

TOWARD A STUDY OF ATHENIAN VOTING PROCEDURE

(PLATE 85)

THE vote is fundamental to democratic government, because the individuals who make up the *demos* rule only when they can register their decisions effectively. Sometimes, if order is to be maintained and the people are to escape reprisals for having expressed their best judgment, the vote must be secret. Lysias and his hearers understood the danger of immediate, desperate reprisals that can follow open voting. He recalls, in his speech against Agoratos, how the Thirty, by forcing citizens to vote openly, secured the verdicts they wanted (Lysias, XIII, 37; cf. Thucydides, IV, 74). But there are other reprisals. Disapproval by friends, the loss of a favor that was hoped for, fear of these too influenced a man's vote, and it is against these influences and more that the secret ballot protects the voter (see also Xenophon, *Symp.*, V,8; Demosthenes, XIX,239). Voting is a radical idea, and especially secret voting. Its beginnings deserve study. In the following discussion particular questions that arise from study of voting procedure in Athens are examined. They have to do with: 1. voting in law courts during the fifth and fourth centuries B.C.; 2. origins of voting by ballot; 3. how votes were counted.

VOTING IN LAW COURTS

Aristotle, in his *Athenaion Politeia* (68-69), describes contemporary voting procedure in the *dikasteria* as follows. Directly after the litigants end their pleadings, each juror (the numbers were large; 201, 401 or 501 jurors commonly sat) receives two ballots. These two ballots are identical except in one respect. Both are of bronze and look like disks with short pegs running through their centers. On the disk of each there were inscribed the words ΨΗΦΟΣ ΔΗΜΟΣΙΑ (OFFICIAL BALLOT), and a single letter of the Athenian alphabet was stamped into the metal, along with (sometimes) an owl. The only difference between the two ballots was in the peg. One was hollow, the other solid (Pl. 85,a).¹ The ballot with the hollow peg represented a vote for the plaintiff or prosecutor, the other a vote for the defendant. The juror then,

¹ Examples of both types have been preserved. All those published are dated by letter forms to the fourth century; some were found in fourth century contexts (see Thompson *infra*). Publications have been scattered and I do not know of a complete list. The following are known to me: C. Wachsmuth, *Arch. Anz.*, 1861, pp. 223 f.; S. A. Koumanoudis, *Philhstor.*, XVIII, 1861, p. 272; A. S. Rhousopoulos, *Ann. d. Inst.*, XXXIII, 1861, pp. 388 ff., pl. M; 'Αρχ. Έφ., 1862, pp. 305 ff., pl. 46, no. 2-3; G. Pappadopoulos, *Rev. Arch.*, VI, 1862, pp. 231 ff. (cf. Πανδώρα, XVI, 1865, pp. 124 f.; T. Ampelas, *Ίστορία τῆς Νήσου Σύρου*, Syros, 1874, p. 300); W. Vischer, *Kleine Schriften*, II, pp. 288 ff., pl. 15, no. 67 (= *idem*, *Epigr. u. archaeol. Kleinigkeiten*, 1871,

simply by holding the ballot with his thumb over one end of the peg and his forefinger over the other, hid the single but essential difference between the two. Subsequently, holding one ballot in each hand, he would go to a place in the court where there stood two urns. One urn was of bronze, the other of wood. The bronze urn was fitted at the top with a cover that permitted the insertion of only one ballot at a time, and into this urn the juror cast the ballot that represented his decision; the other, the wooden urn, received the discarded ballot. Once all the jurors had voted, the ballots in the bronze urn were counted. A simple majority decided the outcome. A tie went to the defendant.² When a second vote was needed to determine a penalty, the same procedure was followed, the jurors casting a "hollow" ballot for the penalty proposed by the prosecutor, a "full" ballot for that proposed by the defendant.

The effective simplicity of this procedure required a long time to come about. The year in which the Athenians accepted it is unknown. They were voting in this manner around the middle of the fourth century when Aischines spoke against Timarchos; Aischines refers to the two ballots in the course of his speech (I, 79). Arrangements in the demes and phratries were similar, not identical. Valid ballots went into a single urn (Demosthenes, LVII, 13), but controls were looser. Once, thirty men somehow dropped a total of more than sixty ballots into it (*ibid.*). In addition, one could, on certain occasions, elect to vote openly, even while others voted secretly ([Dem.], XLIII, 82).

