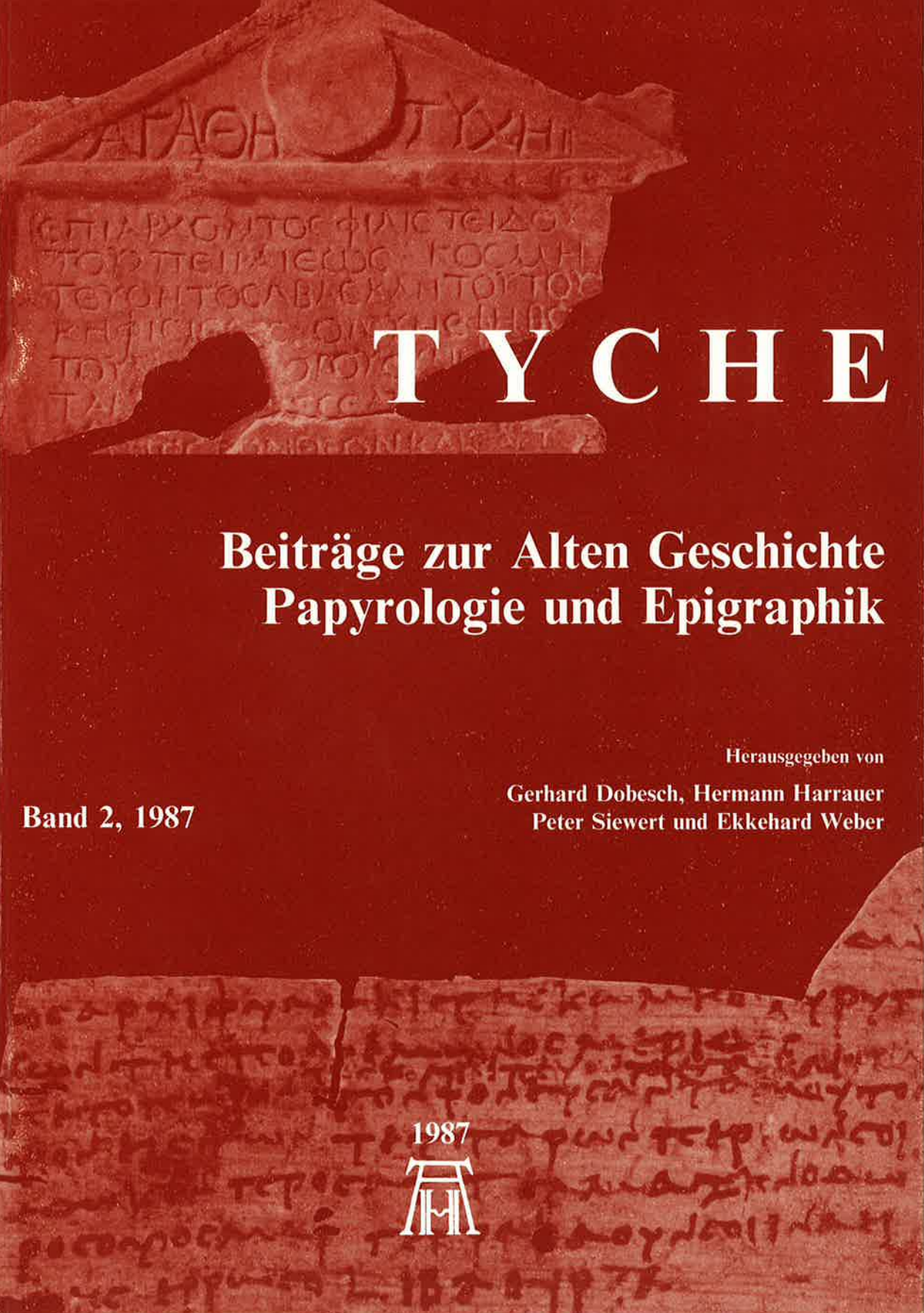

TYCHE

Beiträge zur Alten Geschichte Papyrologie und Epigraphik

Herausgegeben von
Gerhard Dobesch, Hermann Harrauer
Peter Siewert und Ekkehard Weber

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Herausgegeben von:

Gerhard Dobesch, Hermann Harrauer, Peter Siewert und Ekkehard Weber

In Zusammenarbeit mit:

Reinhold Bichler, Herbert Graßl, Sigrid Jalkotzy und Ingomar Weiler

Redaktion:

Johann Diethart, Bernhard Palme, Brigitte Rom, Hans Taeuber

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INHALTSVERZEICHNIS

VINCENT J. ROSIVACH

Some Fifth and Fourth Century Views on the Purpose of Ostracism

In their discussions of ostracism as an institution, modern scholars tend to rely on the fuller accounts of relatively late sources (Androtion as quoted by Harpocration, Aristotle, Diodorus Siculus and Plutarch), and little attention is paid to the less systematic evidence found in several earlier literary sources (Cratinus, Aristophanes, Thucydides, [Andocides] 4, Plato, Demosthenes and Theophrastus)[1]. Although the references to ostracism in these earlier sources all occur in more or less polemical contexts, and are therefore unreliable evidence for why the Athenians ostracized during the early fifth century when ostracism was in regular use, they raise, and in part answer, another interesting question: How was the institution of ostracism perceived by Athenians of the later fifth and fourth centuries, when ostracism itself became rare and was eventually abandoned? It is the argument of this paper that, to judge from our sources, in the period in question ostracism came to be viewed symbolically, as democracy's instrument to secure equality, and that a particular source's judgement on ostracism is a function of that source's opinion of democratic equality. For convenience we shall consider these sources in two groups, Cratinus, Aristophanes,

