship” – their word for limits imposed on freedom of speech – characterises both totalitarian dictatorships and liberal

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<sup>41</sup> Saxonhouse (2006) 1-2, 44.

<sup>42</sup> Saxonhouse (2006) 49.

<sup>43</sup> Baltussen and Davis (2015).

<sup>44</sup> Baltussen and Davis (2015) 1.

democracies, and I will likewise argue that even republics which protect freedom of speech place limitations on speech. They are also quick to point out that *parrhesia* was not without its problems, and just as he is for Saxonhouse, Socrates is their primary example of this.

The 2004 *Mnemosyne* collection of papers on free speech in antiquity also focuses more on *parrhesia* than *isegoria*. The most important paper in this collection, in the sense that it is the most cited, is D. M. Carter's "Citizen Attribute, Negative Right",<sup>45</sup> in which the loose use of the word "right" is criticised. Carter's concern is to draw a distinction between negative rights, which freedom of speech, as the freedom from government intervention or reprisal, is, and positive freedoms, such as "the equal opportunity to speak in the Assembly."<sup>46</sup> He is also careful to differentiate between *parrhesia*, which he calls "a privilege that derives from one's citizen status",<sup>47</sup> and a right: "... *parrhesia* was not considered a right... *Parrhesia* is more a thing that the subjects of tyranny are afraid to exercise than something that the tyrant actively restricts. Under democracy, this fear is removed, hence a naturally greater degree of *parrhesia*, but hence also a need for laws to stop this *parrhesia* getting out of hand... *Parrhesia* under democracy, therefore, depended not on a freedom from censorship protected by law but on the confidence in giving one's own opinion that came naturally with democratic citizenship... It was characteristic of a citizen to say what he liked, but in no way his inalienable right"<sup>48</sup> In its broad outlines, then, Carter's characterisation of *parrhesia* in particular correlates to that which will be presented in this thesis; the difference, however, is that the latter will argue that a "greater degree of *parrhesia*" was not "natural" in a democracy, particularly when the demos could act as a tyrant.

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<sup>45</sup> Carter (2004).

<sup>46</sup> Carter (2004) 217.

<sup>47</sup> Carter (2004) 215.

<sup>48</sup> Carter (2004) 214.

## Theoretical approaches

My criticism of translating *parrhesia* and *isegoria* as “freedom of speech” or “free speech” comes from a perspective in which being faithful to the text and to the etymology of individual terms is paramount. The concepts of faithfulness and literalness, however, have recently come under assault in the emerging discipline of translation studies. The focus of traditional debates in translation theory has been on whether we should view “faithfulness” as word-for-word replacement, or as the capturing of the sense or “spirit” of a passage. Recent approaches to translation, which began with George Steiner, claim that these are empty debates and that something superior lies beyond them.<sup>49</sup> Steiner’s attack is based on the assumption that the study of concepts like “word” and “sense” have come to an intellectual dead-end. This is simply untrue. The philosophy of the twentieth and twenty-first centuries has been dominated by the study and detailed analysis of concepts such as “word”, “sense”, “meaning”, “reference”, and related concepts from language. Indeed, any translation must start with the individual words and their senses. *Pace* Steiner, concepts like “sense” and “meaning” have not gone dormant; they have blossomed.

The demands of translating a poem as opposed to a thesis on political science or philosophy are very different. The former needs to find some way to capture the artistry of the original, and this places constraints on the translator which are not present in the case of translating non-fictional prose. The goal in this thesis is not to gain a perfect understanding of the Athenian culture of speech. This would be impossible since we can only understand Athenian political culture through the “filter” of our own. The goal, therefore, is to accurately

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<sup>49</sup> Munday, Jeremy. 2005. *Introducing Translation Studies: Theories and Applications*. New York: Routledge, 29, 163-168.

gauge the meanings of individual terms by comparing them to similarly nuanced notions of our own. This will help us prevent the perpetuation of misunderstandings about this topic.

The theoretical approach in this thesis will be the following: I will examine the practice and consequences of exercising *isegoria*, in order to give the reader a better sense of the legal landscape surrounding politically incendiary speech in ancient Athens. I will aim to undercut the claim that the terms *parrhesia* and *isegoria* capture significant portions of the concept of freedom of speech, and hence should be translated in this way to facilitate audience understanding. My approach will be to demonstrate that the Athenians did not as a matter of fact have freedom of speech, and so no rationale for translating these terms in this way can be seen as correct.

## **Chapter 2: Isegoria**

The purpose of this chapter is to distinguish between *isegoria* and freedom of speech, so that it will be clear that they are not synonymous. After a preliminary examination of the usage of *isegoria* in the ancient sources, I will first examine the differences which exist between the concepts of *isegoria* and freedom of speech. In order to arrive at a more accurate account of the true nature of *isegoria*, I will continue by examining the actual practice of *isegoria*, and the real-world limitations on one's access to it. There will be a section examining the material and social factors involved in actually addressing the assembly, followed by a section detailing the many negative consequences one could face for attempting to exercise his political prerogative, against which he had no legal protections. Once it has been demonstrated that not only could one be punished for one's speech, but also he could be in effect silenced, it will become clear that the terms *isegoria* and freedom of speech should not be carelessly interposed.

### **The concept of *isegoria* as used by Greek writers**

*Isegoria* is cognate with the verb ἀγορεύειν, “to speak in the assembly”, as well as the adjective ἴσος, “equal”. Literally, then, *isegoria* is translated as “equal speaking in the assembly”. *Isegoria* was therefore the term for the equal opportunity of all citizens to speak, not the speech itself, whether free or not. More specifically, it designated the privilege of speaking at an ἀγορά, an assembly of the people.

The starting point in this chapter will consist of a brief look at the ancient passages in which the term *isegoria* appears. It will be apparent at once that, though *isegoria* named a very specific political prerogative, it was most often used loosely, at least in the extant literature, in the same way that we might nowadays use the term “freedom of speech” colloquially or in a

non-technical sense, although strictly speaking incorrectly. For example, if an American lost his job because of loudly voicing politically incorrect opinions at work, he might complain on this basis, “There is no freedom of speech in this country!” This would however be false, since the protection of speech by law does not protect one against the loss of a job, but only against interference or retaliation on the part of the government.

The following passages from Polybius, Herodotus, Demosthenes, Xenophon, Pseudo-Xenophon, and Isocrates, show that at times *isegoria* was used almost synonymously with *democratia*; at others, it meant little more than a general tendency to say what one likes; and at others, it perhaps meant something more specific, such as the equal opportunity to seek legal redress through the dikastic system (all italics mine).<sup>50</sup>

Polyb. 2.38.6

ἰσηγορίας καὶ παρρησίας καὶ καθόλου δημοκρατίας ἀληθινῆς σύστημα καὶ προαίρεσιν εὐλικρινεστέρων οὐκ ἂν εὖροι τις τῆς παρὰ τοῖς Ἀχαιοῖς ὑπαρχούσης.

One could not find a more unalloyed, deliberate course of action; and a political system of *equal opportunity to address the assemblies*, licence to speak freely, and completely genuine democracy, than that which is among the Achaeans.

Hdt. 5.78

δηλοῖ δὲ οὐ κατ’ ἓν μόνον ἀλλὰ πανταχῆ ἡ ἰσηγορία ὡς ἔστι χρῆμα σπουδαῖον, εἰ καὶ Ἀθηναῖοι τυραννεύομενοι μὲν οὐδαμῶν τῶν σφέας περιοικεόντων ἦσαν τὰ πολέμια ἀμείνους, ἀπαλλαχθέντες δὲ τυράννων μακρῶ πρώτοι ἐγένοντο. δηλοῖ ὧν ταῦτα ὅτι κατεχόμενοι μὲν ἐθελοκάκεον ὡς δεσπότη ἐργαζόμενοι, ἐλευθερωθέντων δὲ αὐτὸς ἕκαστος ἐωυτῷ προεθυμέετο κατεργάζεσθαι.

And it is evident, not according to a single instance alone, but from other instances everywhere, that *equally shared self-rule* is an excellent thing, if even the Athenians, when being ruled by tyrants, were, with respect to war activities, better in no way than those dwelling around them; but having been freed from tyrants, they became of the first rank by far. It is evident, then, that when being mastered, they were deliberately cowardly, since they were working for a master; but having been set free, each man on his own self was eager to work hard for himself.

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<sup>50</sup> Lewis (1971) 130; MacDowell, Douglas. 2002. *Demosthenes: Against Meidias (Oration 21)*. London: Bristol Classical Press, 345.

Dem. 15.18

πρὸς μὲν γὰρ ἐλευθέρους ὄντας οὐ χαλεπῶς ἂν εἰρήνην ὑμᾶς ποιήσασθαι νομίζω, ὅποτε βουλευθείητε, πρὸς δ' ὀλιγαρχουμένους οὐδὲ τὴν φιλίαν ἀσφαλῆ νομίζω: οὐ γὰρ ἔσθ' ὅπως ὀλίγοι πολλοῖς καὶ ζητοῦντες ἄρχειν τοῖς μετ' ἰσηγορίας ζῆν ἡρημένοις εὖνοι γένοιντ' ἄν.

For I consider that you would not be in difficulties making peace with free men, whenever you should wish to, but I consider that not even friendship is safe with those being ruled by an oligarchy. For in no way could the few be well-disposed towards the many, or those seeking to rule be well-disposed towards those having chosen to live with *equally shared self-rule*.

Dem. 21.124

οὐ δὴ δεῖ παρορᾶν τὰ τοιαῦτα, οὐδὲ τὸν ἐξείργοντα δέει καὶ φόβῳ τὸ δίκην ὧν ἂν ἡμῶν ἀδικηθῆ τις λαμβάνειν παρ' αὐτοῦ ἄλλο τι χρή νομίζειν ποιεῖν ἢ τὰς τῆς ἰσηγορίας καὶ τὰς τῆς ἐλευθερίας ἡμῶν μετουσίας ἀφαιρεῖσθαι.

It is necessary to notice such things: The man who by fear and terror prevents us from obtaining justice for the wrongs done to us, must be considered to be doing nothing other than robbing us of our *equal opportunity of prosecuting* and our freedom.

Xen. *Cyrop.* 1.3.10

ὅτι νῆ Δί' ὑμᾶς ἐώρων καὶ ταῖς γνώμαις καὶ τοῖς σώμασι σφαλλομένους. πρῶτον μὲν γὰρ ἂ οὐκ ἔατε ἡμᾶς τοὺς παῖδας ποιεῖν, ταῦτα αὐτοὶ ἐποιεῖτε. πάντες μὲν γὰρ ἅμα ἐκεκράγειτε, ἐμανθάνετε δὲ οὐδὲν ἀλλήλων, ἦδετε δὲ καὶ μάλα γελοίως, οὐκ ἀκροώμενοι δὲ τοῦ ὄδοντος ὠμνύετε ἄριστα ἄδειν: λέγων δὲ ἕκαστος ὑμῶν τὴν ἑαυτοῦ ῥώμην, ἔπειτ' εἰ ἀνασταίητε ὀρχησόμενοι, μὴ ὅπως ὀρχεῖσθαι ἐν ῥυθμῷ, ἀλλ' οὐδ' ὀρθοῦσθαι ἐδύνασθε. ἐπελέλησθε δὲ παντάπασιν σύ τε ὅτι βασιλεὺς ἦσθα, οἱ τε ἄλλοι ὅτι σὺ ἄρχων. τότε γὰρ δὴ ἔγωγε καὶ πρῶτον κατέμαθον ὅτι τοῦτ' ἄρ' ἦν ἡ ἰσηγορία ἧ ὑμεῖς τότε ἐποιεῖτε: οὐδέποτε γοῦν ἐσιωπᾶτε.

Because, by Zeus, I saw that you were staggering both in your judgements and in your bodies. For in the first place you yourselves were doing the very things which you do not allow us boys to do. For instance, you were shouting all at the same time, and you noticed nothing of one another, and you were also singing most amusingly; and not hearing the one singing, you were swearing that he sang most excellent things; and each of you, speaking of his own strength, then stood up to dance, not in such a manner as to keep to the rhythm, but you were not even able to stay upright. And you entirely forgot – you, that you are a king, and the others, that you are their ruler. For then I learned for the first time that this was the “*equal opportunity of speech*” which you were then practising; at any rate, never were you silent.

Ps. Xen. *Ath. Pol.* 1.12

διὰ τοῦτ' οὖν ἰσηγορίαν καὶ τοῖς δούλοις πρὸς τοὺς ἐλευθέρους ἐποιήσαμεν, καὶ τοῖς μετοίκους πρὸς τοὺς ἀστούς, διότι δεῖται ἡ πόλις μετοίκων διὰ τε τὸ πλῆθος τῶν τεχνῶν καὶ διὰ τὸ ναυτικόν: διὰ τοῦτο οὖν καὶ τοῖς μετοίκους εἰκότως τὴν ἰσηγορίαν ἐποιήσαμεν.

On account of this, then, we have established the *custom of licence of speech and behaviour* for slaves towards free men, and for metics towards citizens, for this reason, that the city needs metics on account of its multitude of trades, and on account of its fleet. On account of this, then, we have reasonably established the *custom of licence of speech and behaviour* for metics also.<sup>51</sup>

Isoc. 6.97

ὑπὲρ ὧν χρὴ βουλευέσθαι, καὶ μὴ τότε ἀγανακτεῖν ὅτ' οὐδὲν ἡμῖν ἔσται πλέον, ἀλλὰ νῦν σκοπεῖν ὅπως μηδὲν συμβήσεται τοιοῦτον. ὡς ἔστιν ἐν τῶν αἰσχρῶν πρότερον μὲν μηδὲ τὰς τῶν ἐλευθέρων ἰσηγορίας ἀνέχεσθαι, νῦν δὲ καὶ τὴν τῶν δούλων παρρησίαν ὑπομένοντας φαίνεσθαι.

It is necessary to take counsel about these things, and not to be vexed when they will no longer exist, but to consider now how such a thing may not at all happen. For it is one of the most shameful things that we, formerly not allowing *equal opportunity of speech* even to free men, are now enduring *licence of speech* to be manifested by slaves.

### **The concepts of *isegoria* and freedom of speech**

From the ancient sources, then, it is clear that *isegoria* did not refer to the legal protection of speech itself, i.e. freedom of speech. Instead, *isegoria* was the name of a privilege that was conditionally granted to all male citizens of Athens during democratic rule in the fifth and fourth centuries. This privilege was the equal opportunity to address the political assemblies, most prominently the *Ekklesia*, the popular assembly which any citizen could attend in order to speak and vote on matters of policy. Problematically, though, *isegoria* is frequently translated as “free speech” or “freedom of speech” (although it is sometimes translated as “equality of speech”), even in the comparatively recent literature. Consider the following translations, none of which

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<sup>51</sup> In her commentary of Pseudo-Xenophon, Vivienne J. Gray understands the use of *isegoria* here as referring to “the equality of appearance, the possession of wealth and the absence of fear and of beatings”. Gray, Vivienne. 2007. *Xenophon on Government*. Cambridge: Cambridge University Press, 194.

are older than 45 years (all italics mine). This pattern of translation in fact represents an unbroken trend going back at least one hundred years.

Hdt. 5.78 (trans. Andrea L. Purvis, 2007))

So the Athenians had increased in strength, which demonstrates that an *equal voice in government* has beneficial impact not merely in one way, but in every way: the Athenians, while ruled by tyrants, were no better in war than any of the peoples living around them, but once they were rid of tyrants, they became by far the best of all.

Hdt. 5.78 (trans. Samuel Shirley, 2003)

Athens grew strong, and in this strength we see that, not in one respect only but in all ways, *democracy* is a force to be reckoned with; for while the Athenians lived under rulers, they failed to equal their neighbours on the battlefield, but when freed of rulers they became very much the leaders.

Isoc. 6.97 (trans. Terry L. Papillon, 2004)

We must consider this and must not wait until the future and get frustrated when you have nothing left, but think how to prevent this from happening to us. It is particularly shameful that in the past we used to deny even free people *an equal right to speech*, but now we must openly endure *the free talk* of slaves.

