Anna Missiou on oratory, literacy, and democracy

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I FIRST ENCOUNTERED Anna Missiou's name after the publication of her first book, a slim volume with the intriguing title of *The Subversive Oratory of Andocides*, which I immediately bought. This close study of Andocides' third speech, "On the Peace with Sparta," was her revised dissertation and still had some dissertation faults: it was too occupied with detailed discussions of points not central to her main thesis, and she only engaged with the issue of "subversiveness" in the last chapter. But the idea that, as she put it, "the speech did not persuade because persuasion was not Andokides' intention," was, in my view, revolutionary. I was deeply impressed, as I will explain in a few minutes.

I finally met Anna at a conference here in Rethymno in 2004 organized by her and Chloe Balla and others on "The Interface between Philosophy and Rhetoric in Classical Athens." At that time we talked about her book and about Athenian oratory, but by then she was on to other things, and she never wrote anything more on the subject of oratory. I saw Anna much more often beginning in 2006, when my colleague Paula Perlman and I began work on an edition of the laws of archaic and classical Crete. Research for this project required us to spend a week here in Rethymno, studying the inscriptions in the museum storeroom. Anna was extremely hospitable, and we shared several meals together, including a lovely dinner at her apartment. At the time I was also finishing a book about law and writing, and so naturally we talked a good bit about her work on literacy and democracy. We were both unhappy with the current view that literacy in Greece was rather low, and we realized that her work on democracy and mine on law led to the same conclusion,

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that literacy was in fact relatively widespread. After this first visit, our work on Cretan laws took us to Rethymno only for an occasional day or two. We managed to have lunch together, but did not talk more about her work. And the last time we were in Rethymno, she had already moved to Thessaloniki.

At our meeting in 2006, Anna had given me several chapters of her literacy book. These were early drafts of the work, and I found several of her arguments rather weak at the time. I told her about the problems I saw and made a few suggestions. In fact, I was a bit worried that the work would not be up to the standards of the Cambridge University Press, though I didn't tell her this. I'm not sure whether she took any of my advice, but in any case, when the book was published in 2011, I was very pleased to see that she had considerably strengthened and clarified her arguments. Indeed, although I was initially skeptical that she would be able to make a convincing case for widespread literacy in classical Athens, I found most of her arguments quite persuasive. As anyone who has studied literacy in the ancient world knows well, we do not have any direct quantitative evidence, and so we must rely on round-about methods to get at the question. Within the limits of the evidence, however, Anna's work is the most focused and thorough study of the actual workings of democracy, and the most convincing argument that the Athenian system of government required a broad degree of literacy among its citizens.

Particularly significant are her studies of ostracism and serving on the Council of 500. Regarding ostracism, she first argues convincingly that lists of potential candidates for ostracism must have been prepared and made available beforehand, and that most of those who voted could probably read these lists. Even if they had help, the process could start them off learning to read short texts. In addition, Anna argued that most people who voted in an ostracism probably wrote their own ballots. One obstacle to this view has long been the fact that we have large numbers of potsherds inscribed with the name Themistocles and that most of these, according to one influential study, were written by just fourteen different hands. I had

long known these supposed facts, but by taking a closer look, Anna shows that the fourteen groups were created by focusing on just one or two characteristics each; detailed examination, however, shows many variations within each group such that, for example, the fifteen ostraka assigned to Hand E were probably written not by one hand but by fifteen different hands. To be sure, some voters may have had a friend write for them, but Anna conclusively does away with the possibility that large numbers of ostraka were written beforehand by a small group of professional scribes and distributed to voters by Themistocles' opponents.

As for service on the Council, Anna argued that this would have required most Athenians to be able to read more complex documents than simple lists of names. Because Council members normally served for only a year, with a few serving a second term, most Athenian citizens would have served in that body; and because of the number and variety of documents handled by the Council, Anna argued, members would have needed to be able to read. It might have been possible for clerks to help those who couldn't read, but Anna makes a strong case that it is likely that most could read and that those who couldn't would feel pressure to learn. Of course, none of this amounts to certainty, but I was pleased to be able to send Anna an email telling her how much I liked her book and how much I had learned from it. Her response was the last communication I had from her.

