# Democracy: Ancient Models, Modern Challenges

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Demokratia is the power (kratos) of the people (demos). But what kind of power, and who constitutes the people? Although ancient democracy is often stylized as 'direct democracy' and so positioned as very different from modern 'representative democracy', in fact, issues of accountability are central to both.

Ancient Greek models of holding leaders to account are still relevant. Furthermore, the ancient Greek use of election for some offices and lottery selection for others also offers instructive possibilities for modern challenges.

## Introduction

What makes a regime count as a democracy? My guess is that most people today would say 'elections': going to the polls regularly to elect representatives. But the ancient Greek philosopher Aristotle said the opposite: in listing the hallmarks of democracy, he wrote that 'the appointment to all offices, or to all but those which require experience and skill, should be made by lot'.[1] The historian Herodotus similarly characterised rule by the majority as taking place typically by lottery: 'Rule [of the majority] assigns offices by lot'.[2]

While election is the key to modern ideas of democracy, it was the opposite for the ancient Greeks, such as the Athenians there living in the classical period. They saw elections as inherently tending to be oligarchic and aristocratic, as the scholar Bernard Manin has emphasized.[3] After all, elections are a way of saying that for some purposes, some people are better than others.

That doesn't mean that ancient democrats never used elections at all. On the contrary, the ancient Athenians elected about one-twelfth of their officeholders by means of election: all of their military leaders, and eventually their top financial officials as well. You can see that exception explained in the quotation from Aristotle: Aristotle says precisely that a hallmark of democracy is the use of lot to select 'all but' those officials whose roles 'require experience and skill'—such as the military and financial officials whom the Athenians did elect.  And an anonymous ancient Greek author caustically commented on the same point:[4]

> '*For the people…don't think they should be given access by lot to positions of general or cavalry commander.  For the people know that it is more beneficial for them not to hold these offices, but to let the most capable men hold them*'.  (Ps.-Xen.,1.3)

So ancient democracies could, and did, use elections, as tools for certain purposes. But they understood lottery as more inherently democratic: lottery is what better captured the spirit and values of democracy as they understood it.

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[1] Aristotle, *Politics* 6.2, 1317b, trans. Jowett, rev. Barnes. All translations of Aristotle in this lecture are so credited (to the Revised Oxford Translation of Aristotle) unless otherwise noted.
[2] Herodotus 3.80, trans. Lane (an elaborated translation to bring out relevant connotations). The full quotation in my elaborated translation is: 'Rule [of the majority] assigns offices by lot and office is subjected to audit to hold it accountable. All matters are brought to the public for deliberation'.
[3] Bernard Manin, *The Principles of Representative Government* (Cambridge: Cambridge University Press, 1997).
[4] The anonymous so-called Old Oligarch, also known as 'Pseudo-Xenophon', trans. Gagarin and Woodruff.

Conversely, if and when we today answer the question of what makes a constitution democratic by just saying 'elections', we overlook the fact that many authoritarian regimes actually make use of regular elections too. So when you stop to think about it, defining democracy just in terms of 'elections' is always incomplete—in ancient Greece as likewise today. We need to say at least 'free and fair elections'—bringing values as well as institutions into the frame. And then we need to explain exactly how those values—say especially freedom, or liberty (words that I'll use interchangeably)—should be construed in democratic terms. Because again, authoritarian regimes today, and oligarchic regimes in antiquity, have also laid claim to the value of freedom, for example, interpreting it differently.

This is why, in Aristotle's analysis of ancient Greek democracy in Book 6 of his work on *Politics* from which I initially quoted, Aristotle actually began by explaining the value of liberty as democrats understood it:

> *'The basis of a democratic state is liberty…*
> - *One principle of liberty is for all to rule and be ruled in turn.*
> - *Another is that a man should live as he likes… This is the second characteristic of democracy, whence has arisen the claim of men to be ruled by none, if possible, or, if this is impossible, to rule and be ruled in turns; and so it contributes to the freedom based on equality.'* (Aristotle, *Politics* 6.2, 1317b, trans. Jowett, rev. Barnes)