[1] Even earlier than the literary sources discussed here are the actual *ostraka* which have survived, most notably a few from the 480's with inscriptions which indicate why individual voters voted as they did. These *ostraka* are often fragmentary and difficult to interpret in detail, but they leave a very clear general impression that they were directed against "traitors" who were thought willing to betray Athens to the Persians. The number of *ostraka* with additional inscriptions is quite small, however, and it is far from certain that everyone who voted in the ostracisms of the 480's viewed the institution in the same way the inscribers of these few *ostraka* did. All the same, it is easy enough to see why in the 480's, the period between the two Persian invasions, some Athenians at least were prepared to believe that some of their fellow citizens were liable to side with the Persians for their own advantage (as Hippias had done in 490), and why they were prepared to use ostracism as a way of removing the potential traitors. (That these *ostraka* were directed against medizers was suggested by A. E. Raubitschek, *Das Datislied. Charites: Studien zur Altertumswissenschaft*, ed. K. Schauenburg, Bonn 1957, 240; the idea is developed perhaps most extensively by J. H. Schreiner, *The Origin of Ostracism Again*, C & M 21 [1970] 84—97, who goes too far, I believe, when he argues from its use in the 480's that ostracism was invented at this time and that its original purpose was as a tool against medizers.) In this regard the Themistocles Decree may also be relevant if we grant that it reflects in some way the actual events of 481—80, for Burstein has argued on linguistic grounds that its provision dealing with those who had been ostracized was not to recall them from exile (the conventional interpretation of the Decree's provision) but to remove them to Salamis after they had been recalled by a previous decree; in Burstein's view the exiles had been recalled, and were now sent to Salamis because they were still suspected as potential traitors, as they had been suspected in the inscribed *ostraka* discussed above (S. M. Burstein, *The Recall of the Ostracized and the Themistocles Decree*, CSCA 4 [1971] 93—110; Burstein assembles the evidence for believing that the ostracized were suspected of medism in the 480's ibid., 107—108).

Thucydides and [Andocides] in the first group, and Demosthenes, Plato and Theophrastus in the second.

Turning to the first group of sources we may note that particularly the evidence of the comic playwrights is rather elusive, as evidence from comedy usually is, but when taken in combination with [Andoc.] 4, it does yield a sketchy but consistent picture of the role ostracism was seen to play within the framework of Athenian democracy. We will therefore begin with [Andoc.] 4 which, among the early sources, has the most to say on the function of ostracism, and then consider the evidence of Aristophanes and Cratinus in the light of what we have learned from [Andoc.] 4.

[Andoc.] 4 is cast in the form of a public speech before an ὀστρακοφορία, with the speaker arguing that of himself, Alcibiades and Nicias, the three most likely candidates for ostracism, it is Alcibiades who deserves to be exiled. Despite its form, however, the speech could not have been delivered at an actual ὀστρακοφορία since there were no speeches at ὀστρακοφορίαι, as the speaker himself admits (§ 3), and what we have is rather a clever piece of political propaganda directed against Alcibiades, perhaps intended from the start to be circulated in written pamphlet form rather than composed for oral delivery. Though the speech is found in the manuscripts of Andocides it was almost certainly not written by him[2]. Rather, its thoroughly democratic argument, language and tone suggest that its author was some democratic politician, though it is impossible to say exactly who[3]. The dramatic date of the piece is sometime in the early four-teens, after Alcibiades had gained prominence but before the departure of the Sicilian expedition, and the actual date of composition should not be far from its dramatic date[4]. The choice of an ὀστρακοφορία as

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[2] To the best of my knowledge no modern scholar claims that the piece was written by Andocides. On the difference in style between this piece and the genuine speeches of Andocides see most recently S. Feraboli, *Lingua e stile della orazione contro Alcibiade attributa ad Andocide*, SIFC 44 (1972) 5—37, and *Ancora sulla IV orazione del corpus andocideum*, Maia 26 (1974) 245—246. Apart from its quite different style, the democratic politics of [Andoc.] 4 are also all wrong for Andocides, at least in the four-teens.

[3] According to Plutarch (*Alc.* 13, 1—4; cf. *Nic.* 11, 7) three people were initially in danger of ostracism at the ὀστρακοφορία which eventually ostracized Hyperbolus, viz. Alcibiades, Nicias and Phaeax; since the speaker of [Andoc.] 4 also says that three people were in danger of being ostracized, himself, Alcibiades and Nicias ([Andoc.] 4. 2) the easiest reading of the evidence is that the speaker of [Andoc.] 4 was supposed to be Phaeax. It is equally possible, however, that [Andoc.] 4 was actually written by Phaeax, and that Phaeax himself was never in danger of ostracism but only pretended to be for the sake of the dramatic fiction of the piece. On this reading of the evidence, the speech would have reached Plutarch or his source (perhaps Theophrastus; cf. Plut. *Nic.* 11. 7) under Phaeax' name; Plutarch or his source, believing that the speech was actually delivered, would have falsely concluded from it that its author Phaeax had been in danger of being ostracized. This latter reading of the evidence, I would suggest, fits better the relative obscurity of Phaeax in the historical record, and particularly his absence from Thucydides' narrative of the rivalry between Alcibiades and Nicias in book 6.