In the fifth century, Athenians voted in another way. They set up two urns, one of which was to receive votes for the prosecutor, the other, votes for the defendant. A juror registered his decision when he dropped his single pebble into one of the two urns.³ Here again the procedure is simple, but it is hard to see how a man could vote secretly when his choice of an urn could be so easily observed. It would be impossible, of course, to permit him to enter a closed area without supervision. Alone and unobserved he could deposit as many pebbles as he had been able to conceal on his person or as he thought useful. The Athenian solution to this problem is obscure, and that it was not completely successful seems a fair inference from the fact that the

pp. 16 f.) ; H. Lechat, *B.C.H.*, XI, 1887, pp. 210 ff.; A. Körte, *Ath. Mitt.*, XXI, 1896, pp. 450 ff. (whence the commentary to *I.G.*, II², 1923a) ; *I.G.*, XII, 5, 708, p. 197 ; I. N. Svoronos, *Jour. Int. Arch. Num.*, XIII, 1911, pp. 121 ff.; H. A. Thompson, *Hesperia*, XXIII, 1954, pp. 58 ff., pl. 17.

² The odd man was presumably on the panel to prevent tie votes, but some jurors may have been unable to reach a decision. See *I.G.*, II², 1641 B where two votes are missing. Cf. Bonner-Smith, *Administration of Justice*, I, pp. 240 ff.

³ The *psephos*, to judge from the lack of identifiable fifth century ballots, was at this period a pebble or mussel shell. J. H. Lipsius, *Das Attische Recht*, pp. 920 ff. discussed voting procedure with full citations of the sources. Cf. Busolt-Swoboda, *Griechische Staatskunde*, pp. 1162 ff. E. Fraenkel's brief note at *Agamemnon*, 816 is instructive. The practise of the fifth century, i.e. that in which two urns and one ballot functioned, has sometimes been confused and identified with that of the fourth century; so e.g. Brandis, *Ἑκκλησία*, *R.E.*, 1905, col. 2195 ; O. Schulthess, *καδίσκος*, *R.E.*, *Suppl.* IV, 1924, col. 802.

procedure was changed. The Athenians did use, in the process of voting with a single pebble and two urns, an attachment (?) called a *κημός*, but there is no certainty as to how it functioned. Conceivably it was a sort of wicker funnel⁴ which, placed large end down, would conceal the mouths of the two urns and provide, through the narrow opening at the top, room for a man to reach in and deposit his pebble.⁵ Just before putting his hand in, the juror would have to show that he had only one pebble in his hand, but possibly the clink of the falling stone revealed to bystanders into which urn the vote had been dropped. Jurors voted on the penalty when necessary by drawing a long or a short line on a wax tablet. The ballots were, as later, arranged on a board or stone to be counted.

This particular procedure, with or without the *kemos*, endured for many years, and secrecy was somehow maintained, if only imperfectly. The outcome of the voting in Aeschylus' *Eumenides* is in doubt until the pebbles are taken from the jars (734 ff.), and over half a century later the comic poet Phrynichos alluded to the two jars and their separate functions in the *Muses* (fr. 32K, Edmonds). The two jars served at the ekklesia when eight of the ten generals who had commanded at Arginousai were condemned (Xenophon, *Hell.*, I,7,9), and early in the fourth century they were still being used in court (Isaios, V,18 with J. H. Lipsius, *Das Attische Recht*, p. 926 note 98).

ORIGINS OF VOTING BY BALLOT

In 458 the principle of secret voting was known at Athens, and it is possible that it was known elsewhere. In an inscription of about 460 the Eastern Locrians stipulated that an urn be used in voting at one kind of trial.⁶ But there is nothing to show that anyone understood or used the secret ballot earlier. An ostrakophoria, although full procedural details are not known, was scarcely a proper secret vote, for the system imposed upon illiterate Athenians the necessity of revealing their judgment to an amanuensis (see J. Carcopino, *L'Ostracisme Athenien*, 1935, p. 85; O. Broneer, *Hesperia*, VII, 1938, p. 243). And a *ψηφος*, the instrument of secret voting in Aeschylus' *Eumenides*, is a "decision" in his earlier play, the *Suppliants*, one reached

⁴ Evidence relating to the shape and the material conveniently presented by H. Schenkl, *Wörter und Sachen*, V, 1913, pp. 173 ff.