Dem. 21.124 (trans. Edward. M. Harris, 2008)

We must certainly not overlook behaviour like this but realise that the person who uses fear and terror to stop any of us from punishing him for any wrongs that they suffered is doing nothing other than taking away the *equality* and freedom shared by all of us.

Dem. 21.124 (trans. Douglas M. MacDowell, 2002)

So such conduct mustn't be overlooked; consider that the man who by intimidation prevents the imposition of a penalty on him for his offences against any of us is simply taking away our enjoyment of *free speech* and liberty.

Xen. *Cyrop.* 1.3.10 (trans. Wayne Ambler, 2001)

Because, by Zeus, I saw you all making mistakes, both in your judgements and with your bodies, for in the first place, you yourselves were doing such things as you do not allow us boys to do, for you all shouted at the same time, and you did not comprehend each other at all. Then you sang very ridiculously, and even though you did not listen to the singer, you all swore that he sang most excellently. Then, after each spoke of his own strength, when you stood up to dance, far from dancing in time with the rhythm, you were not even able to stand up straight. You all forgot yourselves entirely, you that you were king, the others that you were their ruler. Then I learned for the first time that what you were practising was that "*liberty of speech*"; at least you were never silent.

Xen. *Cyrop.* 1.3.10 (trans. James Tatum, 1989)

In the first place you kept doing what you never allow us boys to do: for instance, you were all shouting together at one and the same time, and none of you heard a word any of the

others were saying. Then you began singing, and in a most ridiculous manner at that, and though you did not hear the singer, you swore he sang most excellently. Each one of you kept talking about his own strength, but if you stood up to dance, to say nothing of dancing in time, why, you could not even stand up straight. All of you quite forgot – you, that you were king; and the rest, that you were their sovereign. Then I also discovered for the first time that what you were practising was your boasted “*equal freedom of speech*” [*isegoria*]. At any rate, none of you were ever silent.

Ps. Xen. *Ath. Pol.* 1.12 (trans. J. M. Moore, 1975)

This, then, is why in the matter of *free speech* we have put slaves and free men on equal terms; we have also done the same for metics and citizens because the city needs metics because of the multiplicity of her industries and for her fleet; that is why we were right to establish *freedom of speech* for metics as well.

Ps. Xen. *Ath. Pol.* 1.12 (trans. J. L. Marr and P. J. Rhodes, 2008)

This then is the reason why we have established *equality of free speech* as between slaves and free men; and also as between metics and citizens, since the city needs metics because of the great number of their skills and the requirements of the fleet. So that is why we have, naturally, established *equality of free speech* for the metics too.

Ps. Xen. *Ath. Pol.* 1.12 (trans. Robert Wind, 1972)

So it is that we Athenians have given *freedom of speech* to our slaves in their dealings with free men. Furthermore we have given the same right to aliens *vis-à-vis* full citizens, for the city needs foreign craftsmen to staff the shops and on account of the navy. For this reason, then, we have quite reasonably given the *right of free speech* to the resident aliens as well.

If we focus not on translations of ancient texts but instead on scholarly publications such as books, or essays, or reviews, a very similar pattern emerges. At times, *isegoria* is both translated loosely as “freedom of speech” and more accurately by the same author in the same text. For example, Hansen, perhaps the foremost authority on Athenian democracy, translates *isegoria* as “freedom of speech” in at least one instance,<sup>52</sup> but more specifically as “equal right to address the political assemblies” in other instances.<sup>53</sup> Griffith is another example; in his seminal paper on *isegoria* he glosses the term both as “freedom of speech”<sup>54</sup> and “freedom to address

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<sup>52</sup> Hansen (1999) 33.

<sup>53</sup> Hansen (1999) 81, 85, 306-307.

<sup>54</sup> Griffith (1967) 115.

meetings of the people”.<sup>55</sup> A third example is Nakategawa, who translates *isegoria* as “the right of every citizen to address the assembly”,<sup>56</sup> but elsewhere as translates it simply as “freedom of speech”.<sup>57</sup> The tendency to translate *isegoria* as “free speech” or “freedom of speech” may stem from the assumption that Athenian democracy and modern republics are very similar because freedom (*eleutheria*) and equality (*to ison*) are seen as the key features of both the Athenian democracy (Hdt. 5.78, Arist. *Pol.* 1317a40-b16, Eur. *Supp.* 405, 438-441) and our modern republics.

It is my contention in this chapter that translating *isegoria* as “freedom of speech” leads to the belief that there is a close parallel between the conditions involved in exercising the power of speech in ancient Athens and in modern republics, when in fact this is not the case. Although *isegoria* denotes equal access to speech before the demos, it is too specific a concept to be analogous to freedom of speech, as it is restricted to speech which addresses the political assemblies (i.e. the main organs of government in ancient Athens). In addition, *isegoria* lacks at least one feature essential to the concept of freedom of speech: the legal protection not merely of the right to speak, but against retaliation by the government after the fact. The Athenians did not think of “the government” as an entity distinct from the demos, and so they would not have considered the necessity of protecting the individual against the actions of the government.<sup>58</sup>

Clearly *isegoria* includes a number of features which make it seem natural to render it as “freedom of speech”. *Isegoria* held a central place above other features of Athenian democracy, such as voting. For example, voting was not involved in the selection of all magistracies, with

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<sup>55</sup> Griffith (1967) 117.

<sup>56</sup> Nakategawa (1988) 257.

<sup>57</sup> Nakategawa (1988) 270.

<sup>58</sup> Hansen (1999); Saxonhouse (2006) 23.

most officials being selected by lot.<sup>59</sup> The crucial feature of Athenian democracy, however, was the deliberation that took place in the *Ekklesia*, whereby citizens used persuasive speech to influence voting.<sup>60</sup> Voting in the *Ekklesia* did not take place in a vacuum; it usually took place after debate and deliberation.<sup>61</sup> The privilege of *isegoria* was one held by citizens of a particular form of government: that of Athens in the fifth and fourth centuries. We may contrast this with the right of freedom of speech which might be extended by other forms of government. *Isegoria* was a crucial conceptual element of Athenian democracy; voting was its conceptual partner. The two formed an integrated unit whereby, under ideal conditions if not necessarily in reality, citizens engaged each other in deliberation in order to come to decisions which represented both what the citizens wanted done, and what best served the community.<sup>62</sup> Voting ensured the former, but it was *isegoria* which purportedly facilitated the latter. The point of political speeches was not merely to rally support so much as to create it, either by persuading those who had previously had no opinion on the matter, or by changing the minds of those who had previously held contrary opinions. The underlying assumption of political debate was that citizens naturally wanted what was in the interest of the common good.

As the Athenian democracy was a radically novel form of government, it seems natural to describe this new political situation as one in which the individual had gained a “freedom”, as he was now able to do something he had not formerly been able to do. But this is not the only way, nor the most accurate way to describe the situation. A freedom is a power one has as a result of one’s natural abilities. *Isegoria* was a created privilege, not a natural ability of an individual.

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<sup>59</sup> Nippel (2015) 74; Ober (1989) 7.

<sup>60</sup> *Pace* Ober, however, deliberation was not part of the definition of *isegoria*.

<sup>61</sup> I think we can safely assume that some degree of discussion, no matter how truncated, took place each and every time the *Ekklesia* met.

<sup>62</sup> Hansen (1999); Ober (1989).

Freedom suggests that the individual already *has* what is needed to exercise his power, if obstacles are absent. The case of *isegoria* is one where the ability in question depended not merely on the removal of obstacles, but on the creation of an *Ekklesia* and other political assemblies. It is more accurate to say that with the invention of the *Ekklesia* and the political assemblies, a new power, *isegoria*, was created – not a new freedom. *Isegoria* was a socially constructed power, not a natural power. *Isegoria* can be contrasted with the use of a natural faculty of mankind, the faculty of speech. *Isegoria* requires the existence of political assemblies, and is defined as the privilege to address them.

In contrast, one who exercises free speech requires no such external tool. The right of freedom of speech is constructed in a very concrete way in the U.S.<sup>63</sup> Freedom of speech as a right is related to the government and its institutions in ways that generate particular outcomes. This right is a guarantee stipulated in foundational documents (the “Constitution” in the modern sense), which state that the government will not do anything that will interfere with the exercise of a natural individual power: the power of speech. A crucial feature of the protection of individual rights is judicial review: when a legislature passes an unconstitutional law, a person harmed by that law can file suit contesting the constitutionality of the law. The court system can choose whether to take the case and review the law.

Almost every aspect of political organisation that makes this guarantee possible is missing from the Athenian situation. Two features are perhaps most salient. The first is that the complete lack of a professional class of politicians, judges, and civil servants in ancient Athens

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<sup>63</sup> The First Amendment states, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

means that there was no entrenched bureaucracy that we nowadays call “the government”,<sup>64</sup> which we as individuals would need protection from in case of infringement of rights. The government in ancient Athens *was* the individuals themselves, albeit acting as a group. The existence of an entrenched bureaucracy was prevented by the principle of ruling and being ruled in turn (Arist. *Pol.* 1317b15-20, Eur. *Supp.* 406-408). In Athens, this principle was manifested in the form of a restriction on holding political office to one year.

In addition, since the notion of rights depends on a sharp, legal distinction between government and individual, and the Athenians had no such distinction, it could not have been possible for them to have the legal concept of rights.<sup>65</sup> This explains why Athenian court cases did not divide neatly into civil and criminal. They were divided partly based upon the nature of the crime, partly upon the status of those involved in the crime, and partly upon the consequences desired by the accuser. The latter would figure into his choice of court and legal procedure.<sup>66</sup> This meant that a crime could be prosecuted both as a private and as a public suit, depending on the choice of the accuser. In modern republics, the line between criminal and civil cases is clear-cut: in the former, offences against the government and the people as a whole are prosecuted; in the latter, offences committed by a private individual against another private individual are prosecuted. This distinction between private individual and the government was not clear-cut in ancient Athens.<sup>67</sup> For example, in his speech *Against Meidias*, Demosthenes, as the prosecutor, points out that Meidias will criticise him for having brought a public suit against him. But, Demosthenes continues, had he brought a civil action instead, Meidias would have claimed that there was no truth behind these charges. This is because, Meidias would reason,

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<sup>64</sup> Ober (1989) 7.

<sup>65</sup> Nippel (2015) 60-61.

<sup>66</sup> Hansen (1999) 193.

<sup>67</sup> Hansen (1999) 193, 203.

Demosthenes did not bring a public suit against him even though the incidence of violence for which he was being prosecuted occurred during a performance at the Great Dionysia (Dem. XXI.25-26). Violence during such an occasion constituted profanation of a religious ritual, and as such it concerned the community as a whole. This illustrates how our contemporary lines between the political and the non-political, the criminal and the civil, the government and the individual, were blurred in ancient Athens.

Those who exercised *isegoria* privileges often suffered from politically motivated retaliation at the hands of other citizens. Political confrontations occurred at the group level, and thus involved groups of likeminded citizens. Political alliances in ancient Athens were loosely organised when compared to our party system. Citizens who had similar political interests organised themselves into associations called *hetaireia*. These groups made up what were essentially political factions,<sup>68</sup> which, for example, helped to consolidate votes for political candidates, and were bound by oath to help members in lawsuits.<sup>69</sup> One consequence of the formation of *hetaireia* is that they led to sycophantic lawsuits which might be directed against political speakers who were of a rival faction. For a number of reasons, the kinds of legal protections devised in modern republics would not have protected Athenian political speakers from the threats they faced. Chief among these reasons is the fact that the two legal systems are so utterly different that individual rights, much less speech rights, could not have been protected. The Athenian citizen was at a much greater risk of unjust prosecution because of the complete absence of features designed to protect against erroneous or frivolous suits which abound in our

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<sup>68</sup> Nevertheless, Sealey and Carey point to the fact that during the uncertain times of the rise of Macedon in the fourth century, there was a constant shift of alliances among members of these factions. Carey (2006) 67; Sealey, Raphael. 1993. *Demosthenes and his Time: A Study in Defeat*. New York: Oxford University Press.

<sup>69</sup> Carey (2006) 67; Hansen (1999) 277-279; Nippel (2015) 46; Sealey (1993) 35; Strassler, Robert (ed.) *The Landmark Thucydides: A Comprehensive Guide to the Peloponnesian War*. New York: Touchstone Books, 512; Strauss, Barry S. 1986. *Athens After the Peloponnesian War: Class, Faction, and Policy 403-386 B.C.* Ithaca, NY: Cornell University Press, 15-31; Thuc. 8.54.4, 8.65.2.

system, such as statutory definitions for punishable offences,<sup>70</sup> standards and admissibility of evidence,<sup>71</sup> jury selection and judge recusal,<sup>72</sup> and the right against self-incrimination. In particular, protection against self-incrimination would have been impossible in Athens since each citizen had to defend himself and was not allowed to have someone else defend him.

The speaker in the *Ekklesia* faced many perils.<sup>73</sup> As Hansen explains, “A speaker suspected of corruption or treachery could be denounced by an *eisangelia*, and an unconstitutional proposal could be stopped by a *graphe paranomon*.”<sup>74</sup> Furthermore, the character of the Athenian legal system, whereby all suits were lodged by one individual against another,<sup>75</sup> meant that it was conceptually impossible to hold “the government” accountable for infringing upon individual rights. The difference between public and private suits depended upon the nature of the charge, not whether or not one of the litigants was the state.<sup>76</sup> Crucially, a speaker at a political assembly could be made answerable for his speech or motion, but a member of the *Ekklesia* could not be held responsible for his vote. This points to the fact that according to Athenian democratic ideology, the demos could never be wrong; but a speaker could sway the demos to vote for something unconstitutional, and this was in the Athenian mind the paradigmatic instance of the speaker, *not* the voter, having gone wrong. This made the exercise of *isegoria* perilous, rather than protected, and perilous in a way that other political privileges (such as voting in the *Ekklesia* or in one of the dikastic courts) were not. But even more important is the fact that the sort of cultural values represented in freedom of speech on the one hand, and *isegoria* on the other, are quite different.

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<sup>70</sup> Nippel (2015) 58.

<sup>71</sup> Nippel (2015) 59.

<sup>72</sup> Hansen (1999) 181-183; Nippel (2015) 51-59.

<sup>73</sup> Strauss (1986) 1-2, 97; Hansen (1999) 205-222; Sealey (1993) 27-32; Carey (2006) 70-74.

<sup>74</sup> Hansen (1999) 144; Nippel (2015) 68.

<sup>75</sup> Hansen (1999) 191-194; Nippel (2015) 52.

<sup>76</sup> Hansen (1999) 193.

I will now address yet another way in which *isegoria* is different from the concept of free speech, by discussing how and why the privilege of *isegoria* could be restricted, and how one could face negative consequences for exercising that privilege. Both of these not only affected the speaker himself, or *rhetor* as the Athenians called these public speakers,<sup>77</sup> but had a chilling effect on the exercise of *isegoria* by other potential rhetors. There are at least two categories into which we may attempt to resolve restrictions on *isegoria*: material/socioeconomic, and political/legalistic.

### **Material and socioeconomic restrictions on the exercise of *isegoria***

In Athens, participation in political activity depended on age and type of activity involved.<sup>78</sup> *Isogoria* was a privilege which required a minimum age. It is particularly associated with participation in the *Ekklesia*, the largest political body of the state. All citizens could participate after completion of two years of compulsory military training as ephebes. Ephebes began their training at age 18 (Arist. *Ath. Pol.* 42). The maximum number of attendants was 8,000 during the period of Pnyx II (c. 400 B.C. - 120 A.D.).<sup>79</sup> This was but a fraction of the 30,000-strong adult male citizen population.<sup>80</sup> Whether the privilege of *isegoria* was one that the average Athenian ever exercised is uncertain, but lists have been compiled of people known, from written sources, to have engaged in political activity between 403 and 322. Raphael Sealey explains,

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<sup>77</sup> Hansen (1999) 143-144.

