I. Political deadlocks and the demos

Unlike contemporary governments, ancient democracies had a way to manage political conflicts, which threatened the stability of the democratic system, by handing over to the demos the responsibility to resolve them. The two Athenian reforms that were emblematic in this respect, Solon’s law against neutrality and Cleisthenes’ institution of ostracism, were both animated by the same principle: widening political participation to diffuse the political tension caused by the few (Grote 1859, 143-6; Schmitz 2011, 50). Because Solon’s stasis law did not lead to a long period of political stability, while the Cleisthenean reform did, this paper will discuss the place of ostracism in ancient political culture, in comparison with contemporary responses to anti-democratic movements and political crises.

Today, some countries deal with political deadlocks and anti-democratic parties by granting exceptional powers to constitutional courts to ban political parties that defy the democratic system. Thus, an unelected authority becomes the arbiter of political crises and prevents them from recycling. However, it is somewhat counterintuitive to deny the demos the role of direct guardian of the democratic system. For, people are by default the main party interested in the preservation of democracy, to an extent that it becomes a tautology to talk about the demos having the final word in a democracy. Yet, the distrust of the multitude as a force that can be manipulated and swayed to one or the other direction at the expense of political stability has informed traditional accusations against the ‘tyranny of the majority’. Therefore, laws designed to protect the democratic system are more reliable checks against the illegitimate exercise of power.

But, Athenians too had such laws in place: acts of treason, tyranny, and after the late 5th c. also attempts to install tyranny, were duly tried and severely punished with death or exile. Misconduct in office was also controlled through preliminary examinations (dokimasiai), rendering of accounts (euthynai), denunciations (eisangeliai) and complaints against sycophants (provolai), while from the late 5th c. on bills were constitutionally reviewed through graphe paranomon (Hansen 1991, 337-341). Therefore, the exact rationale of ostracism, the ten-year exile of high-ranking officers by popular vote, has raised justified doubts. For once, scholars concur that it was neither a law against tyranny—as such laws existed separately- nor was it a type of political punishment by popular court -since such a procedure was also available independently.
Indeed, the institution has earned a name as the most bizarre feature of ancient democracy. A great many of its features remain disputed, including the time and reason of its introduction, while not much is known about its historical context. In fact, there might be differences between the logic of its inception and its use, which might as well have changed meaning through time and context. One very plausible explanation is that ostracism was directed at unverifiable attempts to overthrow democracy, as well as perceived threats against the community and its political values. As such, it was an a priori pacification or resolution of potentially violent political conflict between factions which endangered the stability of the polis (Rhodes 1981, 270; Hansen 1991, 35; Ostwald 2008, 344), but also an intervention mechanism that rehabilitated the symbolic role of the demos as the supreme arbiter and primary stakeholder of political life (Forsdyke 2005, 159).

In any case, to talk about ostracism today is absurd, primarily because sending citizens to exile contradicts basic rights of housing and domicile and freedom of movement. However, if ‘exile’ was transposed into a milder type of expulsion (e.g. to another constituency or another EU country) or a symbolic one (removal from office or parliament), or if expulsion was altogether replaced with a different ‘sentence’, then ostracism becomes functional for modern societies. In fact, some countries still make use of recall votes today; citizens vote to remove from office an elected official before the end of their term. Yet, this is only an ad hoc procedure used infrequently to censure the unsatisfactory performance of local-level officials.\(^1\)

Another objection that can be raised is that ostracism is a method of negative selection or de-selection, whereas the entire system of modern representation is built on the principle of positive selection of individuals through elections (followed by re-elections or non-re-elections). Indeed, another common way to disentangle political crises is by calling early elections, hoping that ‘problematic’ politicians will not be re-elected. This is simply administering more of the same medicine, as the tension is unlikely to diminish through fresh partisan campaigning. Still, elections are preferred over de-selections, because they grant a positive mandate to an individual to represent the interests of a constituency. In case X individual does not perform well, (s)he is voted out the next time around. Yet, this possibility has not prevented the emergence, rise and consolidation of anti-democratic parties in the 21\(^{st}\) c. The recurrence of elections does not provide the demos with any different opportunities or exceptional powers to restrain anti-democratic parties (as they provide to constitutional courts). But, most importantly, re-elections are not governed by any minimum participation requirement, i.e. voter turnout, like were ostracisms. In fact, the high quorum that gave an ostracophoria its validity is the key for understanding the philosophy behind political crisis resolution in antiquity.