⁵ The urn cheated of its hope (Aeschylus, *Agam.*, 816 τῷ δ' ἐναντίῳ κύτει ἐλπὶς προσήει χειρὸς οὐ πληρουμένῃ) presents a vivid picture with this reconstruction. The hand enters a mouth common to both urns, i.e. the smaller opening at the top of the *kemos*, but drops its pebble into the αἵματηρὸν τεῦχος rather than in the expectant urn of mercy.

⁶ M. N. Tod, *G.H.I.*², no 24, lines 45 f., ἐν ἰδρίαν τὰν ψάφιξεν εἶμεν. The presence of an urn suggests but does not prove that the Locrians intended a secret balloting. The urn could have served simply as a repository for counters. Secret or not, it is hard to infer from this citation that Corinna's representation of a secret balloting (II Col. i, lines 19-23, p. 19 Page) reflects a procedure of a yet earlier time—impossible, if the argument presented *infra* is accepted. Cf. D. L. Page, *Corinna*, 1953, p. 78. I thank Professor G. L. Huxley, who reminded me of Page's discussion. On Pindar, *Nem.* VIII, 26 see N. O. Brown, *T.A.P.A.*, LXXXII, 1951, p. 15, note 23.

moreover by an open show of hands. Neither *psephos* nor its compounds refer in any way to secret voting in the *Suppliants*,⁷ and one may go on to ask if it ever at any time implied secret voting before say the late 460's. There is no evidence that it did. On the contrary, two bodies of evidence point to the very opposite conclusion, namely that the word *psephos*, used in connection with a balloting and not metaphorically, denoted a counter that was used in an open balloting. These bodies of evidence consist of: 1) a few Late Archaic, Attic RF vase paintings that depict Greeks voting the award of Achilles' arms to Odysseus; 2) scattered allusions in Greek literature to the method by which Greeks performed simple arithmetical computations.

The voting scene on the outside of a cup by Douris is the best known and most often reproduced of the paintings. Athena stands behind a low table (or altar?) which men approach from right and left. They are about to vote; two, in fact, are in the act of voting. That the others have already voted is clear from the two small piles of pebbles on the altar. The pebbles to the left appear to be about double the number of those on the right. They represent votes cast for Odysseus, the victor, while those to the right, fewer, have been cast for Ajax. The two heroes themselves appear at the extreme right and left. Athena, gesturing gracefully with her right hand, certifies Odysseus' victory, although the voting is not yet over. (Exigencies of representation required that balloting be shown as still in progress.)

The Brygos Painter has rendered substantially the same scene on another cup. Athena stands behind a table and holds her hand up in a forbidding way to her left. One man left is about to add his pebble to Odysseus' pile, three men right advance to vote for Ajax, while the *agonistai* themselves stand at the extreme right and left, Odysseus watching coolly, Ajax again hiding his face in his cloak.

A painter whom Sir John Beazley compares to the Painter of Louvre G265 has shown (Pl. 85,b) the voting scene on one side of a cup, the immediate aftermath of the voting on the other side, and in the tondo a single youth depositing his pebble under Athena's regard. The voting scene differs in details, e.g. Odysseus and Ajax do not appear, the postures of the two men to either side of Athena are different, but the essentials are unchanged. Men approach a low table from left and right to add their pebbles to those already heaped there; Athena supervises.⁸

The single aspect of the voting scenes that is of particular interest here is the combination of pebbles (*ψηφοι*) and a complete lack of secrecy. It seems clear that the

⁷ Voting at lines 605 ff. is by hand, and so *θέσθαι ψηφον* at lines 640, 644 means "to vote by hand" (cf. *δῆμον κρατοῦσα χεῖρ* at line 603). Elsewhere in the play *psephos* is a city's decree, passed by show of hands, lines 739, 943, 965. Once it is a judgment (line 7) but we are not told how the judgment was reached. Cf. *Sept.*, 198.