<sup>78</sup> Hansen (1999) 97.

<sup>79</sup> Hansen (1999) 128-131.

<sup>80</sup> Hansen (1999) 132. Sealey offers a figure of 21,000 in the era of Demosthenes: Sealey (1993) 19-20.

Such figures show that the number of citizens who did not merely take their turn in the council and the courts but engaged, at least to a minimal extent, in active political behaviour was large. It is, however, acknowledged that the number of those who took political initiative regularly was far smaller... The number of men known to have engaged in political activity at least once between 403 and 322 is 379. But the number known to have engaged in such activity at least twice is 117 for the period 403-322, and 68 for the period 355-322... There were no clear lines but infinite gradations between men who regularly took political initiative (the professional politicians, as they may be called), men who did so intermittently and even frequently but not regularly, men who did so rarely, and men who did so once in a lifetime or never. Yet colloquial language contrasted the first of these classes with the other citizens. Orators addressing the assembly distinguished between “we who come forward” and “you who remain seated”, or between “the *politeuomenoi*” and “you, the *demos*”.... A recent enquiry concludes: “The number of ‘professional’ and ‘semi-professional’ politicians must have been very small, perhaps only some ten to twenty citizens.”<sup>81</sup>

We can conclude from all this, then, that a large minority passed their days under the democracy without ever having addressed the *Ekklesia*, but having attended only as audience members, if at all. This is perhaps the sharpest contrast that can be drawn between free speech and *isegoria*: freedom of speech is exercised by most of us on a daily basis – at least in modern republics where free speech is restricted only when it infringes upon the rights of others – whereas *isegoria* was not. Common sense alone tells us that *isegoria*, if regularly exercised by every eligible person in Athens, would have led to chaos, but this is nevertheless worth stating, as Hansen does: “Democracy consisted in every citizen having *isegoria*, the genuine possibility to stand up and state his proposal or his objection, but it did not require everyone to do so – indeed, if every citizen had insisted on making use of his *isegoria*, assembly democracy would have broken down there and then.”<sup>82</sup>

It is not the mere fact that it would have been impossible for any actionable motions to have been carried if most assembly attendees had taken their turn as *rhetors* at every meeting,

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<sup>81</sup> Sealey (1993) 30-31, quoting Hansen (1984) 154.

<sup>82</sup> Hansen (1999) 306-307; Ober (1989) 325.

that distinguishes *isegoria* from freedom of speech, but it is also the fact that while in theory all eligible citizens could address the *Ekklesia*, in practice this was a physical impossibility due to the size of the meeting place as well as socioeconomic factors. Clearly, if you cannot get into the Pnyx, you cannot address the *Ekklesia*. Before payment for attendance was introduced, many would not have been able to attend due to not having the time to spare from making a livelihood. The introduction of payment suddenly produced an increase in attendance, if we are to believe Aristophanes (*Plut.* 329-330), but even if we do not have hard data with which to compare pre-payment attendance and post-payment attendance, ancients and moderns alike believe that payment may have been a significant factor in the increase of attendance at *Ekklesia* meetings.<sup>83</sup> This increase in popularity of assembly attendance would have restricted the opportunity to exercise *isegoria* even more, as in theory there would have been an increase of persons competing to speak at the meetings.

It is also worth adding that during wartime, attendance at the *Ekklesia*, and therefore the opportunity both to exercise *isegoria* and to vote on issues, would have been impacted by the fact that those who rowed the Athenian fleet, a class of citizens mostly made up of the “beggar” class (*ptochoi*), were absent, being engaged at the theatres of war. At different times, however, the wealthier classes were absent, those which made up the hoplites. This would also have impacted both the opportunity to speak and the opportunity to vote on what was said.<sup>84</sup> For example, Ephialtes’ so-called radical democracy reforms of 462 were passed by the *Ekklesia* when 4,000 hoplites of the middle class were away fighting in Messenia.<sup>85</sup> Similarly, but from

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<sup>83</sup> Arist. *Pol.* 1297a35-8; Hansen (1999) 150; Carey (2006) 51; Samons, Loren J. 2004. *What’s Wrong with Democracy? From Athenian Practice to American Worship*. Berkeley, CA: University of California Press, 30, 45.

<sup>84</sup> Arguably, the hoplite classes were more likely to speak and the naval classes more likely to vote but not speak, but in theory all the classes were equally likely to do either because of *isegoria*. In theory, at least, socioeconomic class was irrelevant when it came to opportunity to speak.

<sup>85</sup> Hansen (1999) 126.

the opposite socioeconomic perspective, the radical democracy was replaced by the oligarchical rule of the 400 when the *thetes* were away manning the Athenian fleet.

Other, more significant socioeconomic factors would have restricted the number of Athenians who were regular *rhetors*, and hence who exercised *isegoria* regularly. Making a public speech that was effective and persuasive required eloquence and rhetorical training. This in turn required a significant amount of leisure time and income, as well as the physical ability to project one's voice. Demosthenes famously failed in his early attempts at being a *rhetor* due to weakness of voice and lack of experience in public speaking (Plut. *Dem.* 6.3). Very few Athenians had access to the training offered by sophists such as Isocrates and Gorgias, who charged high fees for their services. Even fewer had enough leisure time to devote themselves to rhetorical training and regular active participation in the political life of the state. In contrast, when we exercise our freedom of speech in modern republics, we need not worry about rhetorical training, although undoubtedly training in argumentation and related areas such as critical thinking will enhance our ability to speak well and persuasively. The difference, though, is that when we exercise freedom of speech we do not always seek to persuade others; most often we are simply voicing an opinion. This requires no, or very little, formal training.

### **Political restrictions on the exercise of *isegoria***

The most striking case of the official removal of speech privileges in Athens, and the one which best shows that freedom of speech did not exist, at least in our sense, was the institution of ostracism. In all other cases in which the Athenian "government" could act to punish speech or to remove the privilege of speaking, there was at least some legally sanctioned rationale, and government action proceeded through the legal system. The existence of the institution of

ostracism makes it clear that there was no guarantee against being punished simply for one's speech (Arist. *Ath. Pol.* 22), or for the perceived intentions of a person based on his speech. Where there is no such guarantee, it cannot be claimed that there is freedom of speech, even though in Athens many or most might have been in the habit of speaking freely without fear due to the fact that ostracisms were rare or only used against prominent individuals (Arist. *Ath. Pol.* 22) since at least 6,000 votes were needed.<sup>86</sup> A guarantee is required for a freedom to exist, in the modern sense.

Ostracism was only used in the fifth century. *Graphē paranomon* was introduced in its stead in the fourth century, and its use and abuse served many of the same political purposes which ostracism had served.<sup>87</sup> In the case of ostracism, the demos simply held a vote, starting with a decision on whether or not to have one that year (Arist. *Ath. Pol.* 42)<sup>88</sup>, followed by a vote on who should be ostracised two months later. If at least 6,000 total votes had been cast, the person with the greatest number of votes was banished for ten years from Athens but allowed to keep his citizenship and property.<sup>89</sup> Clearly the reasons behind each individual's decision to ostracise someone varied greatly and could even be irrational, as Plutarch's anecdote of Aristides demonstrates (Plut. *Arist.* 7.5-6), but it is reasonable to surmise that the reason was often the holding and voicing of unpopular opinions. These opinions would have been widely known mainly if voiced at a meeting of the *Ekklesia*. The important point for our purposes is not that ostracism was used to punish people for their speech, if unpopular,<sup>90</sup> but rather that ostracism, regardless of its rationale, had the effect of removing the privilege of speech from an individual

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<sup>86</sup> Hansen (1999) 35; Ober (1989) 74.

<sup>87</sup> Nippel (2015) 68-69.

<sup>88</sup> Aristotle gives a positive account of ostracism – if viewed from the eyes of those in an illegitimate constitution, one of which is democracy (*Ath. Pol.* 1284b12-24).

<sup>89</sup> Hansen (1999) 35; Ober (1989) 74.

<sup>90</sup> Ober (1989) 74-75.

by removing him from the context in which he might express a political opinion. If you are not allowed to be at Athens, you cannot address and persuade your fellow citizens.

With ostracism, there was no pretence of a legal rationale (Plut. *Arist.* 7.7-8), even though the ostracism was legal (i.e. permissible under the law). There was no requirement that the grounds for ostracism be transgression of a law. The ostracised person had no recourse to a defence of any sort, as no official grounds for ostracism was ever named. Ostracism was a political decision akin to the decision to declare war. The particular exercise of ostracism did not imply that the ostracised had violated any law. Since ostracism entailed the loss of the privilege of speech, it follows that there was no “right” to speak in Athens, as the privilege could be revoked by a mere act of popular will. If there is no right to speak, there cannot be freedom of speech. This leads us to the most glaring dis-analogy between *isegoria* and freedom of speech: the various forms of political prosecution which, if successful, could curtail the latter.

*Isegoria* was often curtailed in the legal and political jockeying for position of fourth-century Athens. Unlike the material and socioeconomic restrictions on *isegoria* discussed earlier, the practice of political prosecution for speechmaking affected individuals rather than whole classes or groups, and unlike those restrictions, political prosecution tended to affect individuals in the upper classes. Similarly to the socioeconomic restrictions, however, political prosecutions often did not affect the privilege of *isegoria* directly, but if one was declared *atimos*, for example, as a result of a prosecution, one was able neither to attend nor to speak at a meeting of the *Ekklesia*, since *atimia* entailed the loss of all political rights.<sup>91</sup> The primary goal of public prosecutions such as *graphe paranomon*, *graphe nomon me epitedeion theinai*, and

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<sup>91</sup> Hansen (1999) 129, 387.

*eisangelia*<sup>92</sup> was to silence and punish prominent speakers, and as such these were usually instigated by political adversaries.<sup>93</sup> Public prosecutions often resulted in fines, and if these fines were large enough they could result in *atimia* indirectly through debt to the state.<sup>94</sup> Partial *atimia* was also imposed on the accusers in a case of *eisangelia* who failed to obtain one fifth of the votes.<sup>95</sup> As we saw earlier, those who were ostracised retained their citizenship and even their property,<sup>96</sup> and were allowed to return after ten years. In contrast, in the case of *atimia*, a penalty which could be imposed on citizens for debt to the state, a permanent total or partial stripping of political rights could be imposed.

The two primary legal means of directly curtailing a *rhetor*'s individual exercise of *isegoria* privileges were the two political recourses to *graphe paranomon* and *graphe nomon me epitedeion theinai*. Both of these public prosecutions were brought against *rhetors* who had proposed a motion (a decree or a law) which was contrary to the laws in force or inexpedient.<sup>97</sup> While the *Ekklesia* could as a body approve proposed laws or decrees, if *ho boulomenos* deemed the law or decree unconstitutional, he had recourse to a *graphe paranomon* in the case of a decree or a *graphe nomon me epitedeion theinai* in the case of a law. The *graphe paranomon* came to replace ostracism as the demos' strongest weapon against its political leaders.<sup>98</sup> Because the idea of unconstitutionality could be so widely interpreted, based as it was merely on the accusation of undesirability for the stability of the state or on something being damaging to the

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<sup>92</sup> *Eisangelia*, of which there were two types, was most often used to punish generals whose actions in theatres of war had displeased the demos, whether or not these generals were prominent speakers at meetings of the *Ekklesia*. It was also used against *rhetors*, however.

<sup>93</sup> Nippel (2015) 69-70.

<sup>94</sup> Hansen (1999) 145.

<sup>95</sup> Hansen (1999) 214.

<sup>96</sup> Ober (1989) 74.

<sup>97</sup> Hansen (1999) 393.

<sup>98</sup> Hansen (1999) 205.

interests of the people, the notion of illegality could be widely extended and as a result any decree could have been attacked as unconstitutional.<sup>99</sup>

There was also recourse to *eisangelia eis ton demon*. This was a denunciation law used for three crimes: attempt to overthrow the constitution, treason, and political corruption. The taking of bribes by a *rhetor* in order to misguide the *Ekklesia* was one of the most common indictments prosecuted under the law of *eisangelia* (Hyp. 4.8).<sup>100</sup> *Eisangelia* was often abused by grotesque interpretations of this denunciation law.<sup>101</sup> Furthermore, citizens could also resort to the *dokimasia ton rhetoron*, a legal action brought against a *rhetor* involving an accusation that he was barred from addressing the *Ekklesia* on grounds of prostitution, mistreatment of parents, military offences, and squandering one's inheritance.<sup>102</sup> This system of public prosecutions encouraged political rivals to bring suits against one another in a competition for prestige (Dem. 20.108), which had the effect of stopping any one man from becoming too influential – always the strongest fear for the demos of the Athenian democracy – because it was used by anyone jealous of another's influence with the demos to stop his political career in its tracks or at least temporarily derail it.

It can thus be seen that from the very beginning of Athenian democracy, with the practice of ostracism, down to the established democracy of the fourth century, there was always a threat involved in exercising the privilege of *isegoria* because there was always a process in place for reprisals, which was invoked according to the whims of public opinion. These reprisals took the form of not only punishment for what one had said, but also the loss of opportunity to say

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<sup>99</sup> Hansen (1999) 206-207.

<sup>100</sup> Hyperides' speech *Against Demosthenes* seems to show that the *eisangelia* law had nothing to say when it came to those accepting money who furthered the interests of the demos (Hyp. 5.6).

<sup>101</sup> Hansen (1999) 213-214.

<sup>102</sup> Carey (2006) 68; Hansen (1999) 390.

anything further to the *Ekklesia* in future. This alone is enough to demonstrate a strong dissimilarity between the political situation in Athens and our modern republics, and thus between *isegoria* and freedom of speech.

The official threats to a speaker's privilege of *isegoria* did not end with ostracism, *graphe paranomon*, and *eisangelia*. Due to the absence of corporal punishments (which could be inflicted on metics and slaves but not on citizens),<sup>103</sup> most political crimes carried a fine, and citizens of average means were always at risk of losing *isegoria* privileges through the punishment of *atimia* levied as a penalty for public debt. Moreover, fines could be very large,<sup>104</sup> so that even those wealthy enough to pay it off could be crippled as a future political force, no longer having the means and freedom from work to pursue a public life. Even when such a drastic result was not in play, the threat of frivolous lawsuit and consequent loss of money was enough to make speakers censure themselves to a certain extent. We know that many did, since Demosthenes often calls himself brave for having the courage to say things which were unpopular and which others were unwilling to say (Dem. 1.16, 3.12-13, 4.51). Given the character of the Athenian legal system, in which all courts were manned by citizens who had no specialist knowledge of law,<sup>105</sup> frivolous lawsuits were easy to lodge and win. This was still the case even though an accuser who gained less than a fifth of the votes was required to pay a fine,<sup>106</sup> since the Athenian system did not have experts able to adequately judge when a case should go to trial.<sup>107</sup> When risks were high, more than the privilege of *isegoria* could be lost, though this was often the primary target. *Atimia* could cut one off from having recourse to the

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<sup>103</sup> Carey (2006) 31; Hansen (1999) 145.

<sup>104</sup> Hansen (1999) 145; Ober (1989) 200.

<sup>105</sup> Hansen (1999) 180; Nippel (2015) 51.

<sup>106</sup> Nippel (2015) 52.

<sup>107</sup> Nippel (2015) 52.

dikastic system, since the *atimos* had no recourse to legal protection. It could also cut one off from voting and jury rights. All these risks undoubtedly led to a climate in which exercising *isegoria* privileges was a more high-risk affair than exercising one's right to speak more or less freely in modern republics.

In an environment in which exercising *isegoria* privileges could lead to prosecution by one's political adversaries in a free-for-all contest of public opinion, it is antithetical to call the equal privilege to address the political assemblies "freedom of speech". The whole point of freedom of speech is to protect the individual's free expression from the attempts of powerful individuals or groups who might use instruments of state power to silence speech which goes against their interests. Granted that in ancient Athens it was not possible to amass political power officially to the extent it is today; nevertheless it was collective state power, the power of the assemblies and large juries, which *rhetors* had to fear.