[4] The argument for the date of composition is essentially a negative one: in the absence of a convincing reason why the author should choose the dramatic date he has chosen one would assume by default that he did so because it was close to the date at which he was writing. At a minimum, since [Andoc.] 4 is a piece of political propaganda directed against Alcibiades it must have been written at some time when Alcibiades was still a political force worth attacking, i. e. before 405, or at the latest c. 395, the date of the propaganda campaign against Alcibiades' son reflected also in e. g. Lys. 14 (for the date of which see R. C. Jebb, *Attic Orators from Antiphon to Isaeus*, vol. I, London 1876, 257—258). For our purposes the exact date of [Andoc.] 4 is less important than the fact that it is early enough to reflect political ideas and language of the late-fifth/early-fourth century.

the dramatic setting of the piece was almost certainly inspired by the ὀστρακοφορία which resulted in the ostracism of Hyperbolus (usually dated to 417)[5].

While the question of whether to hold an ὀστρακοφορία continued to be asked each year as a part of the annual calendar of the Athenian ἐκκλησία apparently down to Aristotle's day (cf. *Ath. Pol.* 43, 5), actual ὀστρακοφορίαι had already become quite rare in the middle third of the fifth century. Indeed, there is no certain evidence of any ὀστρακοφορία between 443, when the Athenians ostracized Thucydides, the son of Melesias, and 417 or shortly thereafter, when they ostracized Hyperbolus[6]. In other words, by the four-teens ostracism was a constitutional relic which had not been used for a generation. Constitutional processes which fall out of use ought to be discarded, and the Athenians were quite capable of doing so when they thought it appropriate. If the Athenians had stopped ostracizing people, indeed, if they had even gone so far as to stop holding ὀστρακοφορίαι, as the evidence seems to indicate, we would also expect them, eventually, to stop asking the ἐκκλησία annually whether it wanted to hold an ὀστρακοφορία. Yet the question of whether to hold an ὀστρακοφορία apparently continued to be asked each year, and we may infer from this that ostracism continued to have a symbolic value for the Athenians even after it had apparently ceased to play any role in practical politics.

When in 417 or shortly thereafter the Athenians voted to hold an ὀστρακοφορία, possibly for the first time in more than twenty-five years, they did so at the urging of Hyperbolus who must have thought that the symbolic value of an ὀστρακοφορία would serve his own political purpose. According to Plutarch (*Nic.* 11 and, with minor variations, *Arist.* 7 and *Alc.* 13) rivalry between Alcibiades and Nicias had split the Athenians, and Hyperbolus intended to use the ὀστρακοφορία to remove one or the other from the political scene in order to take the victim's place as leader of the victim's supporters.

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[5] This ὀστρακοφορία is conventionally dated to 417 on the basis of Theopompus 115F 96b. Since [Andoc.] 4 mentions prisoners taken at Melos (§§ 22—23), which was only captured in the winter of 416—415, it is usually assumed that our piece could not have been written before the ὀστρακοφορία. Raubitschek has argued, however, successfully I believe, that the ὀστρακοφορία in question occurred in 415, late enough to be after the dramatic date of the speech. Raubitschek further argues that the speech was in fact part of the propaganda battle which must have accompanied this ὀστρακοφορία, a view which I am tentatively inclined to accept, though unlike Raubitschek, who believed the speech was actually pronounced, I suspect that it was never intended to be more than a political pamphlet cast in the form of a speech. For a defense of the conventional dating of the ὀστρακοφορία to 417 see C. Hignett, *A History of the Athenian Constitution to the End of the Fifth Century B. C.*, Oxford 1952, 395—396. Raubitschek's arguments are found in his *The Case Against Alcibiades (Andocides IV)*, TAPA 79 (1948) 191—210, and the same author's *Theopompus on Hyperbolus*, Phoenix 9 (1955) 122—126; A. G. Woodhead argues from inscriptional evidence that Hyperbolus could not have been ostracized before spring 417/416 (*IG I² 95 and the Ostracism of Hyperbolus*, Hesperia 18 [1949] 78—83).

[6] Like Thucydides, Damon and Callias also seem to have been ostracized in the 440's. For a convenient list of ostracisms after the 480's see P. J. Rhodes, *A Commentary on the Aristotelian Athenaion Politeia*, Oxford 1981, 271 with references; on the ostracism of Damon see also ibid. 342 and R. Meiggs and D. Lewis, *A Selection of Greek Historical Inscriptions*, Oxford 1969, 45, with references. Strictly speaking, our evidence tells us only that there were no successful ὀστρακοφορίαι between 443 and 417 (successful in the sense that someone was ostracized), and the possibility remains that one or more ὀστρακοφορίαι were held during this period but that no one received the requisite number of votes to be ostracized. All the same, the absence from our literary texts of any reference to an ὀστρακοφορία during this period, and especially the absence of any *ostraka* which can be securely dated to an ὀστρακοφορία between 443 and 417 strongly suggests that there were in fact no ὀστρακοφορίαι at all during this time.