So democratic freedom means acknowledging that no one has more entitlement to rule than anyone else. Meanwhile, democratic equality, as some of you may have heard me explain in a Gresham Lecture last week, means counting everyone for one, and not holding anyone to be worth more politically than anyone else (I emphasised that democratic equality tended to be 'arithmetic' in counting each person as one, as opposed to 'geometric' equality weighing worth and merit differentially).[5]

Thus, democratic freedom and equality combine to suggest that while people would rather not be ruled by anyone else at all (since they are all equal, and would be less absolutely free when subjected to someone else's rule), the next-best thing is where democracy stakes its claim: on the rotation of office, meaning that no one gets to rule forever or claim a special natural right to do so.
On the basis of those interpretations of freedom and equality, Aristotle then compiled a longer list of hallmarks ('characteristics') of democracy. Here is that list in part:

> *'Such being our foundation… the characteristics of democracy are as follows: …*
> - *that the appointment to all offices, or to all but those which require experience and skill, should be made by lot;*
> - *that no property qualification should be required for offices, or only a very low one…*
> - *that the tenure of all offices, or of as many as possible, should be brief [and later in the list: 'that no magistracy [meaning, office] is perpetual'];*
> - *that all men should sit in judgement, or that judges selected out of all should judge, in all matters, or in most and in the greatest and most important–such as the scrutiny of accounts [i.e. audits], the constitution, and private contracts;*
> - *that the assembly should be supreme over all causes, or at any rate over the most important…'.* (Aristotle, *Politics* 6.2, 1317b, trans. Jowett, rev. Barnes)

Think about that list. Elections barely feature (though as I noted earlier, they are implied in the 'all but' clause about lottery). Conversely, a low property qualification is allowed for candidates for office: it's less important that everyone should be able to stand for office, than that they should be eligible to serve on juries and vote in the assembly.

[5] Melissa Lane, 'Ancient Greek Ideas of Equality Under the Law', Gresham Lecture on 7 March 2024: see link at https://www.gresham.ac.uk/speakers/professor-melissa-lane.

What's critical that offices rotate (no office is 'perpetual'); that popular jurors should decide on the scrutiny of the accounts, i.e., the end of term audits conducted to hold those officeholders accountable (as I discussed in my first Gresham Lecture of this academic year),[6] and other key issues; and that everyone should be able to vote in an assembly which makes authoritative decisions on the most important political issues. This is why the choice between election and lottery was not so crucial as a matter of practice, even though lottery was seen as more intrinsically democratic: both were means of choosing officeholders, who then had certain powers of decision for a short term, while their actions as well as key state policies were decisively controlled by the rest of the citizen body.

Now, since at least the eighteenth century, commentators have dismissed ancient Greek politics as a model of democracy that is irrelevant for modern commercial, bureaucratic, large-scale societies. And they have done so by setting up two fundamental oppositions between ancient and modern politics: between ancient and modern liberty, and between what we've come to call direct and representative democracy.

The first that I'll introduce was advanced in 1819, by the French political thinker Benjamin Constant, who argued that Athenian-style democracy was simply unsuited to modern economic and social life. This is because modern people (at least from the eighteenth century, as Constant saw things) are caught up in the pursuit of their commercial interests and wealth, as opposed to having the leisure to pursue politics—which had been bought for the Athenians by the enslavement of others. As Constant put it, 'rich men hire stewards'[7]—meaning that instead of doing politics for themselves, the rich in a commercial society would hire political representatives to do it on their behalf.

Constant further claimed that this made modern freedom, or liberty, something completely different from ancient liberty (by which he meant ancient Greek liberty—he was thinking of Sparta even more than of Athens, but Athens too). 'Ancient liberty' meant 'exercising collectively, but directly, several parts of the complete sovereignty' and a sharing of social power'. By contrast, 'modern liberty' meant the freedom to busy oneself with private life incl. commerce: the 'enjoyment of security in private pleasures'.[8] For Constant, ancient Greek liberty was active participation in political decisions and political life. But this was both out of reach and out of step with modern concerns.

So Constant set up one opposition that has dominated modern understandings of ancient Greek democracy: this is that the ancient Greek liberty on which it rested, was the power of political participation, versus modern liberty as the freedom to enjoy private life. A second related opposition had been advanced a couple of generations before by James Madison, and was later given the label of ancient Greek 'direct democracy', versus modern liberal 'representative democracy'.

