

THE INTRODUCTION OF OSTRACISM AND ALCMEONID PROPAGANDA

THIS paper focuses on two problems connected with our sources for Athenian politics between 510/09 and 488/7 B.C.:

(i) In the *Athenaion Politeia* attributed to Aristotle (henceforth *Ath.*), ostracism is included in the laws of Cleisthenes (22.1). But later (22.3) the author of the *Ath.* dates the first ostracism (that of Hipparchus, son of Charmus) to the year 488/7. Depending on the date of Cleisthenes' laws, this leaves a gap of thirteen to twenty years between the institution of ostracism and its first use. Yet the very nature of the law suggests that it was passed for immediate use.

(ii) Cleisthenes' rival, Isagoras, is described in *Ath.* 20.1 as φίλος τῶν τυράννων. This label conflicts with two details in the political struggle. It involves Cleomenes, who had recently expelled the tyrants from Athens, in an astounding *volte-face* in supporting one who is known as φίλος τῶν τυράννων. Secondly, Isagoras had had the opportunity of imposing by force the kind of government he wanted—but it was an oligarchy (Hdt. v 72.1, *Ath.* 20.3: a council of three hundred), not a tyranny. How did the inappropriate label originate?

The reaction of most scholars to the first problem has been to reject the ascription of ostracism to Cleisthenes in *Ath.* 22.1 and 22.4 and date the institution of ostracism to shortly before the first recorded ostracism.¹ Some have found support for the date 488/7 in a fragment of Androtion (*FGrH* 324 F 6) preserved by Harpokration.² But it is by no means certain either that there is a discrepancy between Androtion F 6 and *Ath.* 22 or that Androtion dated the institution of ostracism to 488/7.³ A further reason for dating the law to 488/7 has been the argument that the first election of generals must antedate the introduction of ostracism. A. E. Raubitschek has argued that ostracism was introduced later and placed before the election of generals in the Athenian calendar in order to eliminate undesirable candidates for the strategía.⁴ This is possible but not necessary. It is equally possible that the election of generals was introduced later and placed after the date for the ostrakophoria so that undesirable candidates for the strategía will already have been eliminated.⁵ Indeed, 488/7 is an unlikely date for the invention of ostracism on general grounds. The very nature of the device shows that it is not designed to remove a single dominant figure—because he would succeed in channelling votes against another man—but rather to choose between two (or more) leaders.⁶ Ostracism is an appropriate instru-

¹ These scholars often echo the words of K. J. Beloch (*Griech. Gesch.* i² 2 [Strassburg, 1913] 332): 'denn man schmiedet eine solche Waffe doch nicht, um sie 20 Jahre lang in der Scheide rosten zu lassen'. For bibliography of supporters and opponents of the ascription of ostracism to Cleisthenes, see F. Jacoby, *FGrH* 3 B Suppl. (1954) ii 116 nn. 28, 29; ii 530–2; G. V. Sumner, *BICS* xi (1964) 85 n. 1. Add A. R. Hands, *JHS* lxxix (1959) 69–79, an article which prudently questions many of the assumptions made in discussion of ostracism. The four ancient sources which attribute the law of ostracism to Cleisthenes are not to be lightly dismissed (see F. Jacoby, *op. cit.* i 120, 124, 316; D. Kagan, *Hesperia* xxx [1961] 393).

² A. E. Raubitschek, *AJA* lv (1951) 221–9, *Historia* viii (1959) 127–8; C. Hignett, *A History of the Athenian Constitution* (Oxford, 1952) 159–64, 185–6; R. Werner, *Athenaeum* n.s. xxxvi (1958) 48–89;

C. W. Fornara, *CQ* n.s. xiii (1963) 101–4. Compare the position of F. Jacoby, *op. cit.* i 119–24, ii 114–18, 530–2.

³ H. Bloch, *Gnomon* xxxi (1959) 492–3; K. J. Dover, *CR* n.s. xiii (1963) 256–7; G. V. Sumner, *BICS* xi (1964) 79–86.