Despite the testimony of Plutarch, however, it seems more probable that Hyperbolus intended Alcibiades as his specific target since he would be more likely to inherit the popular support of Alcibiades than the more conservative support of Nicias. More importantly, despite his prominence as a popular leader Alcibiades was notorious for acting as if he were better than his fellow citizens (cf. e. g. Thuc. 6, 16, 4—5), and because of such anti-egalitarian, and hence undemocratic, behavior Alcibiades was more likely than Nicias to fall victim to ostracism. Hyperbolus must have used the opportunity offered by the annual question on an ὀστρακοφορία to urge the Athenians to revive the practice of ostracism, intending thereby to manipulate the emotions which could be evoked by what was now a patriotic symbol in order to intensify popular resentment against Alcibiades' undemocratic manner, portraying him as a potential tyrant (cf. Thuc. 6, 15, 3—4), and so securing his exile. Of course Hyperbolus miscalculated and fell victim to ostracism himself, but why this happened does not concern us here.

It is with reference to this particular ὀστρακοφορία that [Andoc.] 4 should be read. If, as we have argued, this ὀστρακοφορία manipulated a patriotic symbol for practical political ends, then the statements made about ostracism in [Andoc.] 4, which was inspired by this ὀστρακοφορία, should tell us something about what ostracism symbolized at the end of the fifth century.

Several passages in the speech bear directly on the question we are considering. At § 5 the speaker says that one who is ostracized τῇδε (sc. τῇ πόλει) οὐδὲν ἧττον ἐπιβουλεύσει ... ἢ πρὶν ἐκβληθῆναι, and at § 8 he defends himself against charges of μισοδημία and στασιωτεία. The language of these passages (particularly the use of στασιωτεία) suggests that the object of ostracism is to eliminate those who actively seek to bring down the democracy. Later, however, at § 24, the speaker says that the mark of σοφρόνων ἀνδρῶν is to φυλάττεσθαι τῶν πολιτῶν τοὺς ὑπεραυξανομένους, knowing that ὑπὸ τῶν τοιούτων τὰς τυραννίδας καθισταμένας. This later passage makes more specific the protective role of ostracism, but significantly it does not present ostracism as an immediate defense against those actually plotting against the state. Rather its concern seems more ideological than practical, with ostracism recommended as a preemptive levelling, as it were, to bring down those who rise too high above their fellow citizens (τοὺς ὑπεραυξανομένους) before their superiority leads them to subvert democracy and set themselves up as tyrants[7].

The present passage ([Andoc.] 4, 24) is the earliest specific indication in our literary sources that ostracism as an institution was aimed against the potential tyrant. However, given the strength of the later historical tradition on the origins of ostracism, it is hard to doubt that this connection with tyranny was always an important element in the Athenians' view of the institution, even if the chance of loss and survival has not preserved an earlier statement to this effect. Now tyranny may have seemed a real danger in the first third of the fifth century, when ostracism was more regularly used, but by the last third of the century the Athenian government, now a thoroughgoing democracy, was more likely to be threatened by oligarchy, not tyranny. No longer a real danger, the tyrant became instead a symbol, and in the developed ideology of Athenian democracy tyranny was consistently

[7] Or to challenge tyrants; cf. Periander's advice to his fellow tyrant Thrasybulus to preserve his tyranny by cutting down τὰ ὑπερέχοντα (Herodot. 5. 92. ξ. 2), a practice Aristotle says is similar to ostracism which τὴν αὐτὴν ἔχει δύναμιν τρόπον τινὰ τῷ κολούειν τοὺς ὑπερέχοντας καὶ φυγαδεύειν (*Pol.* 1284a 37).

represented as the polar opposite of political equality[8]. Because of this opposition of tyranny to equality, when ostracism is presented, as it is at [Andoc.] 4, 24, as a defense against a potential tyranny (as opposed to e. g. a potential oligarchy or potential στάσις) we should recognize that the speaker is using ostracism as a symbol to defend the claims of democratic equality.

The ideological role of ostracism is seen even more clearly at §§ 33—35, where the speaker, discussing the ostracisms of Cimon and others, says that Cimon was ostracized διὰ παρανομίαν because he cohabited with his sister (§ 33), and concludes that ostracism was designed as a δημοσία τιμωρία on behalf of those who were wronged but were too weak as private citizens to obtain satisfaction from τῶν πολιτῶν ... τοὺς κρείττους τῶν ἀρχόντων καὶ τῶν νόμων (§ 35). Thus, according to the speaker, Cimon was ostracized not on moral grounds, because he lived with his sister, but on ideological grounds, because by living with his sister he set himself above the laws[9].