Madison's distinction overlaps with Constant's in holding that the ancient Greeks had the luxury (thanks to slavery) of spending a lot of time directly doing politics in various guises, whereas modern citizens (from the eighteenth century to now) have to spend our time earning a living and so neither can participate actively in politics, nor wish to do so. Moreover, in large societies, it's not practical for most citizens to be directly engaged in decision-making. Instead, Madison emphasized (in *Federalist* 10)[9] that the institution of representation could allow for political freedom by election—while also helping to avoid the mob rule psychology which Madison and other critics of Athens saw as having sometimes taken root there.

Let me take a moment to explain that concern about mob psychology. Two examples dominate the 'mob rule' view of ancient Athens. The first is an infamous vote by the Athenian Assembly in 427 BCE to punish the people of an allied polis, Mytilene, who had sought to secede from the alliance. The Assembly voted to impose a draconian punishment: to kill all of the men of Mytilene and enslave the women and children. But the very next day, the Athenian Assembly reconvened and decided to reverse that decision (leading to a desperate rush to send out a faster ship to get the message there in time—which fortunately transpired).[10]

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[6] Melissa Lane, 'Plato and the Idea of Political Office', Gresham Lecture on 19 October 2023: see link at https://www.gresham.ac.uk/speakers/professor-melissa-lane.

[7] Benjamin Constant, 'The Liberty of the Ancients Compared to that of the Moderns' (1819), in Constant, *Political Writings*, ed. B. Fontana (Cambridge: Cambridge University Press, 1988), 308–28.

[8] Constant, 'Liberty of the Ancients'.

[9] James Madison, Alexander Hamilton, and John Jay, *The Federalist*, ed. J.R. Pole (Indianapolis: Hackett, 2005).

[10] Thucydides, *History of the Peloponnesian War*, 3.25-50, in *The Essential Thucydides: On Justice, Power, and Human Nature,* 2nd edn, expanded and revised, ed. and trans. Paul Woodruff (Indianapolis and Cambridge: Hackett,

While the Athenians thought better of their initial impulse, the drastic reversal of the two votes only a day apart has led many observers to see democratic decision-making as inherently impulsive, vulnerable to whim, and flawed. Similarly, many commentators have been highly critical of a different decision a generation later, in 399 BCE, made not by the Athenian assembly but by a popular court jury, to convict Socrates of impiety and corrupting the youth, and to sentence him to death.[11]

Against these kinds of stories about how ancient Greek democracy could go wrong, Madison thought that electing a Senate, especially, would help to moderate passions and foster more reasoned debate. In my next Gresham lecture, I'll focus on the relationship of democracy to knowledge. But for today, let me return to the oppositions between ancient and modern liberty, ancient and modern democracy, that Madison and Constant set up.

On these views, instead of ancient liberty coming from direct political participation, modern liberty is in large part freedom from *having* to participate in politics. And there is some intuitive plausibility to these claims. Think of the way that many people today try to find a way out of being actually selected for jury service (once having been randomly called), for example, as opposed to the Athenian poor who tended to flock to the courts, eager to make themselves important, as Aristophanes mocked in his 422 BCE comedy called *Wasps*, which portrays an elderly man named Philocleon as a *philēliastēs* (as one commentator puts it, a 'jury service addict').[12]

But must we accept the terms of these stark oppositions? Rather than put ancient and modern liberty, ancient and modern democracy, in two radically opposed buckets, I think we can gain more insight by comparing distinct powers of decision and control across the board. The Athenian political leader Pericles emphasized precisely that it was the Athenian majority who 'decide what is to be done' (Thuc. 2.37). So then, if democratic freedom is a way of exercising decision and control, that might sometimes be done directly, other times be done at a distance; sometimes as an officeholder or assembly member, other times by getting to control others (controlling officeholders in a board of auditors, deciding lawsuits as jurors).

So on my view, ancient and modern democracies are more like two different mosaics with different concentrations of stones in different places, than they are like two utterly different art forms altogether. And this is because both ancient and modern democracy share elements of a common understanding of freedom that was expressed in Aristotle's list of democratic characteristics as follows: that '*all men should sit in* judgement', even though this is done in different ways in different democracies then and now. Ancient and modern liberty, ancient and modern democracy, can be said to share this aspiration, notwithstanding the differences in ideas and institutions that also distinguish them.