⁸ References to the painters in J. D. Beazley, *Attic Red-Figure Vase-Painters*, 1942: Douris, p. 282.28; the Brygos Painter, p. 246.2; the painter compared to the painter of Louvre G265, p. 274.3 (Pl. 85, b is reproduced from J. E. G. Roulez, *Choix de vases peints du Musée d'Antiquités de Leide*, Gand, 1954, pl. II). In Makron's representation of the subject (Beazley, p. 302.10), preserved only in fragments, one pile of pebbles can be seen on the table behind which Athena stands. The voters, named, are Greek heroes.

pebbles are being used simply as counters. After all the votes have been cast, the pebbles can be counted slowly and accurately, an advantage that does not inhere in the vote by acclamation, or, for that matter, in a vote of hands. It would be rash to insist that the artists who painted these scenes were reproducing in detail the procedure of their own era (although that possibility cannot be excluded from consideration), nor can accurate historical retrojection be imputed to them. At the same time, it is certain that early in the fifth century in the minds of some men who were living in Athens, viz. the painters, there could exist simultaneously and interdependently the notions of *ψηφοι*, a judicial decision, and a lack of secrecy.

The second body of evidence, references to the use of pebbles in reckoning sums, needs no extensive documentation here, but it may be well to review some brief passages from Greek literature that reveal how closely sums and counters were associated with each other. First, to illustrate the general use of pebbles as counters, we may consider a fragment of a lost comedy by Alexis. A man who has been asked to share the cost of a dinner demands an accounting of expenses. The account is given. It is a simple one, probably complete, and involves eight items along with their prices. Yet the man who makes the demand stipulates that the reckoning be done with pebbles and a reckoning board (*ἀβάκιον ψήφους λέγε*, Alexis, fr. 15 K, Edmonds). It seems natural then, given so elemental a use of the abacus, for another comic poet to characterize a stupid person as *οὐ γιγνώσκων ψήφων ἀριθμούς* (Ephippus, fr. 19 K, Edmonds). Epicharmos even uses the word *ψήφος* in the singular to denote the number one (1): "When you add one (*ψήφος*) to an odd number—or, if you like, to an even number—or subtract one, do you think that the number is still the same?"⁹ Again, when Bdelykleon wants his father to reckon a sum that is not very complicated, he tells him not to bother with the pebbles, but to do it on his fingers (*λόγισαι φαύλως, μὴ ψήφους, ἀλλ' ἀπὸ χειρός*,¹⁰ Aristophanes, *Vesp.*, 656). Finally, Herodotos (VI, 63) represents the Spartan Ariston using his fingers to count up to ten.

The conclusion to which these citations point is not a new one. Greeks were generally dependent on counters, be they fingers or pebbles, when they wanted to reckon sums. There may have been exceptions. Some perhaps did calculate without having to use objects as counters, but most, when accuracy was wanted and the sums were too complex for fingers, used pebbles.¹¹

⁹ <αἱ> πὸτ ἀριθμόν τις περισσόν, αἱ δὲ λῆς πὸτ ἄρτιον,
ποτθέμειν λῆ ψήφον ἢ καὶ τῶν ὑπαρχουσῶν λαβεῖν,
ἢ δοκεῖ κά τοί γ' <ἔθ'> ὡντὸς εἶμεν;

(Diels-Kranz 23 B 2) The German translation envisages actual pebbles, but cf. L.S.J., s.v.

¹⁰ The sums involved are high enough to require some form of counting that is more efficient than simply opening and shutting the hands to indicate decads, but I know of no evidence that Greeks of the fifth century used anything like the system which was used by the later Romans. The one possible reference to such a system being known in the fourth century B.C. is suspicious. See J.-G. Lemoine, *Rev. Ét. Islam.*, VI, 1932, p. 38, note 3. To Lemoine's survey of finger-counting in the Orient and West now add the valuable article of R. A. Pack, *A.J.P.*, LXXVII, 1956, pp. 47 ff.

¹¹ Cf. M. Lang in *Hesperia*, XXVI, 1957, p. 271, note 1: "The use of pebble-counting for

The use of pebbles to insure accuracy occurred in another literate civilization, that of the Mesopotamians in the middle of the second millennium B.C. The procedure has been deduced by A. L. Oppenheim in *J.N.E.S.*, XVIII, 1959, pp. 121 ff.,¹² from a curious object discovered at Nuzi. It is a small, hollow, egg-shaped, clay tablet, which when found contained 48 little stones. Inscribed on the outside is a text that identifies the stones as counters, each representing one sheep (or goat). It will have been "an operational device" which enabled those responsible for the royal herds to transmit information concerning them to those who kept the accounts—the accounts presumably consisting of various pots or reed-baskets, each representing a specific class of sheep or goats and containing as many pebbles as there were sheep or goats of that class. Oppenheim also notes that the British exchequer, early in the nineteenth century, still used tally sticks alongside pen and ink for bookkeeping (p. 128).