As impressive as Anna's book on literacy was, it was her first book, about the subversiveness of Andocides' speech on Peace with Sparta, that made the deepest impression on me, perhaps because I read it when I was younger and more impressionable. Let me explain why. The background to the case, as we know from Xenophon and other sources, is that in 391 Athens sent ambassadors to Sparta to negotiate a peace treaty to end the Corinthian War that had been going on for several years. One of these ambassadors was Andocides. The ambassadors returned to Athens, bringing the terms of a peace treaty, and asked the Athenian assembly to approve it. The assembly discussed

the treaty in a meeting at which Andocides and perhaps some of the other ambassadors spoke in favor of approving the treaty; Andocides 3 is the speech he gave at that meeting. After hearing both sides, the assembly rejected the treaty and accused the ambassadors of treason, upon which Andocides and the other ambassadors left town so as to avoid trial. Several years later, in 387, another peace treaty was negotiated, whose terms were almost identical to those it had rejected in 391; this time the assembly approved it and the war finally ended.

The common view of Andocides' speech in 391 is that the speech failed because Andocides failed to appreciate the emotional power of the common people's hostility to Sparta, which led them to reject a peace that was actually in their best interest to accept. The purely rational argument Andocides made, weighing up the advantages and disadvantages of peace with Sparta, was powerless to combat the irrational mood of the people. Anna disputed this view, arguing that the common people favored war over peace on rational grounds – war served the interests of the people. Andocides knew that the people felt this way, but his aristocratic background made him more interested in defending the pro-Spartan, and pro-peace position of the aristocracy to which he was committed, in the hope that the people would eventually be brought to see that friendship with Sparta was a better policy for the city. He was aware that such a change would not occur after just one debate, but he wanted to make a beginning and lay the groundwork for a continuing attempt to bring the people around to his view. This goal, according to Anna, took precedence over any desire to win approval of the peace treaty at this meeting, which was unlikely to happen no matter what Andocides said. Thus, viewed over the long term, Andocides' speech was a success, even if it did not win (and was not intended to win) the current debate over the treaty.

Anna had some strong arguments for her conclusion. She was right, in my view, to argue that even if the common people were motivated by self-interest, this did not lead them to make irrational decisions. She was also right to argue that Andocides refused to conform to what she called "the democratic code of rhetorical

behavior," namely that the speaker must appeal to the known beliefs of his democratic audience. What Anna fails to allow for, I think, is that Andocides might have had both a long-term and a short-term goal in mind: he wanted to win approval of the current peace treaty if possible, but if this failed, he wanted to lay the foundation for approval of a future treaty by beginning to change the people's views about Sparta and war.

Even if Anna's conclusion was only partly right, because Andocides' long-term objective was not his only goal, her suggestion that the primary goal of a speaker in the assembly was something other than persuasion is of major significance, for it strikes at the heart of most Greek and ancient rhetorical theory, which defined rhetoric as "the art of persuasion" pure and simple. This definition goes back to Plato, who may have created the term "rhetoric" or *rhētorikē* in order to attack it. In his dialogue *Gorgias*, the character Gorgias identifies what he teaches – his *technē* or "art" – as *hē rhētorikē technē*, "the art of rhetoric," and defines it as follows: "I say it is the power to persuade with words (*peithein tois logois*) jurors in the jury-court, councilors in the council, assemblymen in the assembly, and in every other gathering" (452e). In response, Socrates (clearly speaking for Plato) concludes that rhetoric is a "craftsman of persuasion" (*peithous dēmiourgos*) and that its power is "to produce persuasion in the mind (*psychē*) of the audience" (453a). Socrates then condemns rhetoric as being nothing but persuasion; it cares nothing for truth or justice, and prefers a large ignorant audience, since this is the easiest kind to persuade.

The same assumption is also fundamental to Aristotle's definition of rhetoric. At the beginning of his treatise on *Rhetoric* (1.2) we read "Let rhetoric be [defined as] an ability, in each [particular] case, to see the available means of persuasion." Unlike Plato, however, Aristotle does not proceed to condemn rhetoric as nothing but persuasion; Aristotle's aim is practical – to provide specific advice for speakers who need to persuade an audience, even if that advice is sometimes quite clearly two-sided, as for example in his treatment of

witnesses (*Rhetoric* 1.15). Aristotle advises a litigant that if there are no witnesses who might support his case, he should argue that "judgment should be made on the basis of probabilities" because "probability cannot be bribed, and probabilities are not convicted of false testimony." Someone who does have witnesses to support his case, on the other hand, should say that probabilities cannot be tested at trial and if it were enough to speculate on the basis of probability, then no one would ever need witnesses. Advice like this derives ultimately from the assumption that the speaker's sole aim is to persuade. As a result, rhetoric for Aristotle is arguably just as amoral as it is for Plato.

