

FGrHist 324 F6:
A NEW CONJECTURE

Ἡραποκράτιον, s. v., Ἱππαρχος . . . ἄλλος δέ ἐστιν Ἱππαρχος ὁ Χάρμου . . . περὶ δὲ τούτου Ἀνδροτίων ἐν τῇ β' φησὶν ὅτι συγγενὴς μὲν ἦν Πεισιστράτου τοῦ τυράννου καὶ πρῶτος ἐξωστρακίσθη τοῦ περὶ τὸν ὀστρακισμὸν νόμου τότε πρῶτον τεθέντος διὰ τὴν ὑποψίαν τῶν περὶ Πεισιστράτον, ὅτι δημαγωγὸς ὦν καὶ στρατηγὸς ἐτυράννησεν.

The divergence between this problematic text and Aristotle's report (*AP* 22.3) on the establishment of the ostracism law at Athens has spawned an enormous and still growing scholarly literature¹). Ostensibly, it commits Androtion to dating the law's enactment to the year of its first successful use, 488/7, against Hipparchos Charmou Kollyteus. Thus, it makes him the only ancient author to date the law so late and puts him into conflict with Aristotle (*AP* 22.1, 3) and Philochoros (*FGrHist* 328 F30), who attribute its establishment to Kleisthenes (ca. 508/7)²).

Why Androtion should have made such a claim has inspired much debate and conjecture. Some have seen a conservative bias in his *Atthis* and an effort here to clear Kleisthenes of any charge that he fashioned the weapon that in the fifth century became so formidable in the hands of a jealous radical democracy³). Others, supposing Androtion was disturbed by the twenty year gap between a Kleisthenic enactment of the law and its first application against Hipparchos, have thought the Atthidographer opted to date the law to the earliest event for which he had hard data⁴). But

1) It would be redundant to cite the voluminous literature here. The works cited below are the most recent important efforts and they contain good bibliography and discussion of earlier materials. See, for example, P. Harding, "Atthis and *Politeia*," *Historia* 26 (1977) 157 (esp. nn. 51–55).

2) See also Ephoros (?) *ap.* Diod. Sic. 11.55.1 who also would appear to date ostracism to Kleisthenes' reforms. It should be noted Keaney (below, n. 8) 8 suggests Philochoros drew on Androtion for his report on ostracism.

3) E.g., J. Day and M. Chambers, *Aristotle's History of Athenian Democracy*, Berkeley 1962, 14; C. Hignett, *A History of the Athenian Constitution*, Oxford 1952, 159; F. Jacoby, *FGrHist* 324 F6, *ad loc.*, suppl. vol. 3Bi, 120.

4) See Keaney (below, n. 8) 2; Hignett (above, n. 3) 160; R. Werner, "Die Quellen zur Einführung des Ostrakismos," *Athenaeum* n.s. 36 (1958) 88.

the assumption of Androtion's *Tendenz* has recently been shaken, if not indeed overthrown⁵). The twenty year gap is more a modern, historicist issue and probably did not perplex the ancients. It betrays a naive belief that constitutional devices should be used – or, used effectively – as soon as devised⁶).

The other main analysis has been to explain or emend the text to make it agree with Aristotle and the major tradition. The justification for this effort is the obviously close verbal relationship between Aristotle and Androtion⁷). It indicates that Aristotle followed Androtion here and that the disparity of Harpokration's text with the *AP* is due to some corruption or alteration of that text when it was excerpted or copied. But the earlier emendations and explanations are undermined either by being improbably complicated, or because they are governed by historiographic or historical preconceptions which the corrected text is made to serve⁸). I, too, offer a textual solution to the problem. Its advantages over the others, I believe, are that it is simple and economical and that it treats the text linguistically without trying to justify a view of Athenian history or of fourth century historiography. I suggest that there was a crucial omission from the Androtion passage when it was excerpted that was followed by a copyist's error or effort at correction that has further distorted our text. I conjecture that *τότε πρώτον* in Harpokration is really a corruption of *τὸ πρώτον* from the exemplar and that in Androtion's original text,

5) See the cogent critique of Androtion's supposed political bias in the recent articles of P. Harding; *Phoenix* 28 (1974) 101–111, 282–289; *Historia* 25 (1976) 186–200; *Historia* 26 (1977) 148–160.

6) See the cautionary remarks of K. J. Dover, "Androtion on Ostracism", *CR* 13 (1963) 256; and of A. R. Hands, "Ostraka and the Law of Ostracism. . ." *JHS* 79 (1959) 69–79.

7) See the remarks of Keaney (below, n. 8) 2; or of Dover (above, n. 6) 256.