⁴ A. E. Raubitschek, *AJA* lv (1951) 223–4.

⁵ See C. A. Robinson, Jr., *AJA* lvi (1952) 25; A. R. Hands, *JHS* lxxix (1959) 75. Raubitschek's theory that Cleisthenes came out of retirement after Marathon to propose the law of ostracism is rejected by V. Ehrenberg, *Historia* i (1950) 547–8 and C. A. Robinson, Jr., *AJA* lvi (1952) 23–6.

⁶ This is the main reason why W. G. Forrest (*The Emergence of Greek Democracy* [London, 1966] 201–2) accepts a Cleisthenic origin. Compare Arist. *Pol.* 1302b10–21 (ostracism adopted in order to avoid the likely results of στάσις).

ment for settling the situation of the rivalry between Cleisthenes and Isagoras (or, for that matter, the later rivalry between Themistocles and Aristides). It is not nearly as efficient in getting rid of individual men considered dangerous, but that is how it is first used in 488/7. Thus it is more reasonable to suppose that ostracism was invented for a situation to which it was applicable (the rivalry of Cleisthenes and Isagoras) but misapplied in 488/7 than to suppose that such a relatively inefficient means was designed in order to remove Hipparchus.

The major objection to the Cleisthenic ascription is the expectation that such a measure as ostracism must have been introduced for employment in a current situation. This objection can be overcome by supposing that Cleisthenes did institute ostracism for immediate use but that its employment became unnecessary. Such a suggestion is made by D. Kagan, who proposes that Cleisthenes wished to guard against a renascent tyrannist party whose leader was Hipparchus, but that under the threat of ostracism Hipparchus agreed to co-operate with Cleisthenes and entered into a coalition with the Alcmeonid faction.⁷ The difficulty with this particular suggestion is that it is inconsistent with what is known of Cleisthenes and the Alcmeonidae. If Cleisthenes was eponymous archon in 525/4, then he was presumably the leader of the Alcmeonidae when they attacked the tyrants by occupying Leipsydriion.⁸ Failure here was followed by ruthless determination to expel the tyrants.⁹ An alliance by the Alcmeonidae with Hipparchus is easier to understand at the time of his election to the archonship in 496 (when Cleisthenes is not mentioned as their leader)¹⁰ than in the decade after their overthrow of the tyrants. Furthermore, one would expect that, if Hipparchus was allowed to stay in Attica after the expulsion of those involved in the tyranny, he was not an important threat to Cleisthenes; he had, after all, not yet been archon. Another possibility, suggested by A. R. Hands,¹¹ is that Cleisthenes introduced ostracism but immediately afterwards suffered a loss of support, perhaps permanently. In view of the poor information we have for the decade after Cleisthenes' reforms, this must remain a possibility, although there is no evidence to support it.

Whereas we lack evidence that Cleisthenes suffered a setback soon after introducing ostracism or that Hipparchus was an important rival to Cleisthenes, there is early and good evidence for rivalry between Cleisthenes and Isagoras.¹² Based on this, the following reconstruction would seem to meet the objection formulated by Beloch and accepted by others. In the wave of popular support which accompanied either the promulgation or the ratification of his laws,¹³ Cleisthenes proposed the institution of ostracism in the expectation that Isagoras would be ostracised (whoever proposed the institution must have been very confident of his position). The approval of Cleisthenes' proposal by the ekklesia convinced Isagoras that if an ostracism were held he (Isagoras) was very likely to be ostracised. In the face of this danger, Isagoras summoned Cleomenes and the Spartan army. But Cleomenes, Isagoras and their adherents were successfully resisted by the boule (probably the council of the Areopagus) and the people.¹⁴ Having failed with the last resort, the use of force, Isagoras had no choice but to retire from Attica. Thus Cleisthenes did not need to use the

⁷ D. Kagan, *Hesperia* xxx (1961) 393-401, anticipated in part by C. A. Robinson, Jr., *AJA* lvi (1952) 24.