In the final part of this lecture, I'll explore how the stones might be rearranged in the modern mosaic to capture some of the spirit of the ancient one a bit better. Before that, my next step will be to expand on ancient Greek *dēmokratia* in terms of its etymology, how it emerged historically, and how it was evaluated at the time and by later commentators and political thinkers. That will allow me to conclude by exploring how elements of the citizen decision-making that characterised ancient *dēmokratia* might be incorporated into the workings of modern polities—to try to recapture at least some of the ancient Greek understanding of liberty, even in the midst of the modern bureaucracy, capitalism, and population explosions that have made it seem to many critics simply to be out of reach.

## How democracy developed as *dēmokratia*: ideas

Let's look at the terms that the Greeks used for different kinds of constitutions in order to see what was special about democracy:

| Constitutional Type | Roots | Rough Translation | Comments |
|---|---|---|---|
| *Monarchia* | *Monos*<br>(sole/ unique)<br>+ ***archē***<br>**(rule / office)** | Monarchy | Rule of /by <u>a single ruler</u> |

2021).

[11] Plato, *Apology*, in *Five Dialogues / Plato*, trans. G.M.A. Grube, rev. John M. Cooper (Indianapolis: Hackett, 2002).

[12] Aristophanes, *Wasps*, l.88, as glossed by Daniel Levine, 'Philokleon Goes Viral: Re-Reading Aristophanes' *Wasps* through a COVID-19 Lens', *Athenaeum Review* 7 (Summer 2022) 28-38.

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|---|---|---|---|
| *Oligarchia* | *Oligos (few)* ***+ archē (rule / office)*** | Oligarchy | Rule of the few [wealthy/elite] rulers/officeholders |
| *Dēmokratia* | ***dēmos*** *(people)* ***+ kratos*** *(power)* | Democracy | *Dēmos* means the people *Kratos* means power *Kratos* (power) is different from *archē* (rule/office) |

Monarchy and oligarchy are straightforward: one person rules, or a few people rule, in the sense that they monopolize the offices (the positions of political authority). But *dēmokratia* is different. It means that the people has (the) power. Yet self-evidently, this can't mean that *all* the people rule, in the sense that they monopolize the offices (the positions of political authority). So the power in question has to be a different kind of power.

The classicist and political scientist Josiah Ober interprets the *kratos* in *dēmokratia* as the 'power to do things'.[13] And building on (while also partly diverging from) his analysis, I would suggest that we understand the democratic 'power to do things' specifically as a 'power to decide': to decide between rival speakers in the assembly or council; to decide (judge) as a member of a popular jury; and to make decisions (rule) if chosen to hold political office for a term (whether by lottery or election)—with the officeholders usually organized as boards of ten. It was the power to make things happen by deciding on what such should happen.

So far I've focused on *kratos*. But *dēmos* also has significance in understanding the original meaning of 'democracy'. For it could be interpreted in two ways:

- the people as a whole
- the common people: the many (poor) as opposed to the few (rich)

When we think about democracy today, we tend to assume that democracy means all the people. But because democracy then decides by majority rule, it turns out that the many (whoever they are) will in practice decide on behalf of the whole people. This is why Aristotle wrote in the *Politics,* that in a democracy 'the majority is supreme' (6.2, 1317b). Or as the Athenian politician Pericles put it, 'In name, [our constitution] is called a democracy, because it is managed not for a few people, but for the majority'.[14] And as Aristotle and other Greek observers (as well as many participants) of democratic life in Athens, tended to emphasize, the 'many' or majority in an ancient Greek society was always the common people, the relatively poor, contrasted with the elite.

So that is how the Athenians got from democracy as the power of all the people, to democracy as the power of the common people or the poor.[15] It's because the common people will almost always constitute a demographic majority, since it is virtually a universal law of politics that there are more poor people than there are rich people in any given political time-slice. The poor de facto constitute the majority, something of which Greek observers and everyday litigants were keenly aware. So in Athens, as Ober has argued further, the poor majority were decisive in crucial ways. But this doesn't mean that they held every political role. In fact, those elected to serve generals and financial officials in democratic Athens actually tended overwhelmingly to be (and perhaps were always required to be: historians disagree) from the ranks of the wealthy elite. As one historian remarks: 'The poor in Athens regularly elected the rich, leisured and well educated to the chief positions in the state. Thus the Athenians expected the most influential speakers in the assembly and their elected officials to differ in social position from the majority of the citizens'.[16] So serving in the highest offices wasn't seen as essential to people power.