The assumption that rhetoric is persuasion was widely shared in antiquity and even today is almost never challenged by classical scholars. It explains why George Kennedy's standard handbook on Greek rhetoric, now almost half a century old, is not entitled "The Art of Rhetoric in Greece" (cf. his later handbook *The Art of Rhetoric in the Roman World*), but rather *The Art of Persuasion in Greece*. I myself challenged the idea of rhetoric as persuasion in a short article in 2001, but only in a very limited way, confining myself to the rhetoric of the sophists.[1] This meant that I also limited myself to epideictic rhetoric, since all the sophistic works, even those that assume the context of a judicial trial such as Gorgias' *Palamedes*, were delivered in epideictic settings, not in an actual courtroom or in the assembly, where the fate of the speaker and his proposal would be decided. It is not difficult to show that epideictic rhetoric may have other aims than to persuade; Gorgias's *Helen*, for example, seems primarily intended to display its author's virtuosity; it is unlikely that anyone in Gorgias' audience was actually persuaded that Helen was innocent. But even for epideictic rhetoric, Aristotle's advice reveals that he still sees the speaker's task as persuasion. He advises speakers, for example, to adjust their praise to make it more acceptable to the values and beliefs of the particular audience they are addressing at the time. And in any case, whatever we make of epideictic rhetoric, the almost universal assumption about deliberative and forensic

1 Gagarin, M. 2001. Did the sophists aim to persuade? *Rhetorica* 19: 275-91.

rhetoric is that they are primarily intended to persuade others, especially large groups of people, in a law court or an assembly meeting. It is in challenging this idea that Anna's book can truly be characterized as subversive.

Anna's case rested on her analysis of just one speech, and for the purpose of impressing the larger scholarly world, it was not the best speech to choose. Andocides is one of the least read of the Attic orators, and most people who do read him only know his first speech, "On the Mysteries." His other speeches are virtually unknown and even "On the Mysteries" is mostly read for it's historical information about the events of 415 and the legal reforms of 403. Few scholars show much interest in Andocides himself or his rhetorical technique. So the first challenge in spreading Anna's message more broadly would be to find other examples of deliberative or forensic rhetoric where persuasion may not be the speaker's primary aim. Let me suggest a few places we might look.

The easiest place to begin, I think, is Socrates' speech at his trial for impiety. We do not have the original speech, but because Plato himself was present at the trial, and many of his readers would also have been present, most scholars agree that the speech in the *Apology* is probably fairly close to what Socrates actually said. And many readers come away from the *Apology* with the strong sense that Socrates seems to have deliberately tried to lose the case, in part by expressing a contemptuous attitude toward the jury. Moreover, even if Socrates is not deliberately trying to lose the case, he certainly seems more concerned to promote his own personal philosophy, that people should devote their lives to a continual search for the truth, even though this philosophy must have seemed quite strange to most Athenians. Socrates seems determined to use his speech as a means of teaching his audience, present and future, in the hope that they would come to devote their own lives to self-examination, as he had done and was still doing. Thus, his aim was much the same as Andocides' (as Anna interprets it) – not to win his immediate case, but to change the long-term beliefs and behavior of his audience.

What about other examples? Anna herself briefly considered the speeches of Andocides' older contemporary Antiphon, singling out the themes of vengeance and pollution and arguing that these were signs of Antiphon's conservative political views. There are several problems with this argument: the theme of vengeance is far too prevalent in forensic speeches by litigants with different political views to be able to draw conclusions from it; the theme of pollution has the opposite problem; it occurs only rarely in the orators, probably too rarely to be able to draw conclusions about its political associations. Moreover, although I tend to agree with Anna that a belief in pollution was conservative by the late fifth century, it was religiously conservative, and was not necessarily a sign of a conservative social or political position. Finally, since unlike Andocides, Antiphon did not deliver any of his surviving speeches himself, Anna needed to examine more fully the specific personas of the speakers for whom he was writing. But I think Anna was right to look to Antiphon, for a case can be made that at least some parts of his speeches were not primarily intended to persuade the jurors but aimed rather at asserting the speaker's public status.

This seems to be especially true in Antiphon 6, on the death of a chorus boy. The speaker, as he tells us himself, was a choregus, that is the producer of a boys' chorus at the festival of the Thargelia. In this position he had to recruit perhaps as many as fifty boys who would dance in the chorus; he had to train them for a period of several months, had to hire assistants and trainers to help out, and had to purchase various supplies. One source gives the total cost of this production as fifteen minas (1500 drachmas), perhaps equivalent to 75,000 euros today. Moreover, this choregus informs us that he has also been a choregus before, for the City Dionysia, which would have been even more expensive. Clearly he was a rich man. He was also politically active, not because he held public office but because he engaged in the characteristically Athenian practice of prosecuting other public figures in court. When the chorus was being trained, he was engaged in an impeachment trial against certain officials for

embezzlement of public funds. Because he would be busy with this trial, he enlisted his son-in-law and three others to supervise the training of the boys. He tells us all this himself as part of his argument that because he was not involved in training the boys' chorus, he cannot be held responsible for this one boy's death. And this is his entire defense.