Like his ancestors Cimon, Megacles and the elder Alcibiades (who were παρανομώτατοι), the younger Alcibiades is also notorious for the βιαιότης and παρανομία of his private life (§ 10). According to the speaker, Alcibiades is no friend of democracy, which aims at equality (κοινότης), the opposite of the πλεονεξία and ἐπιφάνεια revealed by Alcibiades' private life (§ 13). Alcibiades has shown by his behaviour that he scorns the magistrates, the laws and his fellow citizens (τῶν ἀρχόντων καὶ τῶν νόμων καὶ τῶν ἄλλων πολιτῶν καταφρονῶν, § 14; cf. § 35 quoted above), and he refuses to accept a position equal to or even just a little bit better than that of any of his fellow citizens (§ 16). In short, Alcibiades talks like a democrat but acts like a tyrant (τοὺς μὲν λόγους δημαγωγοῦ τὰ δ' ἔργα τυράννου παρέχων, § 27), and for this he deserves to be ostracized. In the view represented by [Andoc.] 4 ostracism is not simply a tool designed to eliminate those whose political acts threaten the constitution, but it is also, and perhaps more significantly, an ideological weapon used to eliminate those who in their private lives behave in ways which challenge the principles upon which the democratic constitution is based.

The same protective role for ostracism underlies the other early references to the institution in Aristophanes, Cratinus and Thucydides.

The earliest datable literary reference to ostracism occurs in Aristophanes' *Equit.*, which was first performed in 424. At vv. 847—857 the Sausage Seller implies that the Paphlagonian is not a friend of the δῆμος (cf. εἴπερ φιλεῖς τὸν δῆμον, 848) and that he is planning armed revolt if Demus attempts to check him by ostracism (βουλῇ ... κολάσαι [850—851] — βλέψειας ὀστρακίνδα [855]). The main emphasis in this passage is on the threat of armed revolt, but the cause and effect relationship is important. The threat of revolt does not lead to possible ostracism; rather possible ostracism leads to the threat of

[8] Illustrative texts are too numerous to cite in full, but as a representative sample, for tyranny vs. equality (τὸ ἴσον, etc.) see e. g. Soph. *OT* 408—409; Eur. *Med.* 119—123, *Phoen.* 535—554, *Supp.* 403—408, frag. 172 N^2 (vs. ὅμοιοι); cf. [Andoc.] 4. 27; Lys. 12. 35; Isoc. 10. 34; Dem. 10.4. For tyranny specifically vs. ἰσονομία see Herodot. 5. 37. 2; 3. 80 (τύραννος and μούναρχος vs. ἰσονομίη); cf. Thuc. 3. 62. 3.

[9] According to Suidas (s. v. Κίμων 'Αθηναῖος) Cimon, having slept with his sister, διεβλήθη πρὸς τοὺς πολίτας, and for this reason he was ostracized (similarly *idem* s. vv. ἀποστρακισθῆναι, ὀστρακισμός). Διεβλήθη represents someone's judgement that Cimon did not deserve to be ostracized despite cohabiting with his sister, but there is nothing in Suidas to indicate whether Cimon's enemies made this charge of cohabitation to stir up moral rather than, as in [Andoc.] 4, ideological indignation. In all events, the basic facts (as distinct from the judgement on the facts) are the same here as in [Andoc.] 4 which might even be their ultimate source.

revolt. The Paphlagonian is planning for armed revolt in case the δῆμος tries to ostracize him, but the δῆμος would ostracize the Paphlagonian, not for the threat he might pose, but in order to „check" (κολάσαι, 851) him. The verb κολάζω and related words are frequently used in the sense of cutting down to size someone or something which has gone too far, or of imposing limits to prevent excess. Κόλασις is thus, for example, an appropriate word to describe the punishment of arrogance. However, unlike simple punishment (τιμωρία) which is revenge for a past misdeed, κόλασις also looks to the future, to prevent its reoccurrence. Indeed, the action of κόλασις may even be used preemptively, as the present passage suggests, to restrain someone who is likely to do wrong before he has a chance to do so[10].

An earlier, though undatable, fragment of Cratinus (71 K) also speaks of ostracism:

ὁ σχινοκέφαλος Ζεὺς ὅδε
προσέρχεται τῷδεῖον ἐπὶ τοῦ κρανίου
ἔχων, ἐπειδὴ τοὔστρακον παροίχεται.

The passage is quoted by Plutarch (*Per.* 13, 6) who tells us that it refers to Pericles parading about like Zeus, glorying in his building projects. The exact sense of the ἐπειδή — clause is uncertain (Pericles has escaped ostracism? ostracism has passed him by? ostracism has gone out of use?), but the general sense of the passage is clear: Ostracism is expected to restrain arrogant behavior such as this.

Both comic passages then suggest that the purpose of ostracism is κόλασις, the restraint either of someone who may be a threat to democracy (Aristophanes) or of someone who behaves as if he were superior to his fellow citizens (Cratinus). The two ideas are closely related, as we saw earlier in our discussion of [Andoc.] 4.

Thucydides says of Hyperbolus that he was ostracized διὰ πονηρίαν καὶ αἰσχύνην τῆς πόλεως, and not διὰ δυνάμεως καὶ ἀξιώματος φόβον[11]. The implication is that Hyperbolus' ostracism was exceptional, and that fear of an individual's personal

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[10] For κολάζω and related words in the sense of "check, restrain" cf. e. g. Plato, *Gorg.* 491e (ἐᾶν μεγίστας εἶναι = μὴ κολάζειν), Soph., *Ajas* 1160 (λόγοις κολάζειν contrasted with βιάζεσθαι), Aristot., *Eth. Nic.* 1119b 12 (εὐπειθές = κεκολασμένον); and note the negatives ἀκόλαστος, ἀκολασία, etc. describing lack of restraint. For κολάζω, etc. and arrogance, cf. e. g. Aeschylus, *Pers.* 827—828, Eurip., *Heracl.* 388, Plato, *Menex.* 240d, Xenoph., *Mem.* 1. 4. 1. For the difference between κόλασις and τιμωρία see Plato, *Protag.* 324a—b, Aristot., *Rhet.* 1369b 12—14. For preemptive κόλασις cf. Isocr. 20, 12—14.