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[13] Josiah Ober, 'The Original Meaning of 'Democracy': Capacity to Do Things, Not Majority Rule'. *Constellations* 15 (2008): 3–9.

[14] Thucydides, *History of the Peloponnesian War*, 2.37, trans. Woodruff.

[15] With some exceptions: one non-Athenian democrat, Athenagoras of Syracuse, is credited with having defended democracy against oligarchical critiques on the ground that 'the *dēmos* is the name for the whole people, while *oligarchy* names only a part', in Thucydides, *History of the Peloponnesian War*, 6.39, trans. Woodruff.

[16] M.M. Markle III, 'Jury Pay and Assembly Pay at Athens', in Paul Cartledge and F. D. Harvey (eds.), *Crux: Essays*

Likewise, while speaking in the assembly was open to everyone—each meeting would open with a herald asking, 'who wants to speak'?—in practice, it tended to be only a few people who actually did so, most often those who were wealthy, prominent, and had decided to dedicate themselves to a career of political influence. Contrary to what we might tend to imagine, the Athenian assembly was not full of people all giving their advice freely. Rather, people power lay in being able to decide which (usually elite) speaker's advice to follow in the assembly and council; being able to control those high officials through audit and jury trials; and also, where I started, in rotating in and out of the lower ranks of public offices by lot.

It's important to acknowledge that these kinds of ideas have had a broader origin and impact than just in ancient Greece alone. To take just one further case: the scholar Tejas Parasher has argued that a group of three Indian historians writing between 1919-1928 'held up a historic Indian constitution [the third-century BCE Mauryan Empire especially under the emperor Asoka] as an alternative to representative democracy'.[17] Parasher traces how these historians emphasized the way that each *sabha* or territorial assembly 'was a legislative, administrative, and judicial body combined into one', which chose subcommittees to carry out its functions (as it were, administrative or executive functions'.[18] In some of these assemblies, Parasher continues, 'committees were drawn from the ranks of the citizenry through the casting of lots'[19]—a striking comparison with the way that most (though not all) officials were chosen in ancient democratic Athens. Moreover, 'every member of the committees was bound to render an account of his stewardship' through their term of office,[20] also akin to the accountability audits that defined terms of office in ancient Greek constitutions (not only democratic ones, but especially intensive and wide-reaching in Athens). This was advanced by Mookerji and his colleagues as a model for modern democracy in India.

Or to take a modern example, Karl Marx celebrated the way that the revolutionary 1871 Paris Commune 'was formed of the municipal councillors, chosen by universal suffrage in the various wards of the town, responsible and revocable at short terms'.[21] So in highlighting ancient Greek models of democracy, I focus on my own scholarly expertise and also on the cognate word to our own current regimes—while acknowledging that many of the ideas and aspirations that they incarnate have been more widespread than this might otherwise seem to suggest.

## How democracy developed as *dēmokratia*: history

So how did democracy come into being in Athens (and other Greek city-states)? It was not an all or nothing affair, and it's actually impossible to pinpoint a single date—given the range of different values and institutions that had to emerge and coalesce in order to make a recognizable *dēmokratia* possible. Here is a potted history of democracy in Athens, which was a *polis* (a city-state, or as the historian Mogens Herman Hansen suggests, a 'citizen-state'), consisting of what classicist Paul Cartledge calls 'a community of politically empowered and actively participating citizens'.[22] Physically, a *polis* consisted of a single urban core, often walled, surrounded by an agricultural hinterland, and would typically be populated by anywhere from a few thousand people up to the quarter of a million who inhabited Athens at its peak in the time of Pericles (of whom about 60,000 were men with full citizen privileges). There were about a thousand such *polis* communities in ancient Greece.

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*Presented to G. E. M. de Ste. Croix on His 75th Birthday* (Exeter: Imprint Academic. 1985), 265–97, at 283.

[17] Tejas Parasher, *Radical Democracy in Modern Indian Political Thought* (Cambridge: Cambridge University Press, 2023), 61.