⁸ Archonship: C. W. J. Eliot and M. F. McGregor, *Phoenix* xiv (1960) 27-35, with references; Leipsydriion: *Hdt.* v 62.2; *Ath.* 19.3.

⁹ *Hdt.* v 62.2-63.1, v 66.1; *Ath.* 19.2-4. This ruthlessness on Cleisthenes' part also discredits the altruistic motive which Kagan attributes to Cleisthenes (*Hesperia* xxx [1961] 400-1; cf. the explanations of ostracism in *Arist. Pol.* 1284a17-37, 1284b15-31 and in C. Fuqua, *TAPhA* xcvi [1965] 177).

¹⁰ E. M. Walker, *CAH* iv 169; C. Hignett, *op. cit.* 180-2.

¹¹ A. R. Hands, *JHS* lxxix (1959) 70-1.

¹² *Hdt.* v 66, v 70-2 (cf. *Ath.* 20.1-3).

¹³ For a discussion of whether Cleisthenes' laws had been passed before Cleomenes invaded Attica, see C. Hignett, *op. cit.* 126, 331-6.

¹⁴ *Hdt.* v 70, v 72.1-2; *Ath.* 20.2-3. On the identification of the boule, cf. C. Hignett, *op. cit.* 94-5, 128, 146.

new instrument of ostracism—indeed there was no sense in risking an ostracism in Isagoras' absence when Isagoras had played his last card—and no use of ostracism at this time is recorded in our sources.

This reconstruction fits the details in our sources and meets the commonsense objection that such an instrument as ostracism is likely to have been introduced for immediate use. Why was it not used successfully until 488/7? There are two possibilities: it is conceivable that no proposals to hold an ostrakophoria were passed until 488/7 or that ostrakophoriai were held but a quorum was not reached. The evenness of the political struggle until after Marathon, which would not encourage a politician to support an ostrakophoria, favours the first alternative. The second alternative, however, is possible if ἐχρήσαντο in *Ath.* 22.3 is taken in a special sense ('for the first time *they used successfully* the law concerning ostracism').¹⁵ The same author's explanation of the non-employment of ostracism (irrespective of the validity of this explanation) in τῇ εἰωθυῖα τοῦ δήμου πρότητι (22.4) may imply that he conceives of abortive attempts at ostracism.¹⁶ But if this author's statement (22.4) that Hipparchus was the intended victim of Cleisthenes' law is rejected, for the reasons given above, as having been invented to explain the lack of immediate use, the statement about εἰωθυῖα πρότης can also be rejected as a further explanation of the long gap before Hipparchus was ostracised. The argument that Miltiades would have been ostracised in 493/2 had ostracism existed¹⁷ is also not a compelling one, since it requires extraordinary tidiness on the part of the Athenians in dispensing with one means of legal safeguard before adopting another. Moreover, since our sources only record successful ostracisms in this period,¹⁸ this argument assumes that Miltiades would have been ostracised although he was not condemned on the tyranny charge.¹⁹ On the contrary, it was much wiser to attempt Miltiades' removal on a technical charge than to risk an ostrakophoria involving a popular man such as Miltiades.

It is reasonable, then, to accept the ascription of ostracism to Cleisthenes in *Ath.* 22.1 and 22.4 (supported as it is by other ancient sources), while rejecting the statement in 22.4 that Cleisthenes passed the law with Hipparchus uppermost in his mind. The theory that Isagoras was the expected victim of the new law offers a means of explaining the contradictions implied by the description of Isagoras as φίλος τῶν τυράννων.²⁰ It is not sufficient to say that Isagoras was simply a personal friend of the Peisistratidae who did not wish to set himself up as tyrant. The term φίλος denotes stronger links than personal friendship; 'partisan' or 'supporter' of the tyrants is the sense required by the use of φίλος in the *Ath.*²¹

¹⁵ As A. R. Hands points out, *JHS* lxxix (1959) 71.