To return now to Greek voting, J. A. O. Larsen in *C.P.*, XLIV, 1949, p. 172 considers three possible situations in which formal voting could have originated. First, in aristocratic councils such as the Areopagus, it may have been used early both for elections and for judicial decisions. From there it passed to the popular assembly. Second, it originated as a recourse from civil war when inflammatory subjects were introduced at Homeric assemblies. Third, voting was first established at inter-state assemblies. Of these three explanations, Larsen favors the first. For the purposes of this paper, however, it is sufficient to emphasize the single element that was common to all of the forms of assembly at which voting might have originated. This element is the number of people involved. All the assemblies considered by Larsen involve more men, i.e. votes, than can be properly counted without some mechanical aid. Confronted by such a situation, the first man responsible for the count would have turned instinctively to pebbles. Just how he used the pebbles, we can only speculate. Perhaps the voters themselves deposited a pebble at one of two places (as on the vase scenes described *supra*), or perhaps vote-counters counted hands and deposited pebbles as they did so. In whatever way the pebbles were used, it is hard to imagine a count with any pretensions to accuracy that did not utilize them.

Since *ψηφοι* functioned as counters at early assemblies where votes were taken and not as instruments of a secret vote, we may consider in a new light a question of terminology. At Athens in the later era for which we have more documents, a *ψηφισμα*, if not *ἐπ' ἀνδρί*, was ratified in the *ekklesia* by show of hands, not by a secret vote where *ψηφοι* were used; further, *ἐπιψηφίζειν* meant to put a question to the vote in the *ekklesia*, but it was generally a vote by hand that was being called for, not a vote

calculations too difficult to be done in the head (on the fingers) . . ."; and the more comprehensive statement of F. Nesselman: "Die Griechen, bei denen der Calcül immer in seiner Kindheit geblieben ist, waren durchaus Geometer und eine Rechnung oder ein arithmetischer Satz gewann für sie erst dann völlig überzeugende Kraft, wenn seine Wahrheit an einen Figur durch geometrische Konstruktion dargetan war," *Versuch einer kritischen Geschichte der Algebra*, 1842, p. 134 (quoted by A. Nägl, *SBWien*, CLXXVII, 1914, Abh. 5, p. 12, note 1).

¹² I thank Professor A. J. Sachs for this reference.

by *psephoi*. But because the terms *ψηφισμα* and *ἐπιψηφίζειν* are built on the word *ψηφος*, some modern scholars have reasoned that the first formal voting in Greece was secret (see B. Keil, in Gercke-Norden, *Einleitung*², III, p. 379; J. A. O. Larsen, *C.P.*, XLIV, 1949, p. 174). G. Busolt on the other hand (*Griechische Staatskunde*, I, 1920, pp. 454 f.) argued that the use of the words *ψηφος*, *ψηφισμα*, *ἐπιψηφίζειν* and the like in contexts where voting but not secrecy was involved, reflected a terminology that had been diffused as a result of the growing importance of the law courts, where secret voting was the rule. The initial and fundamental assumption from which all these scholars proceeded, however, is that the *psephos* was originally used as a secret ballot. It is possible, of course, that the two uses of the *psephos*, namely as counter and as secret ballot, were revealed to the Greek consciousness simultaneously, or that the *psephos* was first used by private persons as a counter but functioned officially first as a secret ballot. But it seems a more likely assumption that the men who first conceived of polling an assembly needed to have an accurate count before the more sophisticated notion of perverting the count occurred to them. If, then, the *psephos* functioned originally as a counter, a *psephisma* was a motion that had been ratified by an accurate count of the votes, i.e., by means of *psephoi*, and *epipsephizein* meant "to put to a count." We do not have, for the fifth and fourth centuries, as we do for later periods, inscriptions which preserve the numbers of votes cast in the Athenian ekklesia regarding particular measures,¹³ but this absence of evidence is not a strong argument that accuracy in counting was not sought. From the enormous number of cases that were heard in the Athenian courts, where accuracy in counting votes was essential, there exist today notably few contemporary records of the results.¹⁴

The origin of the secret ballot remains dark. Its introduction into Athenian public life is not recorded until around the middle of the fifth century, but can one conclude from silence that the principle was unknown before? The vase paintings described *supra* and the dependence on counters encourage one in that conclusion. It seems distinctly possible that a procedure as vital to the uses and continuance of democratic government as the secret vote was lacking to the Athenians until well into the fifth century.