8) Jacoby (above, n. 3) 3Bii 114–115 discusses (and criticizes) the various early attempts to reconcile the texts (but he thought Androtion dated the law to 488/7 in accord with his bias, i. e., to divorce the law from Kleisthenes and make him more acceptable to 'moderates'). Dover (above, n. 6) 256–7 posits Harpokration incorrectly paraphrased Androtion; the difficulty here is that it is implausible Harpokration would have paraphrased in more words than the original text, or have completely inverted the meaning of what must have been perfectly clear (in Dover's reconstruction, at least). J. J. Keaney, "The Text of Androtion F6 and the Origin of Ostracism", *Historia* 19 (1970) 1–11 offers a brilliant emendation, but it is so complicated and requires so many steps that it is very unlikely. In fact, his insistence that *τότε πρώτου* stood in the exemplar governs his emendation; but *πρώτου* I take to have been simply a scribal error (and to that extent it is a red herring).

from which our version descends, there stood a correlative εἴτα or ἔπειτα δέ clause, excised as unessential to the lexicographer's concern, which was, "not to study historical problems for their own sake, but to explain the orator's allusions to people, places, and institutions⁹." That is, when Harpokration, or his source(s), excerpted this passage from Androtion, he did so *not* for information on ostracism *per se* but on the personage, Hipparchos Charmou; indeed, other Hipparchoi are included in this entry¹⁰). Only so much of Androtion was quoted as was relevant to Harpokration's purpose, i. e., what was significant about Hipparchos Charmou (πρώτος ἐξωστρακίσθη), and what else followed was omitted. What was left out may have been a notice that ostracism was eventually exploited by the Athenian *demos* against the powerful and successful in general. Thus, the τὸ πρῶτον phrase, on this hypothesis, would explain that ostracism was *first* set up against the Peisistratids and their followers, and then *later* (εἴτα δέ) turned by the *demos* against any who seemed too powerful. Indeed, there is a statement in Aristotle (*AP* 22.6) that is close to making this very point, and it is possible that it was adapted from Androtion's original account: ἐπὶ μὲν οὖν ἔτη γ' τοὺς τῶν τυράννων φίλους ὠστράκισον, ὃν χάριν ὁ νόμος ἐτέθη, μετὰ δὲ ταῦτα τῷ τετάρτῳ ἔτει καὶ τῶν ἄλλων εἴ τις δοκοίη μείζων εἶναι μεθίσταντο.

There are two possibilities for how the putative corruption τότε πρῶτον might have arisen, one based on the mechanics of copying, the other on a reader's possible correction.

1. A reader of the *Lexicon*, alerted by the grammatical signal τὸ πρῶτον, but puzzled to find no subsequent correlative, may have assumed an error in his text and emended τὸ πρῶτον to τότε πρῶτον to give better sense. This correction was then incorporated into all later copies.

2. Alternatively, it is possible that a careless copyist may, through a *lapsus oculi*, have dropped ΠΡΩΤΟΝ from the phrase ΝΟΜΟΥΤΟΠΡΩΤΟΝΤΕΘΕΝΤΟΣ. By dittography the initial ΤΕ of ΤΕΘΕΝΤΟΣ was repeated, perhaps thereby to make sense of the otherwise meaningless ΤΟ. The result was ΝΟΜΟΥΤΟΤΕΤΕΘΕΝΤΟΣ. When the omission of ΠΡΩΤΟΝ was noticed, it was reinserted¹¹), but ΤΟΤΕ was not changed back to ΤΟ –

9) Dover (above, n. 6) 257.

10) Werner (above, n. 4) 86; Dover (above, n. 6) 256–257.

11) Keaney (above, n. 8) 3, n. 8.

either through oversight, or because *τότε πρῶτον* would make good sense, if not good history¹²).

The first version has the advantage of simplicity and, perhaps, a degree of elegance, yet it requires an intelligent reader's alteration of the text. The second is more mechanical, and is based on typical scribal errors known elsewhere in Harpokration¹³), but it has the disadvantage of being more complicated. In any case, the following is a possible conjecture for what may have stood in Androtion's original text (with the *εἶτα δέ* clause filled out in Greek, *exempli gratia*): . . . *πρῶτος ἐξωστρακίσθη τοῦ περὶ τὸν ὀστρακισμὸν νόμου τό[τε] πρῶτον τεθέντος διὰ τὴν ὑποψίαν τῶν περὶ Πεισίστρατον, ὅτι δημαγωγὸς ὢν καὶ στρατηγὸς ἐτυράνησεν, (εἶτα δὲ ὁ δῆμος τῷ νόμῳ χρώμενος μεθίστατο καὶ ἄλλων εἰ τις δοκοίη ὑπερέχειν δυνάμει . . . κτλ.)*

The result is to make Androtion's and Aristotle's account agree about the date and authorship of the ostracism law. Totally aside from any question of Androtion's political stance in writing his *Atthis*, it helps explain why no later writer mentions or attacks his putative claim (based upon *τότε πρῶτον τεθέντος*) that ostracism was set up twenty years after Kleisthenes' reforms. It also relieves Aristotle of the charge of borrowing Androtion's language but inverting it to say something quite different. Of course, the conjecture is impossible to verify, but it not only has the advantages mentioned above, it also extricates us from the dubious discussion of Androtion's supposed ideological motives in going against the tradition, and finally, it does a minimum of damage to the text.

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12) G. V. Sumner, "Androtion F6 and *Ath. Pol.* 22" *BICS* 11 (1964) 82 claims *τότε πρῶτον* does not make good sense together with *τεθέντος* (see also H. Bloch, *Gnomon* 32 (1959) 493), because it implies a series of laws on ostracism. It is doubtful that this was strictly the case in Greek: cf. Diod. Sic. 11.13.3. In any case, it may have been that a corrector would not pause to consider this linguistic subtlety.

13) Keaney, presently preparing an edition of the *Lexicon*, (above, n. 8) 3, instances just such errors.