¹⁶ Cf. F. Jacoby, *FGrH* 3 B Suppl. (1954) i 121, 123. For modern parallels to the non-employment of constitutional measures which are nevertheless in force, see H. Bloch, *Gnomon* xxxi (1959) 493. The law of ostracism itself continued in existence long after its last recorded use (*Ath.* 43.5).

¹⁷ A. E. Raubitschek, *AJA* lv (1951) 224–6, rejected by C. A. Robinson, Jr., *AJA* lvi (1952) 25–6 and A. R. Hands, *JHS* lxxix (1959) 70. Compare also H. Schaefer in *Synopsis, Festgabe für Alfred Weber* (Heidelberg, 1948) 491–2 = *Probleme der alten Geschichte* (Göttingen, 1963) 144–5 and V. Ehrenberg, *Historia* i (1950) 543–4.

¹⁸ On the question whether there were ostrakophoriai (successful or unsuccessful) of which we have no literary evidence, compare A. R. Hands, *JHS* lxxix (1959) 73, A. Roobaert, *AC* xxxvi (1967) 532.

¹⁹ Hdt. vi 104.2.

²⁰ The inappropriateness of this label is rarely noticed; cf. K. J. Beloch, *Griech. Gesch.* i² 1 (Strassburg,

1912) 400 n. 2; K. von Fritz and E. Kapp, *Aristotle's Constitution of Athens and related texts* (New York, 1950) 161; V. Ehrenberg, *From Solon to Socrates* (London, 1968) 402 n. 31 and 405 n. 49. To eliminate the inconsistency within *Ath.* 20.1–3, von Fritz and Kapp translate the phrase 'a former supporter of the tyrants'. The lack of a past participle may allow ὄν to be understood thus, but the structure of the sentence implies that just as Cleisthenes was a member of the Alcmeonid family so Isagoras was a supporter of the tyrants at the time of the *stasis*.

²¹ Compare especially φίλοι τοῖς τυράννοις, τῶν τοῦ τυράννου φίλων and φίλους ἐαντῶν in *Ath.* 18.4–5. In 17.4 the *φιλία* of Peisistratus with the Argives (confirmed by marriage) produced 1,000 troops for his side in the battle of Pallene. In 19.4 this *φιλία* with Sparta's enemies led the Spartans to ignore their ties of *ξενία* with the Peisistratidae. The context of *Ath.* 6.2 (cf. *Plu. Sol.* 15.7) does not make clear whether φίλοι means personal friends or political adherents. See also Hdt. v 70.2, *Plu. Sol.* 12.8.

It is not possible to argue that the author of the *Ath.* has applied the description to Isagoras as an extension of the description of the first three persons ostracised as *τοὺς τῶν τυράννων φίλους* (22.4–6), since he does not conceive of Isagoras as liable to an ostracism vote. Furthermore, the concept of Isagoras as a person wishing to establish a tyranny was quite widespread, to judge from the assumptions expected in his audience by a sophist of the second century A.D. (probably Favorinus), who said: *αὐτοὶ Ἀθηναῖοι πρᾶγμα ποιεῖν ἐπεχείρουν Ἰππίου καὶ Ἰσαγόρου καὶ τυραννίδα τῆς Ἑλλάδος καθίστασθαι.*²² U. von Wilamowitz-Möllendorff thinks that the epithet is appropriate for one who lived in Athens under Hippias and was an opponent of Cleisthenes.²³ These factors give the label some superficial plausibility, but it can only be accepted as a factual description if the contradictions outlined above are ignored. H. T. Wade-Gery²⁴ places alongside *Ath.* 20.1–3 the parallel portions from Hdt. v 66.1–2, v 70.1–2, v 72.1–2, v 73.1 and shows that *φίλος ὢν τῶν τυράννων* is one of only four elements in *Ath.* 20.1–3 which do not come directly from Herodotus. He suggests that this new element is an inference based on the narrative and connected with what is said of the Alcmeonidae in 20.4. But the author of the *Ath.* is unlikely to have made an inference of his own which conflicts so clearly with 20.3 and with his main source (*cf.* Hdt. v 70.1, v 72.1, v 92a1). It is more satisfactory to consider that he has introduced an extraneous tradition about Isagoras.