HOW VOTES WERE COUNTED

In law courts at Athens, around 325 B.C., ballots were counted by four jurors to whom that task had been allotted early in the proceedings. After all the jurors had

¹³ There are none from Attica before the first century B.C. Such inscriptions from Attica and elsewhere were studied by A. Wilhelm, *Arch.-Ep. Mitt.*, XX, 1897, pp. 79-82; *SBWien*, CLXXXIII, 1916, Band 3, pp. 4-9; more recently, L. Robert, *Études Anatoliennes*, 1937, pp. 450 f. and P. Amandry, *B.C.H.*, LXIII, 1939, pp. 183, 212 ff.

¹⁴ See *I.G.*, II², 1641 B, 1646; perhaps *Hesperia*, XVI, 1947, p. 157, lines 56-60. Such results as are preserved in ancient literature need not stem from written, official records. See Demosthenes, XXI, 75. Cf. Demosthenes, XXIII, 167, 205; Diogenes Laertius, II, 41. At least one defendant thought it useful not to have an accurate count recorded (Isaios, V, 18).

voted, slaves carried the bronze urn, the one which held the valid ballots, over to a counting board (*ᾗβαξ*), and poured the ballots out upon the board. Here a second function of the peculiar shape of the *psephos* becomes apparent. The counting board had drilled into it, or through it, as many holes as there were *psephoi*. The stems of the *psephoi* were inserted into the holes, and the disk kept the stem or peg from falling through. Those with hollow stems and those with full stems were placed separately, and the count was taken quickly and easily. The herald announced the results (Aristotle, *Ath. Pol.*, 69).

At an Athenian *ekklesia* in the fourth century votes were counted by nine *proedroi*. These men were selected by lot at the start of the assembly, and it was one of their duties to count hands when there was a *cheirotomia* (Aristotle, *Ath. Pol.*, 44). Since there were nine men counting, each one of them must have been responsible for the number of hands that were raised in a separate, distinct area. Alternative reconstructions of procedure seem improbable. It would be folly, for instance, to entrust the count of e.g. 5,000 hands to a single man.¹⁵ But again the nine would not each of them count the hands of the whole assembly and then compare sums in the belief that while some of them would miss the correct sum a majority would hit it. The Plataeans once had to count layers of brick that way, but it was a clumsy method, and one that was forced on them. They had to count and recount many times in hope of accuracy (Thucydides, III, 20). Nor could the *proedroi* be content with an estimate when the vote was close and the business weighty. It is true that often enough an accurate count was not strictly necessary, but sometimes the hands had to be counted carefully, a consideration that leads to a hypothesis concerning earlier procedure.

There exists no record of the titles or number of the usual vote-counter(s) at Athens in the fifth century, but in view of the recurrent need for accuracy in counting hand-votes—the fate of Mitylene hung on a close vote (Thucydides, III, 49), and only certitude of accuracy could have stilled Kleon—it seems there must have been a responsible board. In partial confirmation of this hypothesis, for meetings of the *boule* in 412/11 five men were to be selected from the *bouleutai* to count votes (Aristotle, *Ath. Pol.*, 30,5). If it was believed that five men were necessary to count the votes of four hundred men, full assemblies of the people earlier in the fifth century would presumably have had at least as many vote-counters, if not more.

Consequently, on the basis of the foregoing discussion, we may suppose that Athenian citizens who attended the *ekklesia* in the fifth and fourth centuries were kept in separate groups so that vote-counters could take an accurate count. This is no eccentric supposition. Seating was regulated at other kinds of meetings, although for another purpose and in another way. *Bouleutai* were allotted seating places by letter

¹⁵ Schol. (Pl.) *Axiach.* 368D wrongly has the herald counting hands. A similar note in the *Suda Lexicon*, s.v. *κατεχειροτόνησαν αὐτοῦ* has *πάσας ἡρίθμουν τὰς χεῖρας*. The subject to be supplied is probably *proedroi*. Outside Attica, *χειροκρίται* and *χειροσκόποι* are known. See A. Laumonier, *B.C.H.*, LVIII, 1934, pp. 319 f. for a brief discussion and bibliography.