[18] Parasher, *Radical Democracy*, 77, drawing on this page from Radhakumud Mookerji, *Local Government in Ancient India*, 1st edn (Oxford, 1919) (and elsewhere from the second edition, Oxford, 2020). Cf. Mohandas Gandhi's 1948 call in his 'Draft Constitution of Congress' for elected 'village councils consisting of five adults each as primary legislative, administrative and judicial units', as noted by Parasher, *Radical Democracy*, 101.

[19] Parasher, *Radical Democracy*, 77.

[20] Parasher, *Radical Democracy*, 77.

[21] Karl Marx, *The Civil War in France* [no translator credited] (London: Electric Book Co., 2001), 79.

[22] Mogens Herman Hansen, 'The Polis as a Citizen-State', in *The Ancient Greek City-State: Symposium on the Occasion of the 250th Anniversary of the Royal Danish Academy of Sciences and Letters July, 1-4 1992*, edited by Mogens Herman Hansen, 7–29. Historisk-Filosofiske Meddelelser 67 (Copenhagen: Munksgaard, 1993); Paul Cartledge, *Ancient Greek Political Thought in Practice* (Cambridge: Cambridge University Press, 2009).

Here's a brief highlighting of dates before we dig into the key social political developments that gradually democratized Athens:

*Early 6th century (594/3 BCE): Solon as lawgiver: lays foundations for (later) democracy*
*Late 6th century (508/7 BCE): Cleisthenes brought to power by popular revolution*
*Early 5th century (499-479 BCE): Persian Wars: Sparta and Athens lead Greeks to victory*
*Mid to late 5th c. (431-404 BCE): Peloponnesian War: Sparta defeats Athens*
*411/10: brief regime of oligarchic coup in Athens (the "Four Hundred); then democracy restored*
*404/03: brief regime of oligarchic "Thirty" supported by Sparta at end of war; then democracy restored*
*4th century:*
*399: trial and death of Socrates; Plato writes in the next decades*
*323: death of Alexander*
*322: Athenian democratic independence curtailed; Aristotle dies*

So what happened in Athens to democratize it over this period? Here is how a political history of Athens written by Aristotle or his students (*Constitution of Athens,* in Everson (ed.)), a long-lost text, part of which was discovered in 1891 on a papyrus in the British Museum, tells the story:

1. *Solon:*
   - *'most popular features' in democratizing constitution (all, 9.1):*
     - *abolition of debt bondage: 'nobody might borrow money on the security of anyone's freedom'*
     - *'anyone might seek redress on behalf of those…wronged'*
     - *'the right of appeal to the dikasterion [popular court], for when the people have the right to vote in the courts they control the constitution'*

2. *Cleisthenes: abolished existing tribal affiliations and established new 10 tribes each of 3 demes spread geographically: 'These changes made the constitution much more democratic than it had been under Solon' (22.1)*

3. *Pericles and his successors:*
   - *'With Pericles, the state became still more democratic' (27.1)*
   - *'Pericles introduced pay for those serving in the dikasteria [popular courts]...' (27.3)*

So we can play another version of Aristotle's game of listing the hallmarks of democracy, on the basis of this narrative, which focuses above all on the role of the popular juries in the law-courts: 'the right of appeal to the *dikasterion*, for when the people have the right to vote in the courts they control the constitution' and the introduction of pay for jurors to enable even the poorest citizens to volunteer to participate on a daily basis (so long as they'd been selected in an annual lottery to be on the juror rolls for the year; then they could choose to show up on any given day, at which point there would be further lotteries to determine who would serve and be assigned to which case). Juries were so important because (in a system with no professional judges) they embodied ultimate power over each person if a lawsuit was brought against them. The jurors' power to decide on the fate of each was the ultimate case of democracy in the sense of all ruling over each.