This chapter has offered a number of reasons why "freedom of speech" as a translation of *isegoria* is at best inaccurate, and at worst supports a false understanding of the social, cultural, and political factors surrounding speech in ancient Athens. Freedom of speech is first and foremost a constitutional guarantee of protection for the individual against the government. The mechanism of protection that has been put into place depends on the checks and balances central to the tripartite separation of powers. Separation of powers existed in Athens, since the Boule, *Ekklesia*, and courts all had different functions; but because the executive and legislative functions were combined in the assemblies, politically incendiary speech could not be protected. The danger is that, if the executive branch of the government is entrusted with making the laws, it might make laws in its own interests. This is antithetical to upholding the freedoms of the

people. My conclusion is therefore that the protection of unpopular speech was neither possible given the governmental structure, nor desirable given the ideological values of ancient Athens.

### **Chapter 3: *Parrhesia***

This chapter will establish the distinctness of the concepts of *parrhesia* and freedom of speech, in order to discourage careless translation. After a preliminary look at the use of *parrhesia* in the ancient sources, followed by examples of incorrect modern translations, we will compare what *parrhesia* and freedom of speech each refers to, and what conditions need to be satisfied before an instance of each can occur. Next we will examine them as values: what do the respective cultures value about them, and why and how do these cultures manifest this? Lastly, we will examine and compare the risks as well as the rewards associated with speaking with *parrhesia*, as opposed to exercising one's freedom of speech.

Whereas *isegoria* and freedom of speech share some similarity in that they both refer to legally sanctioned privileges, *parrhesia* had no legal status.<sup>108</sup> It did not have a particular connection to democracy,<sup>109</sup> although our sources show that it was often seen as a highly prized Athenian value. When *parrhesia* had positive connotations,<sup>110</sup> speaking with *parrhesia* and valuing it meant admiring the truth and admiring the courage it often took to state it bluntly. In this way, freedom of speech considered merely as a cultural value comes quite close, although strictly speaking freedom of speech can never be divorced from its political context.

#### **The concept of *parrhesia* as used by Greek writers**

Again, we will begin this chapter by looking at the way the term *parrhesia* was used in the ancient sources. It will become immediately apparent that *parrhesia* was not a term with strictly political connotations, but rather a term naming “a tendency to speak with freedom, but

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<sup>108</sup> Carter (2004) 198, 201, 206, 211; O'Sullivan (2015) 42.

<sup>109</sup> Konstan (2012) 4.

<sup>110</sup> Carter is careful to point out that *parrhesia* could have negative connotations. Carter (2004) 206, 208. So do Ineke Sluiter and Ralph Rosen. 2004. “General Introduction”. *Free Speech in Classical Antiquity*, ed. Ineke Sluiter and Ralph M. Rosen. Leiden: Brill, 4-6.

more as a freedom from one's own sense of fear or shame, and less as a freedom from censorship or any other active form of coercion".<sup>111</sup> The *LSJ* therefore defines it as "outspokenness, frankness"; "licence of tongue"; "liberality, lavishness". The following passages, taken from Demosthenes, Aristotle, Aristophanes, Plato, Isocrates, and Euripides, will bear out the correctness of these definitions (all italics mine).

Dem. 3.3

ἀξιῶ δ' ὑμᾶς, ἂν μετὰ παρρησίας ποιῶμαι τοὺς λόγους, ὑπομένειν, τοῦτο θεωροῦντας, εἰ τάληθῆ λέγω, καὶ διὰ τοῦτο, ἵνα τὰ λοιπὰ βελτίω γένηται: ὁρᾶτε γὰρ ὡς ἐκ τοῦ πρὸς χάριν δημηγορεῖν ἐνίους εἰς πᾶν προελήλυθε μοχθηρίας τὰ παρόντα.

And I require you to endure me if I make speeches with *candour*; considering this, if I am speaking true things; and on account of this, in order that henceforward things may be better. For you see that as a result of some men making popular speeches, the things being present have advanced into an entirely bad condition.

Dem 3.32

ταῦτα μὰ τὴν Δήμητρ' οὐκ ἂν θαυμάσαιμ' εἰ μείζων εἰπόντι ἐμοὶ γένοιτο παρ' ὑμῶν βλάβη τῶν πεποιηκότων αὐτὰ γενέσθαι: οὐδὲ γὰρ παρρησία περὶ πάντων ἀεὶ παρ' ὑμῖν ἐστίν, ἀλλ' ἔγωγ' ὅτι καὶ νῦν γέγονεν θαυμάζω.

By Demeter, I would not be surprised if, with respect to these things, greater harm from you should happen to me having spoken, than to those having caused these same things to happen. For there is not even *forthright speech* concerning all things from you always, but I indeed am surprised that it has happened even now.

Dem. 6.31

καὶ τὸ πάντων αἴσχιστον, καὶ τοῖς ἐκγόνοις πρὸς τὰς ἐλπίδας τὴν αὐτὴν εἰρήνην εἶναι ταύτην ἐψηφίσασθε: οὕτω τελέως ὑπήχθητε. τί δὴ ταῦτα νῦν λέγω καὶ καλεῖν φημί δεῖν τούτους; ἐγὼ νῆ τοὺς θεοὺς τάληθῆ μετὰ παρρησίας ἐρῶ πρὸς ὑμᾶς καὶ οὐκ ἀποκρύψομαι.

And the most shameful of all things, that in consequence of your hopes, you voted that this same peace be for your grandchildren, too; so completely were you deceived. So why am I saying these things now, and why am I saying that it is necessary that you summon them? By the gods, I will speak true things with *candour* to you, and I will not hide them.

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<sup>111</sup> Carter (2004) 206.

Dem. 7.1

ὦ ἄνδρες Ἀθηναῖοι, οὐκ ἔστιν ὅπως αἱ αἰτίαι, ἃς Φίλιππος αἰτιᾶται τοὺς ὑπὲρ τῶν δικαίων πρὸς ὑμᾶς λέγοντας, κωλύσουσι συμβούλους ἡμᾶς γίνεσθαι ὑπὲρ τῶν ὑμῖν συμφερόντων: δεινὸν γὰρ ἂν εἴη, εἰ τὴν ἐπὶ τοῦ βήματος παρρησίαν αἱ παρ' ἐκείνου πεμπόμεναι ἐπιστολαὶ ἀνέλοιεν.

O Athenian men, there is no way that the accusations which Philip brings against those speaking to you concerning your rights will hinder us from being advisors in defence of your interests. For it would be appalling if letters being sent from him should abolish *the act of speaking forthrightly* on this platform.

Dem. 8.21

βούλομαι τοίνυν ὑμᾶς μετὰ παρρησίας ἐξετάσαι τὰ παρόντα πράγματα τῆ πόλει, καὶ σκέψασθαι τί ποιοῦμεν αὐτοὶ νῦν καὶ ὅπως χρώμεθ' αὐτοῖς.

I wish, then, to examine with *candour* the affairs being present for the city, and to look into what we are doing ourselves now and how we are dealing with these very issues.

Dem. 8.32

αἴτιον δὲ τούτων (καὶ μοι πρὸς θεῶν, ὅταν εἴνεκα τοῦ βελτίστου λέγω, ἔστω παρρησία): παρεσκευάκασιν ὑμᾶς τῶν πολιτευομένων ἔνιοι ἐν μὲν ταῖς ἐκκλησίαις φοβεροὺς καὶ χαλεπούς, ἐν δὲ ταῖς παρασκευαῖς ταῖς τοῦ πολέμου ῥαθύμους καὶ εὐκαταφρονήτους.

But the reason for these things – and by the gods, whenever I am speaking on account of the best thing, let there be *forthrightness* – is that some of those being politicians have made you formidable and harsh in the *Ekklesia* but lazy and contemptible in your preparations for war.

Dem. 9.3

ἀξιῶ δ', ὦ ἄνδρες Ἀθηναῖοι, ἂν τι τῶν ἀληθῶν μετὰ παρρησίας λέγω, μηδεμίαν μοι διὰ τοῦτο παρ' ὑμῶν ὀργὴν γενέσθαι. σκοπεῖτε γὰρ ὡδί. ὑμεῖς τὴν παρρησίαν ἐπὶ μὲν τῶν ἄλλων οὕτω κοινὴν οἴεσθε δεῖν εἶναι πᾶσι τοῖς ἐν τῆ πόλει, ὥστε καὶ τοῖς ξένοις καὶ τοῖς δούλοις αὐτῆς μεταδεδώκατε, καὶ πολλοὺς ἂν τις οἰκέτας ἴδοι παρ' ἡμῖν μετὰ πλείονος ἐξουσίας ὅ τι βούλονται λέγοντας ἢ πολίτας ἐν ἐνίαις τῶν ἄλλων πόλεων, ἐκ δὲ τοῦ συμβουλευεῖν παντάπασιν ἐξεληλάκατε.

But I require from you, O Athenian men, if I speak something of the true with *forthrightness*, to have no anger against me on account of this. For, look at it in this way. Concerning other things you think that it is necessary that *the privilege of speaking frankly* be common to all in the city, to such an extent that you have given a share of it both to foreigners and to slaves, and anyone could see many slaves among us saying whatever they wish with more licence than citizens [do] in some of the other cities. But you have completely banished it from your deliberating.

Dem. 10.53-54

ἀλλ' ὅμως εἰς τοσαῦτα μέρη καὶ τοσαύτας δυναστείας διηρημένων τῶν Ἑλληνικῶν πραγμάτων, εἰ δεῖ τάληθῆ μετὰ παρρησίας εἰπεῖν, τὰ παρ' οὐδέσι τούτων ἀρχεῖα καὶ βουλευτήρι' ἐρημότερ' ἂν τις ἴδοι τῶν Ἑλληνικῶν πραγμάτων ἢ τὰ παρ' ἡμῖν, εἰκότως: οὔτε γὰρ φιλῶν οὔτε πιστεύων οὔτε φοβούμενος οὐδεὶς ἡμῖν διαλέγεται. αἴτιον δὲ τούτων οὐχ ἓν, ὃ ἄνδρες Ἀθηναῖοι, (ῥάδιον γὰρ ἂν ἦν ὑμῖν μεταθεῖναι), ἀλλὰ πολλὰ καὶ παντοδαπὰ ἐκ παντὸς ἡμαρτημένα τοῦ χρόνου, ὧν τὸ καθ' ἕκαστον ἐάσας, εἰς ὃ πάντα τείνει λέξω, δεηθεὶς ὑμῶν, ἂν λέγω τάληθῆ μετὰ παρρησίας, μηδὲν ἀχθεσθῆναί μοι.

But all the same, with Greek affairs divided into so many parties and so many leaderships, if it is necessary to speak true things with *candour*, one would see the town halls and council chambers more similarly desolate for none of the Greek states than those for us. For neither loving nor trusting nor fearing does anyone discourse with us. And the cause of these things is not a single one, O Athenian men – for it would be easy to rectify this – but many and all sorts of things having gone wrong throughout time; among which, having left them alone one by one, I will speak of one to which all are referred, having begged of you not to be angry at me if I speak true things with *candour*.

Dem 10.76

ταῦτ' ἐστὶ τάληθῆ, μετὰ πάσης παρρησίας, ἀπλῶς εὐνοίᾳ τὰ βέλτιστ' εἰρημένα, οὐ κολακεία βλάβης καὶ ἀπάτης λόγος μεστός, ἀργύριον τῷ λέγοντι ποιήσων, τὰ δὲ πράγματα τῆς πόλεως τοῖς ἐχθροῖς ἐγχειριῶν.

These are the true facts, spoken with every *forthrightness*, plainly, in goodwill, and for the best; not a speech spoken with flattery full of harm and deceit, intended to make money for the one speaking and to put the affairs of the state in our enemies' hands.

Arist. *Ath. Pol.* 16.6

τοιαύτης γὰρ τινοσ ἐξόδου τῷ Πεισιστράτῳ γιγνομένης, συμβῆναί φασι τὰ περὶ τὸν ἐν τῷ Ὑμηττῷ γεωργοῦντα τὸ κληθὲν ὕστερον χωρίον ἀτελές. ἰδὼν γὰρ τινα παντελῶς πέτρας σκάπτοντα καὶ ἐργαζόμενον, διὰ τὸ θαυμάσαι τὸν παῖδα ἐκέλευσεν ἐρέσθαι, τί γίγνεται ἐκ τοῦ χωρίου. ὁ δ' "ὄσα κακὰ καὶ ὀδύνας" ἔφη, "καὶ τούτων τῶν κακῶν καὶ τῶν ὀδυνῶν Πεισίστρατον δεῖ λαβεῖν τὴν δεκάτην." ὁ μὲν οὖν ἄνθρωπος ἀπεκρίνατο ἀγνοῶν, ὁ δὲ Πεισίστρατος ἤσθεὶς διὰ τὴν παρρησίαν καὶ τὴν φιλεργίαν ἀτελῆ πάντων ἐποίησεν αὐτόν.

For, with one of such a kind of official tours having taken place for Peisistratus, they say that the business in Hymettus happened, concerning the one cultivating the farm having later been called tax-free. For [Peisistratus], having seen some man digging and working at an utterly stony [plot], on account of being surprised, ordered his slave to enquire what he got out of this piece of land. "As many ills and pains," he said, "as it is fitting that Peisistratus take the tenth share of these same ills and pains." The man, then, [spoke] not knowing [whom] he was answering, but Peisistratus, having been pleased on account of his *outspokenness* and industry, made him exempt from all taxes.

Arist. *Eth. Nic.* 1165a27-30

καὶ παντὶ δὲ τῷ πρεσβυτέρῳ τιμὴν καθ' ἡλικίαν, ὑπαναστάσει καὶ κατακλίσει καὶ τοῖς τοιούτοις: πρὸς ἐταίρους δ' αὖ καὶ ἀδελφούς παρρησίαν καὶ ἀπάντων κοινότητα.

And to every elder [should be given] honour in accordance with his age, by the acts of rising from one's seat and seating him at table, and [other acts] such as these; but on the other hand to companions and brothers [should be granted] *frankness of speech* and the sharing in common of all things.

Ar. *Thesm.* 533-543

Γυνή Α

οὐ τοι μὰ τὴν Ἄγλαυρον ὧ γυναῖκες εὖ φρονεῖτε,  
ἀλλ' ἢ πεφάρμαχθ' ἢ κακόν τι μέγα πεπόνθατ' ἄλλο,  
ταύτην ἔδωσαι τὴν φθόρον τοιαῦτα περιυβρίζειν  
ἡμᾶς ἀπάσας. εἰ μὲν οἶν τις ἔστιν: εἰ δὲ μή, ἡμεῖς  
αὐταὶ τε καὶ τὰ δουλάρια τέφραν ποθὲν λαβοῦσαι  
ταύτης ἀπομιλώσομεν τὸν χοῖρον, ἵνα διδαχθῇ  
γυνὴ γυναῖκας οὔσα μὴ κακῶς λέγειν τὸ λοιπόν.

Μνησίλοχος

μὴ δῆτα τὸν γε χοῖρον ὧ γυναῖκες. εἰ γὰρ οὔσης  
παρρησίας κάξδὸν λέγειν ὅσαι πάρεσμεν ἄσταί,  
εἴτ' εἶπον ἀγίγνωσκον ὑπὲρ Εὐριπίδου δίκαια,  
διὰ τοῦτο τιλλομένην με δεῖ δοῦναι δίκην ὑφ' ὑμῶν;

Woman A

By Aglaurus, you are not well in your sense, O women,  
but you have either been bewitched or have suffered some other great evil,  
to allow this woman, such a pestilence, to insult  
us all. Is there anyone here? If not, we  
ourselves and our female slaves, having taken ashes from somewhere,  
will depilate her pudenda, in order that she may be taught  
as a woman, not to speak ill of women in future.

Mnesilochus

Not my pudenda, O women! For, with there being  
*the privilege of speaking frankly*, it is not possible that we, as many as are citizens, speak?  
And then, I have spoken things which I know are just in defence of Euripides:  
is it necessary that I, being plucked clean by you, pay the penalty on account of this?