from 410/9 on so that men committed to the same position would not sit together.¹⁶ Dikasts too, there is reason to believe, were caused to sit where chance assigned for the same reason (*Hesperia*, XXIX, 1960, pp. 393 ff.). But the ancient evidence is clear and uncontradictory as regards the ekklesia. One could ordinarily sit where one wanted, and those who found it useful to gather in groups were free to do so.¹⁷ Still, it would be in no way inconsistent with this freedom if the assembly place were divided by means of stelai or barriers into say ten equal sections, and if the citizens could sit or stand within any of the sections they wanted. Then, when they were called upon to raise their hands for a vote, each citizen would be within a single, circumscribed area, and each *proedros* could address himself to the count of hands in one section. Ten seems a logical number for the sections, but there were only nine *proedroi*. Possibly for this particular task some other official filled in.¹⁸

In their partial excavation of the Pnyx, K. Kourouniotes and H. A. Thompson found evidence that is, in this connection, suggestive. Into the rock surface of the seating area that was used during the first period (roughly, the fifth century) there were cut at three points beddings for stelai. These the excavators interpreted as indicating some sort of division of the seating area. They could not plot any system of division—the beddings were too few—but the discovery of other similar beddings could reveal such a system.¹⁹ No evidence for a systematic division of the seating area appeared in the assembly place as it existed during its second period, but even so, for the time when nine *proedroi* either counted or supervised the counting of votes, the division can reasonably be postulated. Beddings for stelai again were found in the Lykurgan reconstruction of the auditorium. They seem clearly to have divided the seating area (Kourouniotes-Thompson, *op. cit.*, pp. 156-158).

To return to the earlier periods of the Pnyx, when a vote was specifically directed at the interests of an individual, citizens voted secretly and by tribes. On such occasions, it is natural to assume, members of a single tribe sat together in the same section. On all other occasions, far more numerous, citizens sat where they wanted. But no matter where they sat, they were within one of the ten (?) demarcated areas.

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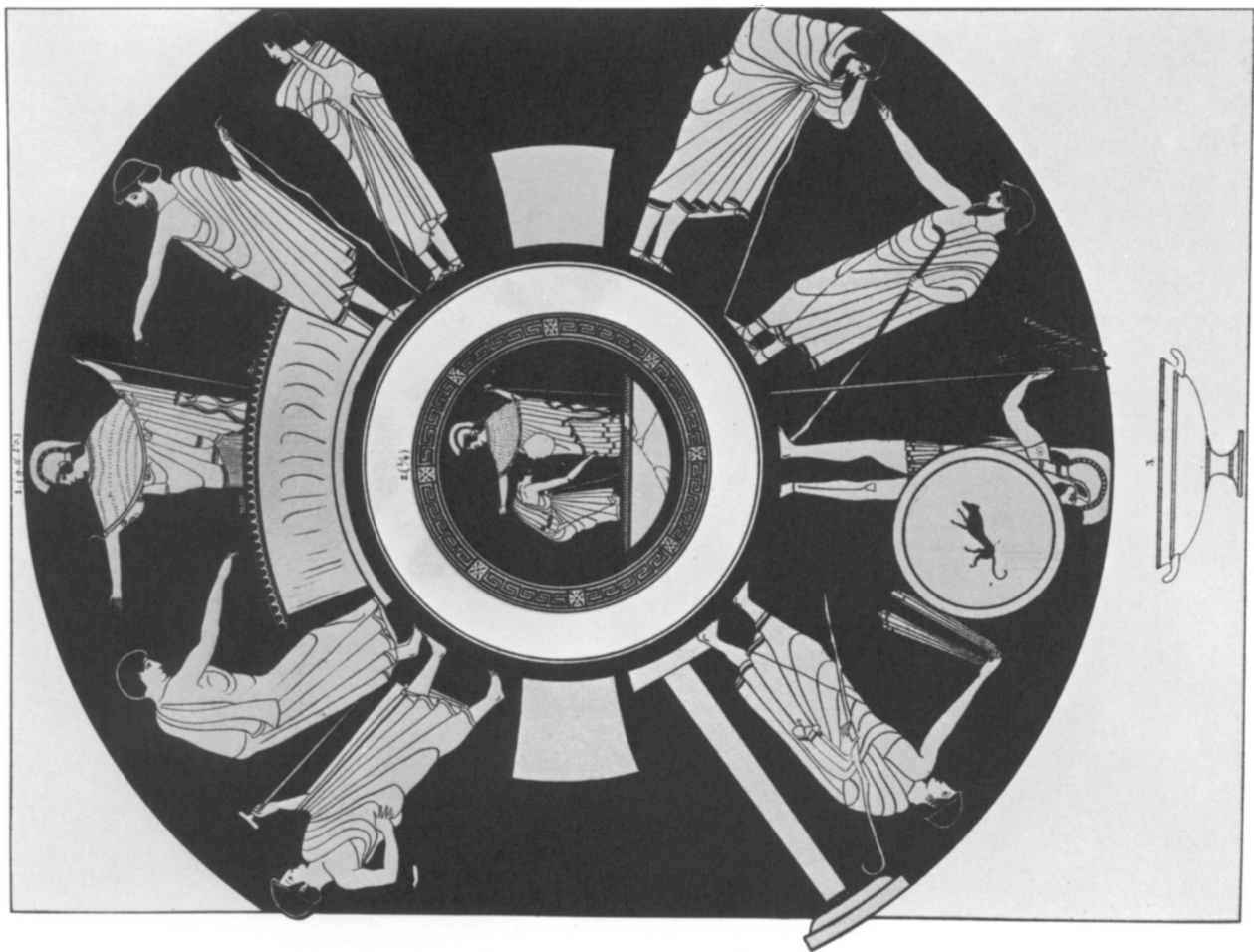
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¹⁶ See H. T. Wade-Gery, *B.S.A.*, XXXIII, 1932-1933, p. 118; F. Jacoby, *Fr. Gr. Hist.* 328 F140, Commentary pp. 510-511.