But if one conceives of ostracism having been introduced by Cleisthenes in the hope of having Isagoras ostracised, then the inappropriate epithet can be explained as an item of Alcmeonid propaganda prepared for the impending ostracism.²⁵ In fact, it fits in nicely with the reason given for introducing ostracism in *Ath.* 22.3: *ἐτέθη διὰ τὴν ὑποψίαν τῶν ἐν ταῖς δυνάμεσιν, ὅτι Πεισίστρατος δημαγωγὸς καὶ στρατηγὸς ὢν τύραννος κατέστη.*²⁶ This may not represent Cleisthenes' real motives, but it is precisely the kind of argument which must have been used to support the introduction of ostracism. When the ostracism was about to be held, it was correspondingly prudent for Alcmeonid campaigners to label Isagoras as a partisan of the tyrants.²⁷ Indeed, if Cleisthenes wished to avoid removal as one of 'those in power'—and his record as a politician supports this assumption—it was imperative for him to propagate the idea that Isagoras was more dangerous than he was in fact. The voting public need not be thought to have been excessively gullible. Isagoras' position was equivocal in that—in contrast to Cleisthenes—he had lived in Athens to the end of Hippias' reign. The public could readily believe the Alcmeonid assertion that Isagoras had connections with the tyrants. In more specific terms the Alcmeonidae may have tried to include Isagoras among those *φίλοι τοῖς τυράννοις* whom Aristogeiton accused (*Ath.* 18.4–5). The application of the label to Isagoras by his political enemies explains the existence in *Ath.* 20.1 of an inconsistent description. The second century speech suggests that it was highly successful propaganda.²⁸

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²² [Dio Chr.] *or.* xxxvii 17.

²³ U. von Wilamowitz-Möllendorff, *Aristoteles und Athen* (Berlin, 1893) ii 76 n. 6.

²⁴ H. T. Wade-Gery, *CQ* xxvii (1933) 17–19 = *Essays in Greek History* (Oxford, 1958) 136–9.

²⁵ C. Hignett, *op. cit.* 179 (*cf.* 183), suggests that the inclusion of Hipparchus 'among "the friends of the tyrants" . . . may be guesswork or an echo of partisan malice'.

²⁶ *Cf.* Androtion F 6: *διὰ τὴν ὑποψίαν τῶν περὶ Πεισίστρατον, ὅτι δημαγωγὸς ὢν καὶ στρατηγὸς ἐτυράνησεν.*

²⁷ It was similarly prudent for the opponents of the Alcmeonidae after Marathon to use the label on those successfully ostracised in the years 488/7 to

486/5 (*Ath.* 22.4–6; on the connection of the Alcmeonidae with those ostracised, see C. Hignett, *op. cit.* 182–3 and E. Vanderpool, *Hesperia* xxi [1952] 1–8). The statement in Hdt. v 74.1 about Cleomenes *Ἰσαγόρην βουλόμενος τύραννον καταστήσαι* should also be regarded as propaganda. For similar propaganda, compare the use of *τυραννίς* in *Ath.* 41.2 with regard to the oligarchies of 404–3 and Cicero's employment of *dictator*, *dictatura* and *rex* against Catiline's colleagues in *Cat.* ii 9.19–20.

²⁸ I thank Mr E. M. Fraser and Mr B. A. Marshall for criticising a draft of this paper. For another acceptance of the attribution of ostracism to Cleisthenes, see now D. W. Knight, *Historia Einzelschriften* xiii (1970) 22–3.