Pl. *Sym.* 222c2-3

εἰπόντος δὴ ταῦτα τοῦ Ἀλκιβιάδου γέλωτα γενέσθαι ἐπὶ τῇ παρρησίᾳ αὐτοῦ, ὅτι ἐδόκει ἔτι ἐρωτικῶς ἔχειν τοῦ Σωκράτους.

With Alcibiades having spoken these things, there was laughter because of his *frankness*, since he seemed to be still feeling amorous towards Socrates.

Pl. *Lach.* 188e5-189a1

Σωκράτους δ' ἐγὼ τῶν μὲν λόγων οὐκ ἔμπειρός εἰμι, ἀλλὰ πρότερον, ὡς ἔοικε, τῶν ἔργων ἐπειράθην, καὶ ἐκεῖ αὐτὸν ἠῦρον ἄξιον ὄντα λόγων καλῶν καὶ πάσης παρρησίας.

And I am not experienced in the words of Socrates, but earlier, as it seems, I had experience of his deeds, and there I found him to be worthy of fine words and every *frankness*.

Pl. *Grg.* 487a-d7

εὔ οἶδ' ὅτι, ἂν μοι σὺ ὁμολογήσης περὶ ὧν ἡ ἐμὴ ψυχὴ δοξάζει, ταῦτ' ἤδη ἐστὶν αὐτὰ τάληθῆ. ἐννοῶ γὰρ ὅτι τὸν μέλλοντα βασανιεῖν ἰκανῶς ψυχῆς πέρι ὀρθῶς τε ζώσης καὶ μὴ τρία ἄρα δεῖ ἔχειν ἃ σὺ πάντα ἔχεις, ἐπιστήμην τε καὶ εὐνοίαν καὶ παρρησίαν... τὸ δὲ ξένω τῷδε, Γοργίας τε καὶ Πῶλος, σοφῶ μὲν καὶ φίλῳ ἐστὸν ἐμῷ, ἐνδεεστέρω δὲ παρρησίας καὶ αἰσχυνηροτέρῳ μᾶλλον τοῦ δέοντος... ἐπειδὴ οὖν σου ἀκούω ταῦτά ἐμοὶ συμβουλευόντος ἄπερ τοῖς σεαυτοῦ ἐταιροτάτοις, ἰκανόν μοι τεκμήριόν ἐστιν ὅτι ὡς ἀληθῶς μοι εὐνοῦς εἶ. καὶ μὴν ὅτι γε οἷος παρρησιάζεσθαι καὶ μὴ αἰσχύνεσθαι, αὐτός τε φῆς καὶ ὁ λόγος ὃν ὀλίγον πρότερον ἔλεγες ὁμολογεῖ σοι.

I know well, that if you concede any opinion among those which my mind holds, these opinions are now the very truth. For I consider it necessary that the one about to sufficiently examine a soul concerning its living, whether correctly or not, have three things, all of which you have – knowledge and goodwill and *forthrightness*... And these two guests, Gorgias and Polus, are wise and my friends, but rather deficient in *forthrightness* and more embarrassed than necessary... Since I hear you giving me the same advice which you gave to your closest companions, then, there is sufficient evidence that you are as truly well-disposed towards me as it is possible. And as for your being the sort *to speak candidly* and without being ashamed, you yourself say as much, and the speech which you uttered a little earlier corresponds to this.

Pl. *Resp.* VIII.557a6-b5

ἔστι γάρ, ἔφη, αὕτη ἡ κατάστασις δημοκρατίας, ἐάντε καὶ δι' ὀπλων γένηται ἐάντε καὶ διὰ φόβον ὑπεξελθόντων τῶν ἐτέρων.

τίνα δὴ οὖν, ἦν δ' ἐγώ, οὗτοι τρόπον οἰκοῦσι; καὶ ποία τις ἡ τοιαύτη αὐτοῦ πολιτεία; δῆλον γὰρ ὅτι ὁ τοιοῦτος ἀνὴρ δημοκρατικός τις ἀναφανήσεται.

δῆλον, ἔφη.

οὐκοῦν πρῶτον μὲν δὴ ἐλεύθεροι, καὶ ἐλευθερίας ἡ πόλις μεστή καὶ παρρησίας γίγνεται, καὶ ἐξουσία ἐν αὐτῇ ποιεῖν ὅτι τις βούλεται;

“For,” he said, “this is the establishment of democracy, whether it happens through arms or on account of fear on the part of those having withdrawn.

“But,” I said, “what manner of life do these men live? And again, of what kind is such a constitution? For it is clear that such a man will be shown to be someone democratic.”

“It is clear,” I said.

“Firstly, then, are they free, and is the city full of freedom and *licence of speech*, and is there licence in that city to do whatever one wishes?”

Pl. *Lg.* I.649a9-b5

πιόντα τὸν ἄνθρωπον αὐτὸν αὐτοῦ ποιεῖ πρῶτον ἴλεων εὐθὺς μᾶλλον ἢ πρότερον, καὶ ὀπόσω ἂν πλέον αὐτοῦ γεύηται, τοσοῦτω πλείονων ἐλπίδων ἀγαθῶν πληροῦσθαι καὶ δυνάμεως εἰς δόξαν; καὶ τελευτῶν δὴ πάσης ὁ τοιοῦτος παρρησίας ὡς σοφὸς ὢν μεστοῦται καὶ ἐλευθερίας, πάσης δὲ ἀφοβίας, ὥστε εἰπεῖν τε ἀόκνως ὅτιοῦν, ὡσαύτως δὲ καὶ πράξει;

[Doesn't wine] firstly make the man drinking it immediately more cheerful than before, and by as much as he drinks it, by this much he is filled with more good hopes and with power with respect to his expectations? And in the end, is such a man filled with every *licence of tongue* and excessive freedom, as though being wise, and with all fearlessness, with the result that he says anything whatsoever without hesitation, and likewise he does anything?

Isoc. 5.72

ἀπέχρη δ' ἂν ἤδη μοι τὰ προειρημένα περὶ τούτων, εἰ μὴ παραλελοιπῶς ἦν τινα λόγον, οὐκ ἀμνημονήσας ἀλλ' ὀκνήσας εἰπεῖν, ὃν ἤδη μοι δοκῶ δηλώσειν: οἶμαι γὰρ σοὶ τε συμφέρειν ἀκοῦσαι περὶ αὐτῶν, ἐμοί τε προσήκειν μετὰ παρρησίας (ὥσπερ εἴθισμαι) ποιεῖσθαι τοὺς λόγους.

And the things having already been said by me concerning these things would be sufficient, if I had not omitted a certain matter – not having forgotten, but having shrunk from saying it – which I now think it best to disclose. For I think that it profits you to hear about it, and it befits me to speak these words with *forthrightness*, as I am accustomed.

Isoc. 8.14

ἐγὼ δ' οἶδα μὲν ὅτι πρόσαντές ἐστιν ἐναντιοῦσθαι ταῖς ὑμετέραις διανοίαις, καὶ ὅτι δημοκρατίας οὔσης οὐκ ἔστι παρρησία, πλὴν ἐνθάδε μὲν τοῖς ἀφρονεστάτοις καὶ μηδὲν ὑμῶν φροντίζουσιν, ἐν δὲ τῷ θεάτρῳ τοῖς κωμωδοδιδασκάλοις: ὃ καὶ πάντων ἐστὶ δεινότατον, ὅτι τοῖς μὲν ἐκφέρουσιν εἰς τοὺς ἄλλους Ἑλληνας τὰ τῆς πόλεως ἀμαρτήματα τοσαύτην ἔχετε χάριν ὅσην οὐδὲ τοῖς εὖ ποιοῦσι, πρὸς δὲ τοὺς ἐπιπλήττοντας καὶ νουθετοῦντας ὑμᾶς οὕτω διατίθεσθε δυσκόλως ὥσπερ πρὸς τοὺς κακὸν τι τὴν πόλιν ἐργαζομένους.

And I know that to oppose your views is an uphill struggle, and that, with this being a democracy, [nevertheless] there is no *privilege of speaking freely with impunity*, except there for the senseless and for those taking no thought of you, and in the theatre for the comic poets. And the thing which is most appalling of all, is that you have gratitude towards those airing the failings of our city in front of the other Greeks, such as you do not have even towards those who do right by you, and you treat those berating and admonishing you just as cantankerously as you treat those doing some harm to the city.

Isoc. *Epist.* 4.4

πρὸς δὲ τούτοις πλείστην ἔχειν παρρησίαν, οὐχ ἦν οὐ προσῆκεν, ἀλλὰ τὴν εἰκότως ἂν μέγιστον γιγνομένην σημεῖον τῆς εὐνοίας τῆς πρὸς τοὺς φίλους:

And in addition to these qualities, [Diodotus] possesses the greatest *candour*, not the kind which is not appropriate, but the kind that reasonably proves to be the greatest sign of his goodwill towards his friends.

Isoc. *Epist.* 9.12

καὶ μὴ θαυμάσης, εἰ πρὸς σὲ διαλεγόμενος μνησθήσομαι τῶν οὐκ ὀρθῶς ὑπ' αὐτοῦ γνωσθέντων: εἴθισμαί τε γὰρ μετὰ παρρησίας ἀεὶ ποιεῖσθαι τοὺς λόγους, καὶ δεξαίμην ἂν δικαίως ἐπιτιμῆσας ἀπεχθέσθαι μᾶλλον ἢ παρὰ τὸ προσῆκον ἐπαινέσας χαρίσασθαι.

And do not be surprised if, when I am conversing with you, I make mention of the things having been judged poorly by him, for I am accustomed always to write my discourses with *candour*, and I would rather be hated for having justly censured than win favour for having commended the inappropriate.

Eur. *Hipp.* 419-423

ἡμᾶς γὰρ αὐτὸ τοῦτ' ἀποκτείνει, φίλαι,  
ὡς μήποτ' ἄνδρα τὸν ἐμὸν αἰσχύνασ' ἀλῶ,  
μὴ παῖδας οὓς ἔτικτον: ἀλλ' ἐλεύθεροι  
παρρησίᾳ θάλλοντες οἰκοῖεν πόλιν  
κλεινῶν Ἀθηνῶν, μητρὸς οὔνεκ' εὐκλεεῖς.

For, my friends, this very thing is killing me,  
lest I ever be caught having shamed my husband,  
lest I shame the children whom I gave birth to. But may they dwell in  
the city of renowned Athens, thriving  
free with *the privilege of speaking freely*, on account of their mother being of good report.

Eur. *Ion* 670-675

εἰ δ' ἐπεύξασθαι χρεῶν,  
ἐκ τῶν Ἀθηνῶν μ' ἢ τεκοῦσ' εἶη γυνή,

ὥς μοι γένηται μητρόθεν παρρησία.  
καθαρὰν γὰρ ἦν τις ἐς πόλιν πέση ξένος,  
κἂν τοῖς λόγοισιν ἄστός ᾦ, τό γε στόμα  
δοῦλον πέπαται κούκ ἔχει παρρησίαν.

But if it is right to pray for it,  
she having borne me would be a woman from Athens,  
in order that from my mother there might be the *licence to speak freely*.  
For if a foreigner falls in with a city unmixed in race,  
even if he is a citizen, he acquires  
the mouth of a slave, and does not have *licence to speak freely*.

Eur. *Ba.* 664-671

βάκχας ποτνιαδάς εισιδών, αἰ τῆσδε γῆς  
οἴστροισι λευκὸν κῶλον ἐξηκόντισαν,  
ἦκω φράσαι σοὶ καὶ πόλει χρήζων, ἄναξ,  
ὥς δεινὰ δρῶσι θαυμάτων τε κρείσσονα.  
θέλω δ' ἀκοῦσαι, πότερὰ σοὶ παρρησία  
φράσω τὰ κεῖθεν ἢ λόγον στείλωμεθα:  
τὸ γὰρ τάχος σου τῶν φρενῶν δέδοικ', ἄναξ,  
καὶ τοῦξύθυμον καὶ τὸ βασιλικὸν λίαν.

Having seen the revered Bacchae, who, stung to madness, have darted  
from this land with respect to their white leg,  
I have come to tell you, prophesying to the city, too, O lord,  
that they are doing appalling things, and worse than wondrous.  
But I wish to hear, whether I should tell you  
with *licence to speak freely* the things there, or I should repress my report.  
For I fear excessively, O lord, the quickness of your  
passions, and your swiftness to anger and your kingliness.

### **The concepts of *parrhesia* and freedom of speech**

These passages show that *parrhesia* had both positive and negative connotations. It has a negative connotation when it means “chattering” and “gossiping”, as well as boorishness or rudeness involving speech, as all of these involve speaking the truth plainly when it is not desirable or appropriate to do so.<sup>112</sup> Its positive connotation denotes an act of speaking the truth when such an act is risky, but where overriding concerns make speaking the truth an act of

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<sup>112</sup> Foucault (1983) 3.

virtue. It is virtuous because the speaker is in some danger when revealing a truth which powerful individuals or groups would rather suppress. In some cases, the common good requires that the truth be heard (which is why the Athenian democracy encouraged it), and so speaking the truth in such contexts is an act of altruism. Foucault sums up the general positive meaning of *parrhesia*:

... *parrhesia* is a verbal activity in which a speaker expresses his personal relationship to truth, and risks his life because he recognises truth-telling as a duty to improve or help other people (as well as himself). In *parrhesia*, the speaker uses his freedom and chooses frankness instead of persuasion, truth instead of falsehood or silence, the risk of death instead of life and security, criticism instead of flattery, and moral duty instead of self-interest and moral apathy.<sup>113</sup>

What is also clear from the ancient texts is that *parrhesia* did not refer to the legal protection of speech. At most, in political contexts, it referred to a claim often made by the Athenians, that the privilege of speaking freely with impunity was a hallmark of democracy. That one could not be punished for speaking freely was not true, but this claim formed part of democratic ideology.<sup>114</sup> The reason that “freedom of speech” is not a correct translation for *parrhesia* is not because all speech is constitutionally protected in the U.S.: nowhere is the right of free speech absolute,<sup>115</sup> and the U.S. is no exception.<sup>116</sup> Rather, Athenian speakers (whose work has survived) recognised that to be allowed to speak in the assemblies or courts was a gift, not a right, and so they did not claim that it was an injustice when this gift was not granted.<sup>117</sup> Nevertheless, the tendency to translate *parrhesia* as “freedom of speech” or “free speech” continues to this day. Consider the following translations, none of which are older than 25 years (all italics mine).

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<sup>113</sup> Foucault (1983) 8.

<sup>114</sup> Carter (2004) 206-207.

<sup>115</sup> Baltussen and Davis (2015) 2.

<sup>116</sup> For example, slander, libel, perjury, and violation of non-disclosure contracts, are civil infractions.

<sup>117</sup> Carter (2004) 209.

Dem. 3.32 (trans. David D. Phillips, 2004)

By Demeter, I would not be surprised if I should incur greater harm at your hands for talking about these things than the men who did them; for you do not always allow *free speech* on all topics, and in fact I am surprised that it has been allowed now.

Dem. 7.1 (trans. David D. Phillips, 2004)

Men of Athens, there is no way that the accusations that Philip brings against those who address you about your rights will keep us from advising you on your interests. It would be a terrible thing if letters sent from him were to abolish the *freedom of speech* on this platform.

Dem. 8.32 (trans. David D. Phillips, 2004)

The cause of this – and, by the gods, when I am speaking in your best interest, let me have *freedom of speech* – is that some of your politicians have made you formidable and harsh in the Assembly but lazy and contemptible in your preparations for war.

Dem. 9.3 (trans. David D. Phillips, 2004)

I call upon you, men of Athens, if I tell some part of the truth with frankness, not to become angry with me because of it. Look at it like this. In other contexts, you think that *freedom of speech* should be so common to everyone in the city that you have given it to foreigners and slaves; you could see slaves in great number among us saying what they want with greater impunity than citizens enjoy in some other cities. But you have completely eliminated *free speech* from public deliberation.