[11] Thuc. 8. 73. 3. Cf. Plato Comicus 187 K:

καίτοι πέπραγε τῶν τρόπων μὲν ἄξια
αὐτοῦ δὲ καὶ τῶν στιγμάτων ἀνάξια·
οὐ γὰρ τοιούτων εἵνεκ' ὄστραχ' εὑρέθη.

The Plato passage is quoted twice by Plutarch (*Nic.* 11, 6; *Alc.* 13, 9) who tells us that it refers to Hyperbolus. Strictly speaking, the passage tells us only that personal habits were not normally the reason why someone was ostracized, but it does not tell us what the normal reasons were. The στίγματα of v. 2 appear to be brand marks such as were applied to slaves, the comic exaggeration suggesting that Hyperbolus was socially inferior to the other victims of ostracism (cf. Andoc. frag. 36). Vv. 2—3 would then suggest that, with the exception of Hyperbolus, only members of Athens' social elite were struck with ostracism, but the lines do not say that their social status was the reason for their ostracism.

influence[12] and prestige was the usual reason for ostracizing him. Thucydides does not say why the Athenians would fear this influence and prestige, but our reading of [Andoc.] 4 suggests that the reason is that excessive personal influence and prestige could tempt someone to contemplate a revolution against democracy[13]. If the fear of influence and prestige leads to ostracism, then the purpose of ostracism is again κόλασις, in this case the restraint of the potential revolutionary whom ostracism would deprive of influence and prestige, and so cut down to size. The texts which we have thus far examined, Aristophanes, Cratinus, Thucydides and [Andocides], are the farthest back we can go in our literary sources in our attempt to understand what ostracism meant to the Athenians[14]. Again, it should be emphasized, these texts tell us only what their late fifth-century authors believed the purpose of ostracism was supposed to be, but both the consistency of these beliefs and the diversity of the sources are such to suggest that these beliefs were shared by other contemporary Athenians. In all these sources ostracism is always seen as a defensive instrument protecting democracy, perhaps against potential revolutionaries who actually threatened to overturn the democratic constitution, certainly against those whose social prominence might lead them to contemplate revolution, and most abstractly, against those whose social prominence challenged the assumption that all citizens were equal, an assumption which was one of the ideological foundations of democracy[15].

As long as Athens remained democratic, the values of its democracy and the symbols used to interpret those values were passed on from one generation to the next primarily in oral form in the process of political discourse, notably through speeches in the ἐκκλησία, but also through speeches before other bodies, through conversations on political topics, through drama, and (in writing) through political pamphlets. The comic fragments discussed earlier, [Andoc.] 4 and Demosthenes 23, 205 (to be discussed shortly) may all be seen both as products of this living civic tradition and as instruments of its further transmission. Though ostracism in the fourth century had ceased to be a part of the Athenian political process, it continued to play a role in the Athenian civic tradition, as a symbol to be used for defending or for criticizing democracy, and particularly the notion of democratic equality.

An example of this use of ostracism as a symbol is found at Demosthenes 23, 204—205 where the speaker, arguing from precedent that those who do wrong deserve to be

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[12] Δύναμις describes the ability to achieve political ends. In a democracy such as Athens', this ability depends not on office but on such factors as birth, wealth, talent, etc. which make an individual more likely to be listened to and respected by his fellow citizens. In this sense "influence" is an appropriate translation of δύναμις, with the restriction that both δύναμις and the plural adjective δυνα(τωτα)τοί are usually associated only with the upper class, and are not ordinarily associated with e. g. the demagogues, despite the latters' ability to achieve political ends.

[13] Cf. in this regard Thuc. 6. 15. 3—4 where Alcibiades' prestige (ὢν γὰρ ἐν ἀξιώματι ὑπὸ τῶν ἀστῶν) led the Athenians to fear him as a potential tyrant in light of his personal conduct.

[14] Unless Herodot. 8. 79. 1 is also seen as a judgement of ostracism as an institution; on the Herodotus passage see below, note 20.