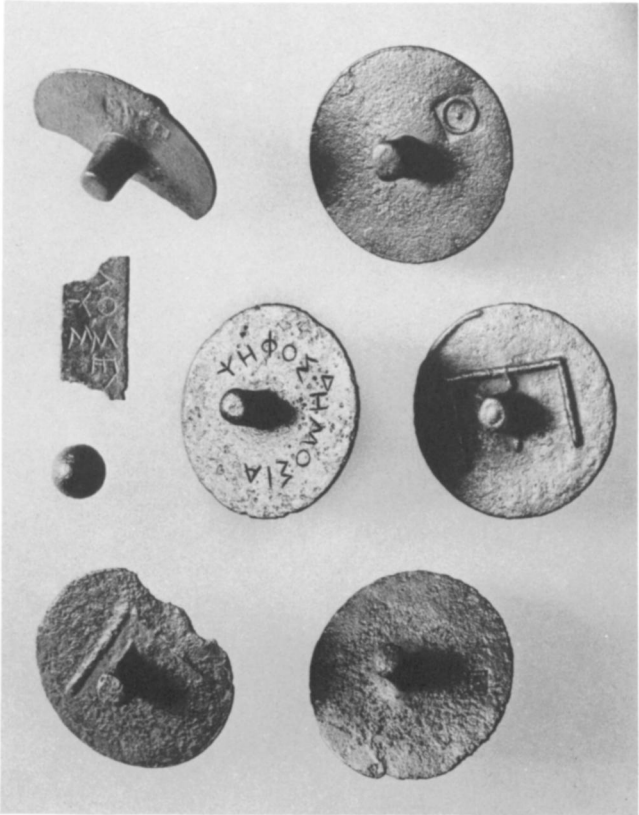
¹⁷ See Aristophanes, *Eccl.* 289 ff.; Thucydides, VI,13,1; Plutarch, *Pericles*, XI, 2; cf. Busolt-Swoboda, *Gr. Staatskunde*, p. 995. One way in which such knots of men could make themselves useful can be inferred from Thucydides, *ibid.* and VI,24,4. Cf. Demosthenes, XVIII, 143.

¹⁸ Cf. the Athenian solution to a similar awkwardness in the allotment of the dikasteria, Aristotle, *Ath. Pol.*, 63,1.

¹⁹ *Hesperia*, I, 1932, pp. 104 f. The excavators consider fully the possibility that *I.G.*, II², 883 and 884 were the stelai that stood in these or like beddings on the Pnyx, but no secure conclusion seems possible (*op. cit.*, p. 105, note 2).



b. Voting the Award of Achilles' Arms to Odysseus (Kylix in Leiden)



a. Ballots found in the Athenian Agora.