Ar. *Thesm.* 533-543 (trans. Alan H. Sommerstein, 1994)

Mica [*rising, as do two or three of her neighbours*]

By Aglaurus, ladies, you can't be in your right minds! Either you're bewitched, or something else very serious must have happened to you, for you to allow this scum to insult us all in this outrageous way. Well, [*looking round the meeting*] if anyone is willing... If not, we ourselves together with our slave-girls will get hot ash from somewhere and pluck this woman's pussy bare, to teach her not to slander her fellow-women in future. [*Mica and her friends confront Inlaw menacingly.*]

Inlaw

No, no, ladies, please, not my pussy! Am I, when there's *freedom of speech* here, and when all of us here who are citizens are entitled to speak<sup>118</sup> – am I, for saying what I considered to be right in defence of Euripides, to be punished for that by your plucking my hairs out?

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<sup>118</sup> Debate in this women's assembly is assumed to be governed by the same principles as in the Assembly of male citizens (translator's/commentator's note).

Pl. *Resp.* VIII.557a6-b5 (trans. Grube, rev. Reeve, 1992)

Yes, that's how democracy is established, whether by force of arms or because those on the opposing side are frightened into exile.

Then how do these people live? What sort of constitution do they have? It's clear that a man who is like it will be democratic.

That is clear.

First of all, then, aren't they free? And isn't the city full of freedom and *freedom of speech*? And doesn't everyone in it have the licence to do what he wants?

Isoc. 8.14 (trans. Terry L. Papillon, 2004)

I know that it is dangerous to oppose your views and that even though we live in a democracy, there is still no *freedom of speech*, except here in the Assembly for those who are foolish and do not care about you, or in the theatre for the comic poets. What is the most shocking is that you feel gratitude to them when they drag our faults out in front of the rest of Greece such as you never show to those who help you; instead, you are as hostile to those who rebuke or admonish you as you are to those who actively harm the city.

Eur. *Hipp.* 419-423 (trans. Michael R. Halleran, 2001)

This is the very thing that is killing me, dear ladies,  
that I never be convicted of disgracing my husband  
nor the children I gave birth to. No, may they flourish  
and dwell in the famous city of Athens as free men  
with *free speech*,<sup>119</sup> with a good reputation in regard to their mother.

Eur. *Ion* 670-675 (trans. Paul Roche, 1998)

If I may express a prayer:  
May my mother be a woman of Athens  
so that on my mother's side  
free speaking is my right.  
An alien entering a city of pure blood,  
though he be technically a citizen,  
does not enjoy *free speech* – his lips are fettered.

Eur. *Hipp.* 419-423 (trans. James Morwood, 1998)

It is this very thing which is driving me to death, my friends – never may I be found guilty of bringing disgrace upon my husband or the children I have borne. No, may they flourish

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<sup>119</sup> *free speech*: one of the most cherished of Athenian rights. (translator's note).

as free citizens with *freedom of speech* as they dwell in the famous city of Athens. May their mother's reputation allow theirs to stand high.

Eur. *Ion* 670-675 (trans. W. S. Di Piero and Peter Burian, 2010)

O father, if only [my mother] were Athenian,  
then I could speak out as I want.

A foreigner, coming to a pure city,  
might call himself a citizen and think  
he belongs. But his tongue's a slave.

He doesn't have *the right to speak his mind*.

If we focus not on translations of ancient texts but instead on scholarly publications such as books, or essays, or reviews, a very similar same pattern emerges. Ober translates *parrhesia* as “freedom of speech”,<sup>120</sup> as do Momigliano<sup>121</sup>, Balot,<sup>122</sup> van Raalte,<sup>123</sup> and Raaflaub,<sup>124</sup> while Ahl translates it as “the right to say everything”, Hansen both as “free speech” and “everyone's right to say what he believes”,<sup>125</sup> Roisman as “the right of criticism”,<sup>126</sup> and Monoson as “free speech”.<sup>127</sup> Indeed, the 2004 *Mnemosyne* collection of papers in which Balot's, van Raalte's, Raaflaub's, and Roisman's papers are found is titled *Free Speech in Classical Antiquity*, and its very title presupposes that there was such a thing as freedom of speech in both Greece and Rome.

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<sup>120</sup> Ober (1989) 296.

<sup>121</sup> Momigliano (1953) 18.

<sup>122</sup> Balot, Ryan. 2004. “Free Speech, Courage, and Democratic Deliberation”. *Free Speech in Classical Antiquity*, ed. Ineke Sluiter and Ralph M. Rosen. Leiden: Brill, 233.

<sup>123</sup> Van Raalte, Marlein. 2004. “Socratic *Parrhesia* and Its Afterlife in Plato's *Laws*”. *Free Speech in Classical Antiquity*, ed. Ineke Sluiter and Ralph M. Rosen. Leiden: Brill, 279.

<sup>124</sup> Raaflaub, Kurt A. 2004. “Aristocracy and Freedom of Speech”. *Free Speech in Classical Antiquity*, ed. Ineke Sluiter and Ralph M. Rosen. Leiden: Brill, 48.

<sup>125</sup> Hansen (1999) 83, 85.

<sup>126</sup> Roisman, Hanna M. 2004. “Women's Free Speech in Greek Tragedy”. *Free Speech in Classical Antiquity*, ed. Ineke Sluiter and Ralph M. Rosen. Leiden: Brill, 94.

<sup>127</sup> Monoson, Sara. 1994. “Frank Speech, Democracy, and Philosophy: Plato's Debt to a Democratic Strategy of Civic Discourse”. *Athenian Political Thought and the Reconstitution of American Democracy*, ed. J. Peter Euben, John R. Wallach, and Josiah Ober. Ithaca, N.Y.: Cornell University Press, 174.

## Dis-analogies between *parrhesia* and free speech

*Parrhesia* is not a highly technical and contextualised term, like *isegoria*. It is a common term which can be used in a number of contexts, while “freedom of speech” is a specific legal and political term referring to a particular aspect of governance which depends on certain conceptual assumptions. In particular, freedom of speech is a right, and so can only be instantiated in legal/political systems which countenance and enshrine the notion of rights.

*Parrhesia* is not an essentially political concept, though it comes into play in political contexts, whereas freedom of speech is an essentially political and legal concept, as it refers to the legal protection of speech against political influence.

*Parrhesia*, then, is a quality which a particular *act* of speech has or lacks. Freedom of speech, on the other hand, is not tied to particular acts of speech, but is rather the *possibility* of saying whatever you like without government interference or retaliation. Individual acts of speech are exercises of the right of freedom of speech under governments which legally protect speech. Freedom of speech is something that the *speaker* has, and if it is a quality which attaches to particular acts of speech, it does so in a derivative sense as exercises of that right. My possession of freedom makes my act(s) of speech free. In contrast, the fact that my assertion is true, and that asserting it places me at risk, makes my utterance an instance of *parrhesia*. I have freedom of speech under a regime which guarantees it, even if I have never uttered a word.

*Parrhesia*, on the other hand, cannot be manifested until the speech act is enacted, and it characterises the speech rather than the speaker. One can speak with *parrhesia* regardless of the government one lives under, or indeed if he lives under none at all. *Parrhesia* is primarily a manner of speech, and hence directly attaches to speech itself and merely derivatively to the speaker; thus, “frankness” or “outspokenness” are apt translations, as someone who is not

generally a frank or outspoken person can say something frank or outspoken. In contrast, in an exercise of the freedom of speech, it is the speaker who is free, not the speech: in particular, the speaker is free from punishment by the government for the content of his speech, or from government interference when uttering his speech. Freedom of speech, as a right, must necessarily attach to the *speaker* rather than the act, because only the speaker can have a right.

The fact that *parrhesia* is associated with the truth is another dis-analogy with free speech, as free speech does not imply that what is said is true. Telling lies is only illegal if you can demonstrate substantial harm (slander), and so one can exercise freedom of speech by lying.<sup>128</sup> The Supreme Court ruled in a famous case not only that lying is protected, but “actual malice” must be demonstrated.<sup>129</sup> This is conceptually impossible in the case of *parrhesia*. *Parrhesia* is a way of speaking whose aim is to reveal the truth. In this way, however, freedom of speech and *parrhesia* are similar, since the primary political rationale for endorsing free speech is its power to facilitate the production and transferal of knowledge. John Stuart Mill argued that “freedom of opinion, and freedom of the expression of opinion” are recognised as being necessary to mental health because otherwise received opinion decays into prejudice instead of something held on rational grounds.<sup>130</sup> This makes the differences between *parrhesia* and freedom of speech, when considered merely as cultural values, somewhat subtle. But the chief reason that freedom of speech is different from *parrhesia* is that, while both freedom of speech and *parrhesia*, in addition to being concepts related to speech, are cultural values as well, freedom of speech is conceptually anchored in law in a way *parrhesia* is not and could not be.

The right of freedom of speech protects nearly all speech against government interference. Guarantees of free speech therefore end up protecting speech which might not be

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<sup>128</sup> The charge of slander is distinct from perjury, whereby someone tells a lie under oath.

<sup>129</sup> *Hustler Magazine, Inc. v. Falwell*, 1988.

<sup>130</sup> *On Liberty*, 1859.

politically dangerous or even significant. An act of *parrhesia*, however, requires that real danger attend the individual speech act, and that danger comes directly from one's fellow citizens or loose groupings of them, through ostracism, various forms of spurious law suit, or simple character assassination. There does not seem to be any official recognition of *parrhesia* as a right or privilege in Athens under democratic rule, or at any other time. There is no shortage of references to it in the ancient authors, however, especially supporters of the democracy such as Demosthenes, as we have seen from the translated passages at the beginning of this chapter. These remarks are usually made in an overtly political context and almost always involve a contrast with oligarchies and monarchies, and the insinuation that under those regimes one does not have the prerogative to speak with *parrhesia*. We here encounter one context in which calling *parrhesia* "freedom of speech" may be misleading, as it leads to thinking about it as a right either protected by law or transgressed by the government. Freedom of speech is something formally instituted by the government in question, and the enumeration of rights is a relatively new development in the history of political systems. It is therefore anachronistic to attribute the right of freedom of speech to the Athenians of the fifth and fourth centuries.

The custom of *parrhesia* and the pride that the Athenians took in it, however, brings their political attitudes about free expression quite close to the way Americans see themselves and their own freedoms. Speaking freely is emblematic of freedom itself both for Athenians and for Americans. This is perhaps because speech is a nearly universal power, and language has a power of its own which goes beyond the speaker and his intentions. But freedom of speech only exists when speech is protected, that is, when government is restricted from passing laws or taking actions that abridge it. We have no such situation with respect to speech in democratic

Athens, and it is quite obvious that in many cases individuals suffered greatly because of the risks they took in speaking their minds.

### **The value of speaking with parrhesia**

*Parrhesia* was informally endorsed in the Athenian democracy because it was *potentially* beneficial to the public good, not because it was good in itself. In fact, it was only speech in the spirit of advancing the public good which was endorsed, and this is made clear by the fact that the term had negative as well as positive connotations. Being able to say whatever one liked was not a value endorsed by Athenian democracy or Athenian culture.<sup>131</sup> Even in cases where *parrhesia* had a positive connotation, the Athenians saw no reason to shield speakers from the negative results of their speech, as their desire was to encourage attempts to benefit the public, and such encouragement took the form of the glory one stood to gain for actually benefitting the public.<sup>132</sup> Whether an act of speech succeeded in securing this goal, or was a sincere attempt, is something which could best be determined after the fact, and dealt with accordingly. Under such circumstances, there is no reason to offer even conditional legal protections of speech,<sup>133</sup> much less to extend protections of speech in the nearly unconditional way we do with freedom of speech. Neither one's intentions nor one's political acumen is altogether transparent to others, and so the risk of proposing a policy which fails to achieve its goal, and of having one's motives or judgement questioned after the fact, are simply the costs of direct democracy as far as the Athenians were concerned. The frequency of resorting to both *graphai* and *eisangeliai* bears this out.<sup>134</sup>

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<sup>131</sup> Carter (2004) 206-208.

<sup>132</sup> Nippel (2015) 70.

<sup>133</sup> It was possible to obtain a prior guaranteed immunity to a *graphe paranomon*, however. Nippel (2015) 70-71.

<sup>134</sup> Hansen (1999) 216; Nippel (2015) 70.

If one lives in a repressive regime and one speaks freely, one does not thereby exercise one's freedom of speech, because one cannot exercise a right which does not exist. The same is true in cases where the regime is not particularly repressive, but where speaking forthrightly is a mere cultural value which is not officially recognised in a way which protects the speaker from retribution at the hands of governmental institutions. One can speak with *parrhesia* no matter what the government has to say about it. It is not conceptually possible to exercise freedom of speech against the will of the government, as your speech is only free if the government allows it to go unpunished by officially and categorically restricting itself from doing so. The possibility of exercising freedom of speech depends on my living under a certain type of government. This is not the case with *parrhesia*. In fact, many ancient discussions of *parrhesia* treat it in the context of forms of government other than democracy, if it is treated in a political context at all. In particular, Aristotle's discussion of it is entirely restricted to non-political contexts (*Arist. Eth. Nic.* 1124b29, 1165a27-30; *Pol.* 1313b15; *Rhet.* 1382b20; *Rhet. Al.* 1432b18) except in one single instance when it is used in the context of tyranny (*Ath. Pol.* 16.6); Isocrates discusses it in the context of oligarchy (*Isoc.* 6.97); and Plato discusses it in the context of the ideal state (*Pl. Lg.* I.649a9-b5), which turns out to be not a democracy but a mixed government.

### ***Parrhesia* as a danger**

The reason that translating *parrhesia* as "freedom of speech" or "free speech" is misleading is not that we have more truth-telling in our society than the Athenians had in theirs. Rather, the difference is a fairly technical one about the legal status of speech under the two governments. As the primary way we understand freedom of speech is as a legal right, the idea that *parrhesia* is freedom of speech is misleading. In Athens, when one exercised speech

customs and privileges, one ran certain risks. The case is the same today in the U.S.; however, the legality for punishing speech in the U.S. is well-defined. If you understand the law, you can, in theory, steer clear of undesired legal consequences. The restrictions on speech in Athens were of an entirely different nature. There were almost no statutory definitions for punishable offences,<sup>135</sup> but the punishments for these offences could nevertheless be severe. *Graphe paranomon* and *graphe nomon me epitedeion theinai* were typically punished by a fine, but if the fine could not be paid, the punishment in effect became *atimia*, a universal punishment for unpaid debt to the state.<sup>136</sup> *Graphe nomon me epitedeion theinai* was actually punished by death in at least one instance.<sup>137</sup>

But punishment in the form of ostracism was also available for the Athenians, and so *parrhesia* could indeed be punished rather severely in outstanding cases. More importantly, however, the fact that no grounds needed to be specified as a rationale for any instance of ostracism<sup>138</sup> meant that prominent citizens were always running the risk of ending up on the wrong side of public opinion. This must have had a chilling effect on speech. The Athenian who exercised *parrhesia*, especially in the context of repeated *isegoria*, ran a serious risk. Even those whose exercise of *parrhesia* was less formal, like Socrates, found out that it was a risky venture. But with this risk came *gravitas*. *Parrhesia* was not directly suppressed, so while it may be reasonable to call it a right in some sense, it was certainly not a right to personal safety.

In contrast, in the U.S., the right of freedom of speech means that one is protected by law from some of the negative consequences of speech. The fact that political speech is protected leads to a very different intellectual environment, especially where theory meets political

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<sup>135</sup> Nippel (2015) 58.

<sup>136</sup> Hansen (1991) 207; Nippel (2015) 60.

<sup>137</sup> Hansen (1991) 212.