[15] In conventional Greek morality the gods strike down those guilty of ὕβρις, who think too highly of themselves and fail to recognize their proper place. The view of ostracism as κόλασις τῶν ὑπεραυξανομένων, in effect a levelling response to political ὕβρις, dovetails nicely with this conventional morality and draws strength from it. Note in this regard Herodot. 7, 10 ε (φιλέει γὰρ ὁ θεὸς τὰ ὑπερέχοντα πάντα κολούειν ... οὐ γὰρ ἐᾷ φρονέειν μέγα ὁ θεὸς ἄλλον ἢ ἑωυτόν), to be compared with Herodot. 5. 92. ζ. 2 and Aristot. *Pol.* 1284a 37 on ostracism (quoted above, note 7). For ὕβρις in a political sense see C. del Grande, *Hybris*, Napoli 1947.

punished, reminds the jurymen how their ancestors used to "check" those who did them wrong (ὡς ἐ κ ό λ α ζ ο ν οἱ πρόγονοι τοὺς ἀδικοῦντας ἑαυτούς, § 204), citing as examples Themistocles whom they drove from the city, having caught him μεῖζον ἑαυτῶν ἀξιοῦντα φρονεῖν, and Cimon whom they severely fined ὅτι τὴν πάτριον μετεκίνησε πολιτείαν ἐφ' ἑαυτοῦ (§ 205)[16]. The speaker adds οὐ γὰρ αὐτοῖς (sc. Themistocles and Cimon) ἀπεδίδοντο τὴν ἑαυτῶν ἐλευθερίαν. The γάρ-clause may seem a *non-sequitur*, at least as it pertains to Themistocles, but the connection between Themistocles' arrogance and the citizens' loss of freedom becomes clear when we remember that ἐλευθερία in this context is political freedom, which is typically contrasted with the "slavery" of tyranny[17], while tyranny, as we saw earlier, was itself the opposite of democratic equality. Thus, for the speaker, preeminence breeds contempt for one's fellow citizens, and, if left unchecked, it undermines the foundation of democracy. By linking the arrogance which preeminence fosters to subversion of the democratic constitution Demosthenes follows in the same tradition as [Andoc.] 4 (cf. esp. § 24 discussed above). More generally, his view of ostracism's purpose as a democratic institution is consistent with the late fifth-century testimonia, and thus serves as evidence for the continuity into the fourth century of the democratic interpretation of ostracism which we saw in the fifth.

Since ostracism was on principle directed against the socially prominent, we would expect at least some socially prominent Athenians to have less than favorable views of the institution, particularly if they had little sympathy for democracy and for the concept of democratic equality which ostracism seemed to protect. Thus at Plato, *Gorg.* 516d 6—8 Socrates asks: Was not Cimon ostracized by the people whom he has benefited (οὓς ἐθεράπευεν) in order that they might not hear his voice for ten years, and did they not do the same to Themistocles and punish him with permanent exile besides[18]? Plato uses Cimon and Themistocles here as examples of the general proposition that it is a poor trainer who leaves that which he trains wilder than when he began to train it. The anti-democratic bias of the context is obvious, but it should not be exaggerated. In having Socrates say that the Athenians ostracized Cimon so that they would not hear his voice for ten years Plato probably does not mean that the Athenians acted in a purely arbitrary fashion, but rather that they had come to perceive as burdensome Cimon's prominent position in the state. In a sense this is just what a "democratic" source like [Andoc.] 4 would also say, but where the democrat saw ostracism as a response to the dangers posed by the individual who went too far beyond the norms of democratic equality, Plato has phrased his statement in such a way as to suggest both that Cimon's prominent position was deserved because of the good he had done for the Athenians, and that the Athenians were guilty of ingratitude in ostracizing him.

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[16] It is not clear what Demosthenes had in mind when he said that Cimon had changed the ancestral constitution ἐφ' ἑαυτοῦ, and the text as we have it may be corrupt. It is also curious that Demosthenes does not mention Cimon's ostracism.

[17] The tyrant's subjects are repeatly described as slaves throughout the fifth and fourth centuries; see e. g. Soph., *Oedip. Tyr.* 408—410, frag. 789 N^2; Eurip., *Phoen.* 520, *Herc. Fur.* 251; Critias, frag. 1 N; Xenoph., *Hell.* 7. 3. 8; Dem. 10. 4; Lyc., *Leoc.* 61.

[18] Ostracism and exile are different. Ostracism required one to leave Attica for ten years (unless recalled sooner); exile (φυγή) was permanent. Having been ostracized, Themistocles was already absent from Athens when the sentence of exile was pronounced, telling him in effect that he could never return (Thuc. 1. 135. 3).

In this context we should also consider a comment made by Theophrastus' Oligarchic Man, remembering that this Character is intended as a humorous exaggeration of a recognizable type of fourth-century Athenian. At *Char.* 26, 6 the Oligarchic Man says that Theseus was the first cause of the ills which affect the city, but that he got what he deserved when he was destroyed by the masses. The Oligarchic Man follows a tradition, at least as old as Euripides' *Suppl.*, which attributes the introduction of democratic institutions to Theseus. It is less certain how Theseus was supposed to have been destroyed by the masses, but Suidas (s. v. Θησείοισιν relates that ... μετὰ γὰρ τὸ χαρίσασθαι τὴν δημοκρατίαν τοῖς Ἀθηναίοις τὸν Θησέα Λύκος τις συκοφαντήσας ἐποίησεν ἐξοστρακισθῆναι τὸν ἥρωα[19], and Theophrastus' Oligarchic Man may well have had this version of Theseus' fate in mind. Suidas' source is uncertain but it clearly reflects anti-democratic sentiments, and we may compare the role of Lycus the sycophant in Suidas' story with e. g. the Oligarchic Man's complaint about sycophants at *Char.* 26, 5. Sycophancy would have had no place in the procedures of ostracism as we understand them, but from an oligarchic point of view both were deplorable features of democracy, and so could easily be linked in a story whose main concern was clearly ideological, not historical[20]. For our purpose here however, the important point is that the story of Theseus' undoing as it is told by Suidas, and as it seems to be reflected in Theophrastus, illustrates the ingratitude of the masses in the same way that the ostracism of Cimon illustrated it in the *Gorgias*[21].