The choregus says nothing about how the boy died or who else may have been responsible for the death if he was not. He does not even blame chance or *tychē*. Instead, we hear a good bit about his activities after the boy's death – how he won a conviction in his impeachment case, how he served on the Council, and how he brought another impeachment case against other officials. All this reinforces the image of the speaker as a rich, influential public figure, fully engaged in important public business. But for most of the speech, the boy and his death seem to be forgotten. Nor is there any appeal to (in Anna's words) "the democratic code of rhetorical behavior" – no mention of the interests of the demos, no mention of any benefits the people might derive from the choregus's actions, no mention of democratic values or ideals. He just seems to assume that everyone else appreciates all that he was doing. And his sole argument for his innocence is the fact that he had nothing to do with training the chorus.

Now, this may be a strong argument in his defense, but it seems unlikely to have been enough just by itself, as he seems to think, for the simple reason that the prosecution almost certainly did not dispute this. After all, there were surely many witnesses who could testify that the choregus was absent, and it seems unlikely that the prosecution would have found witnesses who could dispute this point. Instead, the prosecution must have presented different arguments, such as that the choregus was irresponsible in making the arrangements, that he was too busy with his own personal career to care about the boys he was supposed to be supervising, that the death of this poor innocent boy was preventable, that all the boys in the city were at risk if such behavior went unpunished, and so on. The choregus responds to none of this. It is hard to avoid the conclu-

sion that his concern for his own public image outweighs the need to persuade the jury of his innocence in the case.

Socrates and the choregus in Antiphon 6 are just two examples of other speakers besides Andocides who seem to have had other goals besides or in addition to persuading their audience. And even if most speakers in the assembly or courtroom were trying to persuade the audience, I don't think these three are the only ones who were not. My guess is that Anna's case for the speech of Andocides can be extended even further. And if she was right, as it seems she was, that for some Greeks, at least, rhetoric was not just persuasion, then we need to look at the study of Greek rhetoric in a new light. It is regrettable that Anna is not here to undertake this task.

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Αντί περίληψης
(Χλόη Μπάλλα)

Οι ΣΥΧΝΕΣ επισκέψεις του Michael Gagarin στην Κρήτη, στο πλαίσιο της έρευνάς του για τη νομοθεσία της αρχαίας Κρήτης, τον έφεραν σε επαφή με την Άννα Μίσιου, όταν η ίδια δούλευε τη μονογραφία της για τη χρήση της γραφής στην αθηναϊκή δημοκρατία. Το κείμενο αυτό είναι η ομιλία του για το έργο της Άννας στην Ημερίδα που διοργανώθηκε στη μνήμη της από τη Φιλοσοφική Σχολή τον Απρίλιο του 2012. Αν και ξεκινά με το πιο πρόσφατο βιβλίο της και τη σημαντική του θέση στη σύγχρονη έρευνα, δίνει ωστόσο έμφαση στο πρώτο της βιβλίο για τον Ανδοκίδη, που αποτελεί πλέον αναφορά στη διεθνή βιβλιογραφία. Το ενδιαφέρον του αυτό εγγράφεται στο σύγχρονο ρεύμα της κριτικής επανεξέτασης των σκοπών της αρχαίας ρητορικής και της αποκατάστασης των ρητόρων και των σοφιστών, στην οποία έχει συνεισφέρει σημαντικά και ο ίδιος. Σύμφωνα με τον μελετητή, η ιστορία της ρητορικής έχει διαμορφωθεί σε σημαντικό βαθμό από την επικριτική ματιά του Πλάτωνα και του Αριστοτέλη που την απομόνωσαν από τη φιλοσοφία και την παρουσίασαν ως εργαλειακή τεχνική παραγωγής πειθούς. Εντάσσοντας τη μονογραφία για τον Ανδοκίδη σε αυτήν τη συζήτηση, ο Gagarin αναδεικνύει τη συμβολή της Μίσιου στη συγκρότηση της νέας αντιμετώπισης της ρητορικής παράδοσης, όσο και τις καινούργιες κατευθύνσεις που ανοίγει η προσέγγισή της.