<sup>138</sup> Ober (1989) 74.

practice. One can speak one's mind without fear of government reprisal. What this means for politicians is that while they may ruin their political careers by expressing an unpopular opinion, they need not fear the government for their personal freedom, safety, or citizenship. This translates to the level of personal speech as well. The pressure against speaking one's mind is largely social and often economic, but the relative lack of risk involved in speaking freely leads to a loss of the gravity of speech, political and otherwise. People in our society say all sorts of ill-considered things, as there is little real risk in being wrong, and discerning people consequently pay little attention to what others say as they know that it is rarely well-considered. The supposed advantage of freedom of speech is to give voice to every idea so that those that are worthwhile may be heard. But in such a system there is a great deal of noise, and the idea that the ring of truth can be heard above the din is often wishful thinking. In the U.S., when some idea turns out to be a good one, there is always a struggle to claim ownership. Exactly whose idea was it, and who deserves the credit? In a climate in which expressing an idea is so easy that almost all of them have already been expressed, there is as little value in holding an opinion, as there is correspondingly little risk.

*Parrhesia* was more of an Athenian value than a democratic one. It was a value which was in tension with whatever form of government was in place, and democracy was no exception. Thinking of *parrhesia* as a right is an anachronism. In the modern notion, the relationship between the individual citizen (subject) and the government (sovereign) is moderated by the constitution. The purpose of the constitution is to define the roles and limitations of governmental action so that the government does not do things which are not legitimated beforehand by the consent of the governed. This line of thinking did not exist in ancient Athens. The idea of distinguishing between all the actions of the government and those

which were based on legitimate sovereignty had not yet occurred. It is clear that Athenian democrats saw direct democracy as the only path to legitimacy. The idea of restricting governmental power through law in an absolute and unalterable way did not exist. The government could decide to restrict itself, but these were not real restrictions in the sense in which the Bill of Rights is because the amendment process of the Constitution is extremely stringent in comparison. In Athens, extremes and abuses of governmental power were always constructed as personal excesses, and the mechanism for controlling government excess was to control ambitious individuals through ostracism or the threat of ostracism, or through *graphe paranomon* and other forms of political prosecution.

## **Chapter 4: Free speech**

In this chapter, we will first look at some prominent moments in the history of the notion of rights, in the context of both foundational government documents and political philosophy. By noting some of the underlying principles of the functioning of freedom of speech in a modern constitutional republic, and the ideological rationale for allowing even negative speech about the government, we will be better situated to understand the differences between our republics and ancient Athens. In the second section, we will compare the Athenian and American political contexts when it comes to speech. This will allow us to better understand the challenges which the translator faces in avoiding the generation of misunderstandings of Athenian political life. We will end the thesis with a final chapter detailing my advice to translators when handling *isegoria* and *parrhesia*.

### **Early history of rights and speech in government and philosophy**

It is Locke who presents the first systematic approach to political and ethical thought which is centred on the notion of rights, and it is he who most directly influenced the framers of the U.S. Constitution. But Locke is not concerned with the right of freedom of speech; he instead focuses primarily on life, liberty, property, and worship. In his *Two Treatises of Government*, the account of rights and law is based on natural law, which seems to be based on theism for its supporting rationale. The framers of the U.S. Constitution were however keenly focused on speech. Small groups of individuals who had left their ancestral homes to go to a new land and eke out an existence without the usual support of governance, were forced to govern themselves. In this context, it became painfully apparent that community and communication was vital for both the individual and the public good. Small communities

governing themselves could not flourish with the suppression of opinion. Thus there was in the colonies a tradition of allowing and protecting speech. Recent scholarship focusing on seditious speech in the seventeenth-century colonies has shown that from 1607 to 1700 the colonists' freedom of speech expanded dramatically, laying the foundation for the political dissent that flourished among the Revolutionary generation.<sup>139</sup>

A full philosophical grounding for the freedom of speech did not occur until the work of Mill. The formulations of Mill are both influential and concise. He had a philosophical rationale for basing a system of justice around the idea of rights, and he gave a systematic defence of the centrality of freedom of speech within that system. This new rationale of political philosophy had an important feature with respect to rights, which came to be known as the harm principle. The phrase "harm principle" was not used by Mill, but the principle itself was first fully articulated by him in the first chapter of *On Liberty*, where he argued that:

... the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection... The only purpose for which power can be rightfully exercised over any member of a civilised community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him happier, because, in the opinion of others, to do so would be wise, or even right... The only part of the conduct of anyone, for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign.

Hence the right of freedom of speech is the right to not have one's speech curtailed by a government action.

This is especially borne out in the way that freedom of speech in America has been constructed, and the nature of legal restrictions on it. The type of speech most protected in America is speech against the government; however, no case involving the freedom of speech

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<sup>139</sup> Eldridge Larry D. 1994. *A Distant Heritage: The Growth of Free Speech in Early America*, New York: N. Y. U. Press.

clause of the First Amendment came before the court until the nineteenth century. A political battle over this issue happened very early, but it did not take place in the courts. In the late 1790s, James Madison argued against narrowing the freedom of speech to what had existed under English common law, which had not protected speech critical of the government. As it stands today, freedom of speech against the government has become so sacrosanct that even outright falsehoods spoken about the government are protected except in certain special cases. Even the advocacy of violent overthrow of the government is protected, as long as it does not pose an imminent threat to individual persons.

### **The Athenian legal and political systems**

The way that the Athenians conceived of the relationship between the citizen and the government never allowed for the divide between individual political rights and government power to manifest itself in the first place. It was always open to an individual to directly participate in government through exercising the fundamental Athenian privilege of voting in the *Ekklesia* (Dem. 20.3, 4.26, 19.31). The downside of having such power was risk, as everyone else had power as well. Men not only jealously guarded their own voting power as a bulwark against the will of others, but they also guarded the power of their vote from being hemmed in by law. Protections for the individual were few in the Boule and *Ekklesia*. One could be brought up on charges, and having someone else defend you in court was not permitted (Dem. 46.26). In a sense, speech in Athens was freer than speech is today, but it was a different kind of freedom. There were certainly fewer laws to curtail it, such as the many laws we have today concerning slander, perjury, inciting a riot, non-disclosure agreements, and contempt of court. One ran the risks, however, of what one said and indeed of what one thought. The modern conception of

freedom, which implies that freedoms are grounded in rights, is a certain kind of security. The Athenian kind of freedom is one which was purchased at the price of danger.

The Athenians were free to speak in the sense that no general law stood against it. But they were also free to feel the full wrath of the populace, sometimes without even the pretence of a rationale. Anything like the sense of legal security we feel today was a result of the Athenian custom of respect for *parrhesia*. We know that these cultural values and others were frequently contradicted by harsh punishments for men who did not deserve them, but these generally were dangers that only prominent men ran. A common man might lose his citizenship privileges because of embezzlement or corruption, but there was no explicit law about one's speech per se.

The charge of ostracism, however, was the most formidable institutional mechanism by which free speech was curtailed in Athens.<sup>140</sup> Its existence as a legitimate procedure of government is the greatest single reason why there is a serious disconnect between *parrhesia* and *isegoria* on the one hand, and freedom of speech on the other. Ostracism was rarely exercised and it affected only the elite,<sup>141</sup> but its mere existence was a clear signal that expressing one's opinion was not valued as a good in itself. The Athenians believed that it was good to allow anyone to speak because anyone might have a good idea or make a good argument. These privileges were not based on the idea that everyone has something valuable to contribute as a matter of fact. Pluralism was not the end promoted by *parrhesia* and *isegoria*,<sup>142</sup> and so if your advice to the state sounded good, but when implemented did not turn out well, you could be severely punished to the point of losing your life. If your advice sounded good and turned out to be good, you could be punished because others were jealous of your influence or feared you

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<sup>140</sup> Hansen (1999) 5, 35.

<sup>141</sup> Hipparchos, a relative of Peisistratus, in 487; Megacles, an Alcmaionid, in 486; Xanthippos, the father of Pericles, in 484; Aristeides "the Just" in 482; Hansen (1999) 35.

<sup>142</sup> Saxonhouse (2006) 28.

would abuse it. Since ostracism was a matter of simple vote and required no legal charge or formal rationale, the men who were ostracised could have (for all we know) been voted out for reasons as varied as the characters of the Athenians themselves: their popularity, their unpopularity, their wealth, their hairstyle, their attractiveness to one's wife, their halitosis, etc.

The reason that speech was indeed perhaps quite free for one who had the nerve was paradoxically because there were fewer legal rights and their consequent protections which end up curtailing free speech in practice today. There were indeed fewer grounds for suit in ancient Athens, but there were great dangers if you happened to find yourself in court, as there were no accepted rules of evidence,<sup>143</sup> and so circumstance and innuendo could convict you of all kinds of crimes. As Hansen explains,

“Revenge was regarded as a legitimate motive: an accuser motivated by hate would often demand the maximum penalty against his foe, and even for lesser offences he might recommend the maximum on the ground of its general preventative effect. On the other hand, a lawbreaker with no particular enemy might escape for lack of an accuser – unless he fell victim to a sycophant. The combination of stern criminal punishments and chanciness of accusation made Athenian law in this respect regrettably unstable. Mere chance could result in some minor offenders being condemned and put to death *pour encourager les autres*, while more serious crimes went unpunished because nobody brought an accusation or because the criminal succeeded in buying himself off by bribing possible accusers.”<sup>144</sup>

Prominent men insulated themselves against these sorts of attacks by performing acts of public service above and beyond legal obligation in order to illustrate allegiance to the common good.<sup>145</sup> These public services most commonly took the form of liturgies. A man had to jealously guard his reputation in Athens. As the value of honesty was protected in an informal cultural manner, it was regulated informally and culturally as well. If you really wanted to speak your mind, as many Americans pride themselves on doing today, you had better stay out of

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<sup>143</sup> Nippel (2015).

<sup>144</sup> Hansen (1999) 195-196.

<sup>145</sup> Hansen (1999) 111.

politics: a truth which holds in the U. S., and which Socrates knew very well, as is clear from Plato's *Apology* (31d6-32a2). But the value of *parrhesia* was a real thing, especially in political contexts and in cases where the interests of the demos were consolidated in the face of external dangers. Even through embarrassingly numerous instances of bungled military and diplomatic affairs, the Athenians did often in retrospect realise when they had been given good advice that they had not taken, or repented the rash actions they had voted for (Xen. *Hell.* 1.7.35).<sup>146</sup> Unfortunately, this did not lead them to be able to reliably recognise good advice in the future. This, however, did not curtail the value of speaking frankly. The open expression of ideas is a good thing, especially when someone else is sticking his neck out while you are hiding behind your vote with no direct personal consequences attached to it.

One way in which the Athenians valued themselves in contrast to other Greeks as well as barbarians is through their freedoms. As Demosthenes points out in his *Funeral Oration*, the men of Athens fight well because they feel that they have a stake and a say in their government and country (Dem. 60. 26). This is understood primarily by way of contrasts with forms of government where men fear speaking freely (*parrhesia*) for fear of government punishment, often at the hands of the king whose feelings one always has to consider. The insinuation is that in virtue of the absence of a monarch or small ruling elite, the Athenians had comparatively little to fear from government reprisals and this is largely true. The selection by lot and short terms of office made established political parties ineffective, and fear of long-term reprisal by a corrupt official was balanced not only by the shortness of terms of office, but also by the routine legal review of exiting officials (*euthynai*).<sup>147</sup>

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<sup>146</sup> Hunter, Richard. 2012. *Plato and the Traditions of Ancient Literature: The Silent Stream*. Cambridge: Cambridge University Press, 116.

<sup>147</sup> Hansen (1999) 222-224.

One could say that the Athenian had little to fear from government reprisal (i.e. from the demos) because there was so little in the way of entrenched government. But this only holds true if you equate government with officials and entrenched civil servants. The institutions of Athens were run by the people, and merely presided over by officials. There is no doubt that many Athenians did in fact speak openly without fear, whether fear was warranted or not, and that in many other places people simply did not speak openly. It may be argued that all else being equal, it is less dangerous for the parrhesiast in a democracy than in a monarchy, and thus a culture of speaking freely is naturally produced by democracy. While this may be natural to believe, it still calls for an argument. The simplest argument seems to suggest that it is far easier to offend a monarch than it is to offend half the populace, or that it is easier to fall out of favor with one man than with more than half of a community (*Arist. Pol.* 1286a34-35) – but this is no valid deduction, and in fact the history of democratic Athens, and particularly of the Peloponnesian War, shows that popular opinion could indeed be quite fickle. On further reflection, it is altogether unclear whether an individual man or an entire populace is more fickle, and it would seem likely that they are equal in this respect since an entire populace can often act as one if influenced by some leader, or by its emotional reaction to a particular event.<sup>148</sup>

The Athenian system of punishment for speech is not in principle any different than that which exists under any number of other forms of government. In both Athens and ancient monarchies, one runs roughly the same risks of incurring the wrath of the ruler. It is just that in one case the ruler is one man, and in the other he is many men. In other words, as has been often pointed out<sup>149</sup>, the demos can, and did, often act as a tyrant. Given the tendency of crowds to act

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<sup>148</sup> for example, the Battle of Arginusae, (*Xen. Hell.* 1.7.35) or the punishment of Mytilene (*Thuc.* 3.40-3.49).

<sup>149</sup> by, among others, Samons 2004, and Sagan 1991. Sagan, Eli. 1991. *The Honey and the Hemlock: Democracy and Paranoia in Ancient Athens and Modern America*. New York: Harper; Samons (2004).

out of emotion in an irresponsible manner and without considering the consequences,<sup>150</sup> I may be more likely to take my chances with the king, as a king is nearly always concerned with his reputation whereas the misdeeds of a crowd attach to no one in particular. A king can be deposed, a whole population cannot.<sup>151</sup>

Athens is not to be admired because the people were protected against the consequences of what they said. The Athenians were not concerned with guarantees of safety; they were concerned with honour, glory and *arete*. They were concerned with having the chance to address the *Ekklesia*: in other words, being allowed to compete. Often this was like a dramatic competition and winning was nothing more than giving the crowd pleasure. At the hands of the more altruistic, however, one exercised the privilege of *isegoria* to speak with *parrhesia*. This can arguably be seen as the paradigmatic case of the free man using reason among his *genos* to secure a common benefit. This kind of glory was the reason why *parrhesia* was a cultural value and *isegoria* was guaranteed by law.

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<sup>150</sup> The modern phenomenon of crowds being whipped into a frenzy of aggression and violence (such as in a riot) is a well-known one. There are in fact many well-documented psychological effects of groups on their individual members, for example, the well-known phenomenon of peer pressure. Such phenomena suppress the expression of what is often the most rational solution to a problem, and as such this method of swinging majority vote has major political consequences. Thus when comparing individuals to groups, one should not merely compare emotional volatility, but also the effects of the group on the willingness of the individual to express minority opinions. In addition, in group actions, there is less accountability for one's actions due to anonymity. In other words, one can hide in the crowd. For more on the pernicious effects of peer pressure on individual willingness to express minority opinions, see Asch's conformity experiments of the 1950s. See also Thucydides on the way the decision for the Sicilian Expedition was made (Thu. 6.24), or the way the Spartans decided to declare war (Thu. 1.87).

<sup>151</sup> The Athenians did vote to replace the democracy with an oligarchy after defeat at the Peloponnesian War; however, this is not an instance of the demos deposing itself in its entirety, since those who replaced the demos were formerly members of the demos itself.

## **Chapter 5: Conclusions**

Firstly, freedom of speech does not entail the opportunity to directly address the organs of government. Secondly, freedom of speech offers protections which were not and could not have been extended to the individual by the Athenian state. My chapter on *isegoria* has demonstrated that any public speaker ran the risk of being brought to court on various charges, and that there were almost no statutory definitions for punishable offences. Scholars like Mogens Herman Hansen have shown that the number of rhetors who had a *graphe* or an *eisangelia* brought against him was statistically very high, and that the stakes were also high because one could lose one's life, or be financially ruined.