As we have already stated, none of the accounts examined here can be taken as evidence for why the Athenians ostracized Cimon or Themistocles (or Theseus) because given the procedures of ostracism (secret ballot and absence of debate), there was simply no way of knowing why the plurality of individual Athenians voted the way they did at an ὀστρακοφορία. Rather these accounts reflect fourth century judgements on the institution of ostracism, judgements colored by the speaker's attitude towards democracy. They also illustrate how their authors viewed and used past history, manipulating its symbols and interpreting the examples it provided to attack or defend democracy and the notion of democratic equality. In particular, the mention of Cimon's and Themistocles' ostracisms in the *Gorgias* and of Cimon's in [Andoc.] 4, and especially the linking of Themistocles and Cimon both in the *Gorgias* and at Dem. 23, 205 suggest that the two had become stock *exempla* for the ideological arguments of the fourth century, the anti-democrats using their fate to demonstrate the ingratitude of the masses, the pro-democrats replying, as in effect

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[19] The same language is also found in schol. Aristoph., *Plut.* 627; cf. schol. Ael. Arist. 46. 241. 9—11 (3, 688 Dindorf), Euseb., *chron.* p. 50 Schöne.

[20] Apparently Theophrastus also made Theseus the founder of ostracism (ap. Suid. s. v. ἀρχὴ Σκυρία; cf. Eustath. 782, 52). Theophrastus may thus be the source of Suidas s. v. Θησείοισιν, as A. E. Raubitschek has argued (*Theophrastus on Ostracism*, C & M 19 [1958] 78, note 3). Raubitschek believes that Theophrastus used ἐξοστρακισθῆναι metaphorically, but even if both ἐξοστρακισθῆναι and συκοφαντήσας are metaphors, the choice of these metaphors still reflects the ideological bias of the source and tells us how the source viewed the historical institution of ostracism.

[21] The same story may also have been told about Cleisthenes. According to Aelian (*Varia Hist.* 13. 24. 5), Cleisthenes both introduced ostracism and was also the first to be ostracized. Aelian uses Cleisthenes as an example of someone done in by a law he himself had proposed, but the story may well have originated as a historically more credible variant of the "thankless masses" motif also found in the story of Theseus' ostracism.

Demosthenes does, that whatever his services to the state, no man is above the law (χρηστοὺς μὲν ὄντας ἐτίμων, ἀδικεῖν δ' ἐπιχειροῦσιν οὐκ ἐπέτρεπον)[22].

The use which both sides make of Themistocles, Cimon and their ostracism also illustrates an interesting feature of Athenian political discourse, that to a remarkable degree both pro- and anti-democrats shared the same political symbols and *exempla*, even if they differed on their interpretation. Where different sets of symbols and *exempla* would imply a rigid separation into two opposing camps, with each side talking only to itself through symbols and slogans that have value only for one's own group, the fact that both sides shared a common fund of symbols and *exempla* implies that both sides spoke to each other in some way in the process of political discourse. Ostracism was well suited to be the kind of symbol shared by both sides in a debate, in no small measure because the Athenians had stopped ostracizing by the end of the fifth century. Ostracism was in fact "history", an element drawn from the past which could be freely manipulated by either side for its own ideological purpose, as history often is, without any risk of being contradicted by present reality.

Finally, although a detailed study of the later more scholarly accounts of ostracism (notably Androtion, Aristotle, Diodorus and Plutarch) lies beyond the scope of this paper, we should note here that to interpret properly the scholarly tradition one must also consider how that tradition depends at least in part on the civic tradition studied here, and particularly how the civic tradition's partisan interpretations may have influenced the scholarly tradition's interpretation of the purpose of ostracism[23].

Fairfield University
Fairfield, Connecticut 06430-7524
U. S. A.

Vincent J. Rosivach

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[22] Dem. 23, 205. To the *exempla* of Themistocles and Cimon might also be added that of Aristeides whom Plato singles out as someone who remained uncorrupted by political power (ἐν μεγάλῃ ἐξουσίᾳ τοῦ ἀδικεῖν γενόμενον δικαίως διαβιῶναι, *Gorg.* 526a 3—b 2). Plato does not mention Aristeides' ostracism, but his praise of Aristeides recalls Herodotus' assertion that he was the best and most just of the Athenians (ἄριστον ἄνδρα γενέσθαι ἐν Ἀθήνῃσι καὶ δικαιότατον, 8. 79. 1). Herodotus' praise of Aristeides immediately follows his statement that Aristeides had been ostracized, the juxtaposition perhaps suggesting that Aristeides' ostracism was undeserved. On the other side of the argument Demosthenes (26, 6—7) groups Aristeides with Miltiades and Pericles who deserved to be punished because their benefits to Athens did not entitle them to break her laws.

[23] On this later tradition see especially Raubitschek, *Theophrastus on Ostracism*, C & M 19 (1958) 78—109. I would like to thank Prof. Raubitschek both for his kind encouragement and for the many helpful suggestions which he has made for improving earlier drafts of this paper.