Meanwhile, Cleisthenes' role may appear anomalous, but it actually adds an important further dimension to this story. Having been brought to power by a popular revolution that swept aside a family of tyrants who had held power in Athens for a couple of generations, Cleisthenes focused his efforts on reshaping Athenian political identities. He broke down the power of archaic tribal affiliations, instead assigning people to ten newly created 'tribes', each of which consisted of a set of localities (139 'demes') that were grouped together into 30 sections, each allocated to one of the ten tribes, and spread between the Athenian outer agricultural regions and the urban core. This populated each tribe with representative political concerns, while giving people a way to affiliate with others who might have had different economic and social experiences from their own. The demes became so important that each Athenian would identify their name accordingly: Socrates would have introduced himself as 'Socrates, son of Sophroniscus, from the deme of *Alopekē*'. Cleisthenes' role reminds us that democracy will only work if people see it as central to their identities and their concerns.

How does this potted history bear on the comparison between ancient and modern democracy? While it offers many points that we may want to discuss, in one way it brings us back to where we began. For it highlights the fact that while in modern democracy, we elect legislative representatives to make laws on our behalf, this isn't as significant a difference from ancient *dēmokratia* as one might have thought – or rather, the *representative* part is less important a difference than the *election* part. Elections restrict the opportunity to exercise decision and control, whereas lotteries open that up; elections can funnel people of a certain social standing into certain roles (as they did even when used in ancient Athens), whereas lotteries can open up opportunities for participation more fully. If ancient *dēmokratia* was more genuinely an expression of the power of the majority, as opposed to modern democracy which can easily be captured by elites, that was not so much due to direct versus representative, but to the prevalence of lottery versus election.
So in the conclusion to this lecture, I'll explore ways in which lotteries and other mechanisms might help to introduce wider opportunities for decision-making and control—channelling at least some of the spirit of ancient *dēmokratia* into the fabric of modern democracy.

## The Promise—and Limits—of Lotteries

Can lotteries help to restore the true experience of democratic freedom: giving more people the opportunity to make meaningful decisions? We use lottery after all for constituting court juries (though there are further practices of screening), as the great historian of ancient Greece, George Grote, pointed out in the nineteenth century, challenging those of his contemporaries who simply dismissed Athenian lottery altogether.[23] So why not extend it further—perhaps to the domains of choosing officeholders, making public policy decisions, and even auditing official performance?

Let's think first about the domain of choosing officeholders. An important point is that Athenian lotteries were not used to achieve a straightforward sociological cross section, or a totally randomized selection. On the contrary, as I've emphasized before, the Athenians always imposed a screening check (the *dokimasia*) to make sure that the people who had been selected by lot (or election) to take on a public role, were citizens in good standing: that they had paid their taxes and honored their basic civic obligations. So lottery is a way to get people to participate in politics once they've demonstrated a basic respect for it—not to empower tax dodgers (rich or poor).

Furthermore, the ancient Greeks often combined lotteries with nominations or elections: sometimes in a two-stage method, for example, with a nomination or preselection process, followed by a lottery.[24] So we don't have to go 100% for lottery. Instead, modern lottocrats such as Barbara Goodwin and Alex Guerrero have argued that lottery can supplement, and sometimes replace, election.[25] We could cast lots to select candidates for primaries or short lists of candidates, or to select municipal officials, or to rotate presiding roles in parliamentary institutions (the Athenians regularly rotated their Council's equivalent role to the speaker of the House, among each of the ten tribes).

We can also cast lots not just to choose officeholders, but also, to choose bodies of citizens who could then vote on public policy questions—akin to the ancient Athenian council (the *boulē*) which was chosen by lot and managed key policy issues, including setting the agenda for the assembly. And indeed, a movement to institute 'citizens' juries' (so called—sometimes also called 'citizens' assemblies' or 'deliberative mini-publics'), championed by James Fishkin and others, have been an attempt to transpose the modern commitment to juries chosen by lot, into the public policy domain.[26]

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[23] George Grote, *A history of Greece: from the time of Solon to 403 B.C.*, condensed and edited by J.M. Mitchell and M.O.B. Caspari, with a new introduction by Paul Cartledge (London and New York: Routledge, 2001).
[24] 'From 487/6 BCE the [Athenian] archons…were 'appointed by lot out of nominated candidates (*prokritoi*, the process being *prokrisis*, and the whole two-stage process being *klērōsis ek prokritōn*); later, this became a double sortition': in Victor Ehrenberg and Simon Hornblower, 'Sortition', *Oxford Classical Dictionary*, 2016 online edition: https://oxfordre.com/classics/display/10.1093/acrefore/9780199381135.001.0001/acrefore-9780199381135-e-6003
[25] Barbara Goodwin, *Justice by Lottery* (Hemel Hempstead: Harvester Wheatsheaf, 1992); Alexander A. Guerrero, 'Against Elections: The Lottocratic Alternative', *Philosophy and Public Affairs* 42 (2014) 135–78.
[26] Work by James S. Fishkin in this area includes: *Democracy and Deliberation: New Directions for Democratic Reform* (New Haven: Yale University Press, 1991); *The Voice of the People: Public Opinion and Democracy* (New Haven: Yale University Press, 1995); *When the People Speak: Deliberative Democracy and Public Consultation* (Oxford: Oxford University Press, 2009).