In my next chapter, I have argued that *parrhesia* is less specific than both *isegoria* and freedom of speech. Freedom of speech refers to a very specific legal right. *Parrhesia*, on the other hand, refers to a manner of speaking characterised by an unusual degree of candour, in situations in which speaking in this way places the speaker in peril. Opportunities for speaking with *parrhesia* can manifest themselves in various contexts, the political arena being only one of them. More frequently, these opportunities occur in social situations. The parrhesiast, to borrow Foucault's term, is not guaranteed protection against the consequences of his speech, even if this might be a social expectation.

Lastly, I have provided a very brief philosophical history of the concept of rights, and how modern notions of freedom of speech grew out of that history. I have concluded, based on this history, that neither through *parrhesia* nor through *isegoria* did the Athenians have anything like freedom of speech.

Given all these considerations, it should by now be clear that there are some significant dis-analogies between *isegoria* and freedom of speech, and between *parrhesia* and freedom of speech. In addition, speech in Athens in cultural, political, and legal contexts was significantly different to the situation citizens are in today in modern republics. Even the nations of Europe which place much greater restrictions on speech than the U.S., still claim to have freedom of speech. There are significant restrictions on speech in any society; indeed, there must be, as speech forms such a central part of the human experience. Many Americans tend to look askance at any restrictions on speech which they do not themselves impose, and hence tend to judge countries such as Germany, with its laws against holocaust denial, as deficient. These and other Western countries are similar, however, in that they require specific legal arguments to justify such restrictions, regardless of what you might think about the validity of those arguments. Even if such restrictions were not based on legal reasoning, the simple fact that they are a matter of law and are restricted to a specific context makes them much closer to the U. S. than ancient Athens was. We might judge some countries as having less freedom of speech, but it would be wrong to say that they do not have *some* freedom of speech. As freedom of speech is always subject to restrictions, any such freedom one enjoys is always relative.

This brings up the question of whether or not it is appropriate to ever deny that a certain people have freedom of speech, and whether by extension one might say that since freedom of speech is always relative, it would be wrong to say that Athenians did not have it. The central claim of this paper, however, concerns the translation of two particular terms, and not the question of whether or not the Athenians had freedom of speech in some sense or other. It is one thing to point out the weaknesses of a particular translation, and quite another to recommend that the practice of translating one term inaccurately should cease. Translations are always imperfect,

and so pointing out an imperfection, or even a number of them, is an insufficient reason for always rejecting a close-enough translation. What makes a translation correct or appropriate is determined by the concept of analogy. It is fairly common that two languages recognise the same concept, yet one language has one term which covers the concept, and the other has several with no general term covering them all. Now, one might argue that the situation with *parrhesia* and *isegoria* is similar, and so that our decisions about translation should follow the same pattern. We should, on this suggestion, feel free to translate *parrhesia* and *isegoria* as “freedom of speech” in any sentence in which one of these terms occurs. In such situations, we can continue to use the term “freedom of speech” by qualifying it in some way or another.

I can and have argued that the ancient Athenians simply did not recognise the concept of freedom of speech. If it can be demonstrated that they did not have the concept, then *a fortiori* they were not indicating that concept when using either *parrhesia* or *isegoria*. I have argued that the concept of freedom of speech is one whose meaning depends on the existence of a certain political and legal history all of which is subsequent to the Athenian democracy. In particular, freedom of speech is a type of legal right, and the concept of rights is one which emerged in subsequent European history. A key feature of this concept involves a rather strong distinction between citizen and government, because a right is a certain sort of legalistic relationship between citizens and governments. Namely, it is a restriction on the power of the government to control the actions of citizens. The codification and legal protection of rights emerges in contexts of revolutions or threatened revolutions, and has the character of the conditions of a truce or peace treaty. Such agreements depend on the idea that there are two distinct parties to the agreement.

In a direct democracy, the citizens are the government to such an extent that the notion of a right is not even conceivable. In Athens, there were magistrates who could be thought of as “the government” as distinct from “the citizens”, but as they were chosen by lot from the citizenry, only served for a year at most, and were held to account both before entering office (*dokimasia*) to determine their fitness to hold it, and after to determine that they had conducted the office properly (*euthynai*), it was not natural to think of the agglomeration of them as a monolithic entity with its own interests. If it is not natural to think of the government on the model of an individual, with goals, intentions, interests, and desires which might come into conflict with the interests and desires of another individual, then the idea that individuals require categorical protection against such an entity would never arise. The concept of rights emerged in the context of monarchies. One needed to be protected against the will of the king. The notion of law itself emerged in a similar context: as an effort by monarchs to hold on to power by making concessions to the people to limit his own power in ways which accorded with the popular morality and will.

My advice for translators with respect to both *parrhesia* and *isegoria* is to avoid the phrases “free speech” and “freedom of speech” whenever this can be achieved without making additional unwanted compromises. Whenever substitutes like “frankness”, “outspokenness”, “candour”, or “forthrightness” in the case of *parrhesia*, are easily substituted, they should be. Sometimes, especially in the case of *isegoria* where a truly accurate translation requires a multi- word phrase, the desire to adhere to the original sentence construction can leave the translator in a conundrum. If no technical discussion of political practice is involved, and/or the work is not intended for an academic audience searching for bits of political insight in unlikely places, then the brevity and familiarity of the phrase “freedom of speech” or “equality of speech” might serve as a

replacement for *isegoria*. Otherwise, I think the best practice for *isegoria* in scholarly work, especially of a political or philosophical bent, is to leave the term transliterated, with a note briefly explaining the relevant aspects of the concept. The rarity of the term in the ancient literature ought to ensure that this advice will not place an undue strain on the translator.

With respect to *parrhesia*, we have a much more common term, and one used in a variety of contexts. The challenges facing its translation are so numerous that this work was only able to examine one parameter of its translation in one context. My advice therefore is limited to the open suggestion to use “forthrightness” or “speaking freely” or “candour” or “frankness” wherever possible, and to avoid translating it as “freedom of speech” at all costs. This is easy advice, since the parallels between the two concepts are slim, largely owing to the richness and complexity of each. In some cases *parrhesia* warrants similar treatment to *isegoria*; best left in its transliteration with a note tailored to the particular occurrence. My focus on political thought and the texts associated with it has perhaps blinded me to most texts in which the terms *parrhesia* is used in a looser way than I have outlined here, and that “freedom of speech” and “free speech” are also often used quite loosely in similar contexts. So in the case of works like poetry, the demands of translation, such as the attempt to preserve metre and naturalness of expression, might make such handy replacements as “freedom of speech” for *parrhesia* and *isegoria* not only acceptable but indispensable. This is a valid point and so my advice should be restricted to those venues of translation in which the accurate delivery of information about the past, especially in its political and legal aspects, is paramount.

Looking forward, there are several ways in which my research could be extended. Firstly, one could analyse more closely every instance of the use of the term *parrhesia* during the fifth and fourth centuries, in order to tease out the nuances of the term. What is the difference, one

might ask, for example, between the way it is used in Plato's dialogues, and the way it is used in Demosthenes' speeches? We know that the former was not a supporter of democracy, but the latter professed to be. Does this play into their uses of the term? We might also ask, are there any noticeable differences between translating *parrhesia* as frankness, candour, forthrightness, or outspokenness? As for my research on *isegoria*, one could compare the uses of it in the Ekklesia as opposed to the Boule, for example, or look into whether the term was applicable to the dikastic system, as some scholars seem to think. Finally, concerning the history of the notion of rights, and of freedom of speech as a right, I have provided a very brief sketch, which could be vastly extended in order to provide a better account of the differences among freedom of speech, *parrhesia*, and *isegoria*.

## Works Cited

- Ahl, Frederick. 1984. "The Art of Safe Criticism in Greece and Rome". *The American Journal of Philology* 105: 174-208
- Ambler, Wayne (trans.) *Xenophon: The Education of Cyrus*. Ithaca, N.Y.: Cornell University Press
- Austin, Colin, and S. Douglas Olson. 2004. *Aristophanes: Thesmophoriazusae*. New York: Oxford University Press
- Balot, Ryan. 2004. "Free Speech, Courage, and Democratic Deliberation". *Free Speech in Classical Antiquity*, ed. Ineke Sluiter and Ralph M. Rosen. Leiden: Brill, 233-259
- Baltussen, Han, and Peter J. Davis. 2015. "Parrhesia, Free Speech, and Self-Censorship". *The Art of Veiled Speech: Self-Censorship from Aristophanes to Hobbes*, ed. Baltussen & Davis. Philadelphia, P.A.: University of Pennsylvania Press, 1-34
- Carey, Christopher. 2006. *Democracy in Classical Athens*. London: Bristol Classical Press
- Carter, D. M. 2004. "Citizen Attribute, Negative Right: A Conceptual Difference between Ancient and Modern Ideas of Freedom of Speech". *Free Speech in Classical Antiquity*, ed. Ineke Sluiter and Ralph M. Rosen. Boston, M.A.: Brill, 197-220
- Cooper, John M. (ed.). 1997. *Plato: Complete Works*. Indianapolis, I.N.: Hackett
- Crawley, Richard (trans.); Strassler, Robert (rev.). 1996. *The Landmark Thucydides: A Comprehensive Guide to the Peloponnesian War*. New York: Touchstone Books
- Di Piero, W. S. (trans.). 1996. *Euripides: Ion*, ed. Peter Burian. New York: Oxford University Press
- Eldridge, Larry D. 1994. *A Distant Heritage: The Growth of Free Speech in Early America*, New York: N. Y. U. Press
- Foucault, Michel. 1983. *Discourse and Truth: the Problematisation of Parrhesia: Notes to the Seminar Given by Foucault at the University of California at Berkeley*. Collection of Boston College library, M.A.
- Gray, Vivienne. 2007. *Xenophon on Government*. Cambridge: Cambridge University Press
- Griffith, G. T. 1967. "Isegoria in the Assembly at Athens". *Ancient Society and Institutions: Studies Presented to Victor Ehrenberg on his 75<sup>th</sup> Birthday*. New York: Barnes & Noble, 115-138

- Halleran, Michael R. (trans.). 2001. *Euripides' Hippolytus (Focus Classical Library)*. Newburyport, M.A.: Focus
- Hansen, Mogens Herman (trans. J. A. Crook). 1999. *The Athenian Democracy in the Age of Demosthenes: Structure, Principles, and Ideology*. Norman, O.K.: University of Oklahoma Press
- Harris, Edward M. 2008. *Demosthenes, Speeches 20-22 (The Oratory of Classical Greece, Vol. 12)*. Austin, T.X.: University of Texas Press
- Hunter, Richard. 2012. *Plato and the Traditions of Ancient Literature: The Silent Stream*. Cambridge: Cambridge University Press
- Konstan, David. 2012. "The Two Faces of *Parrhesia*: Free Speech and Self-Expression in Ancient Greece". *Antichthon: Journal of the Australian Society for Classical Studies* 46: 174-208
- Lewis, J. D. 1971. "Isegoria at Athens: When Did It Begin?" *Historia: Zeitschrift für Alte Geschichte* 20: 129-40
- MacDowell, Douglas. 2002. *Demosthenes: Against Meidias (Oration 21)*. London: Bristol Classical Press
- Marr, J. L., and P. J. Rhodes (trans.). 2008. *The "Old Oligarch": The Constitution of the Athenians Attributed to Xenophon*. Oxford: Oxbow Books
- Momigliano, Arnaldo. 1953. "*Parrhesia* and *Isegoria*: Two Aspects of Freedom of Speech in the Greek World". *Proceedings of the Classical Association* 50: 18
- Momigliano, Arnaldo. 1973. "Freedom of Speech in Antiquity". *Dictionary of the History of Ideas: Studies of Selected Pivotal Ideas*, Vol. 2, ed. Philip P. Wiener. New York: Scribner, 252-263
- Monoson, Sara. 1994. "Frank Speech, Democracy, and Philosophy: Plato's Debt to a Democratic Strategy of Civic Discourse". *Athenian Political Thought and the Reconstitution of American Democracy*, ed. J. Peter Euben, John R. Wallach, and Josiah Ober. Ithaca, N.Y.: Cornell University Press, 172-197
- Moore, J. M. (trans.). 1975. *Aristotle and Xenophon on Democracy and Oligarchy*. Berkeley, C.A.: University of California Press
- Morwood, James (trans.). 1998. *Euripides: Medea and Other Plays*. New York: Oxford University Press
- Munday, Jeremy. 2005. *Introducing Translation Studies: Theories and Applications*. New York: Routledge

- Nakategawa, Yoshio. 1988. "Isegoria in Herodotus". *Historia: Zeitschrift für Alte Geschichte* 37: 257-275
- Nippel, Wilfried (trans. Keith Tribe). 2015. *Ancient and Modern Democracy: Two Concepts of Liberty?* New York: Cambridge University Press
- Ober, Josiah. 1989. *Mass and Elite in Democratic Athens: Rhetoric, Ideology, and the Power of the People*. Princeton, N.J.: Princeton University Press
- Ober, Josiah. 2004. "I, Socrates... The Performative Audacity of Isocrates' *Antidosis*". *Isocrates and Civic Education*. Austin, T.X.: University of Texas Press, 38-43
- O'Sullivan, Lara. 2015. "Parrhesia and Censorship in the *Polis* and the Symposium: An Exploration of Hyperides *Against Philippides 3*". *The Art of Veiled Speech: Self-Censorship from Aristophanes to Hobbes*. Philadelphia, P.A.: University of Pennsylvania Press, 42-89
- Papillon, Terry L. (trans.). 2004. *Isocrates II (The Oratory of Classical Greece Vol. 7.)*. Austin, T.X.: University of Texas Press
- Phillips, David D. (trans.). 2004. *Athenian Political Oratory: 16 Key Speeches*. New York: Routledge
- Purvis, Andrea L. (trans.) 2009. *The Landmark Herodotus: The Histories*, ed. Robert B. Strassler. New York: Random House
- Raaflaub, Kurt A. 2004. "Aristocracy and Freedom of Speech". *Free Speech in Classical Antiquity*, ed. Ineke Sluiter and Ralph M. Rosen. Leiden: Brill, 41-61
- Roche, Paul (trans.). 1998. *Euripides: Ten Plays*. New York: Penguin
- Roisman, Hanna M. 2004. "Women's Free Speech in Greek Tragedy". *Free Speech in Classical Antiquity*, ed. Ineke Sluiter and Ralph M. Rosen. Leiden: Brill, 91-114
- Sagan, Eli. 1991. *The Honey and the Hemlock: Democracy and Paranoia in Ancient Athens and Modern America*. New York: Harper
- Samons, Loren J. 2004. *What's Wrong with Democracy? From Athenian Practice to American Worship*. Berkeley, C.A.: University of California Press
- Saxonhouse, Arlene. 2006. *Free Speech and Democracy in Ancient Athens*. Cambridge: Cambridge University Press
- Sealey, Raphael. 1993. *Demosthenes and his Time: A Study in Defeat*. New York: Oxford University Press

Shirley, Samuel (trans.). 2003. *Herodotus: On the War for Greek Freedom, Selections from the Histories*. Indianapolis, I.N.: Hackett

Sluiter, Ineke, and Ralph Rosen. 2004. "General Introduction". *Free Speech in Classical Antiquity*, ed. Sluiter & Rosen. Leiden: Brill, 1-19

Sommerstein, Alan H. (trans.). 1994. *Thesmophoriazusae (The Comedies of Aristophanes Vol. 8)*. Warminster: Aris & Phillips

Strauss, Barry S. 1986. *Athens After the Peloponnesian War: Class, Faction, and Policy 403-386 B.C.* Ithaca, NY: Cornell University Press

Tatum, James. 1989. *Xenophon's Imperial Fiction: On The Education of Cyrus*. Princeton, N.J.: Princeton University Press

Van Raalte, Marlein. 2004. "Socratic *Parrhesia* and Its Afterlife in Plato's *Laws*". *Free Speech in Classical Antiquity*, ed. Ineke Sluiter and Ralph M. Rosen. Leiden: Brill, 279-312

Wind, Robert (trans.). 1972. *Pseudo-Xenophon: The Old Oligarch*. Macungie, P.A.: Dunwoody Press