These bodies have been used in various ways. Often they include an extensive period of study and education on a given question, before the body votes on what policy measures they would recommend. Often also, these votes have been advisory, requiring further enactment by a representative body or a full referendum in order to go into effect. That sometimes leaves their recommendations moribund, but at other times, they have decisively helped to shape public debate, as in setting the terms for two successful Irish referendum votes, on marriage equality in 2015 and on abortion in 2018.[27] The ancient Greek inspiration here is clear. Choose a body of citizens primarily by lottery, and empower them to make a decision about a public matter: an element of *dēmokratia* in action.

But while there have been recent experiments with choosing officeholders by lottery, and choosing citizens' juries by lottery, there has been little modern effort to use lotteries in holding officials to account—even though as I have noted today, and argued in my inaugural Gresham Lecture,[28] the control of officeholders by means of regular annual audits was essential to ancient Greek democratic and more broadly constitutional practice. In ancient Athens, those audits were conducted by boards of citizens who were chosen by lot (subject to the usual screening mechanism). A fertile prospect for democratic innovation today would be experimenting not just with citizens' juries on policy questions, but with boards of citizen auditors.

These boards could be chosen by lot (with basic screening) and given powers to hold inquiries into the performance of key public officials, who would be required to attend and answer to the questions that the citizen auditors would pose. They could field questions and complaints from members of the public and issue judgments as laypersons about the performance of key public bodies. In so doing, they would capture the underlying democratic characteristic that Athenagoras, a democratic leader in ancient Syracuse, is said to have asserted, namely, that 'the best judges of what they hear are the many'—and so help to realise anew in conditions of modernity the value of democratic freedom.

In this conclusion, I am inspired by the political thinker C.L.R. James, who likewise turned back to the Athenian model as an inspiration for contemporary democracy in his native Trinidad as it established political independence, and as an inspiration more generally, in his 1956 essay 'Every Cook Can Govern'.[29] James claimed that the putative utopian ideal of every cook being able to govern, had been realized in ancient Greece, whereas 'Marx and all the men who have written of a society of democracy and equality had to place it in the future'.[30] While he called Athens a 'direct democracy',[31] of the kind that Madison and Constant had thought inapplicable to modern conditions, he nevertheless proposed a view of the relevance of the Greeks to modern politics from the standpoint not of a professional historian but of '[h]istory as a living thing':

> '*We today who are faced with the inability of representative government and parliamentary democracy to handle effectively the urgent problems of the day, we can study and understand Greek Democracy in a way that was impossible for a man who lived in 1900, when representative government and parliamentary democracy seemed securely established for all time'*.[32]

What was true for James in 1956 remains as true nearly half a century later: we can not only appreciate the values of Greek democracy, but also seek ways to realise them afresh in our own institutions and practices today.

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[27] Dimitri Courant, 'Citizens' Assemblies for Referendums and Constitutional Reforms: Is There an 'Irish Model' for Deliberative Democracy?' *Frontiers in Political Science* 2 (2021) 1-20.
[28] Melissa Lane, 'Plato and the Idea of Political Office', Gresham Lecture on 19 October 2023: see link at https://www.gresham.ac.uk/speakers/professor-melissa-lane.
[29] C.L.R. James, 'Every Cook Can Govern: A Study of Democracy in Ancient Greece / Its Meaning for Today', *Correspondence* 2, no.12 (June 1956), 3–19.
[30] James, 'Every Cook Can Govern', 3.
[31] James, 'Every Cook Can Govern', 4.
[32] James, 'Every Cook Can Govern', 13, for both quotations.

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