In this article, I will provide a full overview of the ancient Greek practice of ostracism, discuss its fundamental principles and draw parallels with contemporary systems of election and recall. Comparing procedures of de-selection on one hand and early elections or party bans on the

\(^{1}\) The term ‘ostracism’ has been recently used in political science literature to indicate the systematic refusal of one political party to cooperate with a specific other party, e.g. by excluding the latter from government coalitions (Van Spanje 2010).
other will reveal information about the guardianship role of the demos, the constraints on the
exercise of power, and the special relationship between the rulers and the ruled. I will start by
examining where and when ostracism was introduced, the characteristics of the procedure, its
historical and institutional context. Yet, to discover its logic, which aspects were supplementary
and which were fundamental (i.e. expulsion, participation quorum, collective ritual etc.), we
need to analyze its purpose and function, i.e. the reasons for its adoption, as well as the
motives behind its use. Instead of asking “why ancients had ostracism?”, we should turn the
question around and inquire “why moderns do not have ostracism?”. This will lead to the third
section, where I will analyze positive and negative interpretations of ostracism, its
consequences and place in classic political thought and culture. In the fourth section, I will
attempt to relate the logic of ostracism to fundamental principles of democratic ideology, such
as the rotation in office and democratic moderation. This will allow me to draw useful
conclusions about the meaning of de-selecting political leaders in antiquity and will produce a
basic justification for considering the use of similar processes today.

II. Ostracism: Origins and Procedure

Much can be adduced from the fact that the development of any political institution in ancient
Greece must have had a different scope, since it was adjusted to the small size of city-states. Athens, the most known place where ostracism was developed and used, was a city that
comprised about 60,000 citizens in the 5th c. (Hansen 1991, 55). It has been reported also in a
number of other even smaller city-states, Argos, Miletus, Megara, Ephesus and Syracuse.²

There is no reason why an equivalent procedure would be impracticable in larger modern
societies, either at constituency level like recall votes, or against figures that are known nation-
wide through the media (e.g. party leaders). In Athens, the ostracized person was to reside
outside the borders of the city-state and, in practice, many persons sought refuge in enemy
cities, such as Sparta or even Persia; therefore, following the Persian Wars restrictions were
imposed on where the ostracized was allowed to reside (Arist. Ath. Con. 22.7-8).³ Similarly, in a
modern context, expulsion could be either limited or symbolic (e.g. expulsion from
parliament).

When: Athenian ostracism was introduced by Cleisthenes in 508/7 BCE, although the first
documented use took place in 488/7 BCE. This discrepancy between the time of adoption and
first use, along with conflicting information in some sources that suggest ostracism was

² In Syracuse, the process was called petalism, from the olive leaves (petala) which were used instead of ostraca
for writing the names of candidates. Petalism involved a shorter term of exile and no restrictions as to the number
of votes that could be held per year. This, Forsdyke thinks, might have resulted in excessive use “whenever there
was a sentiment that a public figure was behaving inappropriately”; her suggestion explains why the elite
responded by withdrawing from public affairs reducing the polis to chaos, which is why the law was repealed
shortly after it was introduced (Forsdyke 2005, 285-8).

³ i.e. within a boundary stretching from South Euboea to Southeast Argolis. Only tyrannical expulsions sometimes
extended beyond any borders, by issuing decrees against the city-states that offered to accommodate an expelled
person or group of persons (Forsdyke 2005, 253-9).
introduced later, has caused some controversy. So far, most scholars agree with the earlier date and put forward various suggestions for the late implementation, above all the idea that the infrequent use was quite common and actually part of the logic of ostracism. To be specific, ostracism was effective not only and not as much by physically removing dangerous political figures, but also and mainly by symbolically reminding them that they can be removed (Ober 1989, 75; Forsdyke 2005, 151). In other words, the annual option to hold an ostracism vote was a sufficient reminder of the arbitrative role of the demos, who used its power of exile in moderation compared to the frequent expulsions in tyrannical regimes. In this respect, Aristotle speaks of the “customary mildness of the demos” (Arist. Ath. Con. 22, 4; Forsdyke 2005, 265, 283; Ostwald 2008, 334); this understanding of the character of the people stands in stark contrast to the widespread distrust of the masses in contemporary times.  

The date when ostracism ceased to exist is also a matter of scholarly disagreement. The last known ostracism took place around 415 BCE, but Aristotle hints at the continued use of the institution throughout the 4th century BCE (Arist. Ath. Con. 43.5; Heftner 2003; Forsdyke 2005, 164, 174; Contra: Hansen 1991, 205). Some argue that ostracism was abolished in 415 BCE, because this last ostracism was allegedly manipulated by the main candidates (Alciviades and Nicias), who conspired to send to exile a third person (Hyperbolus) and hence delegitimized the institution (Plut. Arist. 7.4). Yet, this allegation is based on a rather unrealistic possibility, because two political ‘parties’ in democratic Athens could have hardly mobilized a majority out of 6,000 citizens5 (the minimum number of participants in an ostracophoria) (Rosenbloom 2004b, 329; Forsdyke 2005, 173; Hansen 2014).  

Regardless of what exactly happened in 415 BCE, this was by all means the last successful ostracism, even if the institution continued to formally exist until 322 BCE (Heftner 2003, 35-8). In any case, during the ten decades of its undisputed existence from 508 BCE through 415 BCE, we know of only ten successful ostracisms, although it is certain that the call for holding them was made annually and it is likely that more of them took place without success in the meantime: this low number of confirmed cases validates the theory that the demos made a moderate use of the institution.

Procedure: On the basis of historical descriptions, we know that ostracism was a two-stage procedure, of which the first act activated the second. Every year, in early January (sixth prytany) the Assembly was asked whether they wanted to hold an ostracism. If the vote was negative, the question was asked again next year; if positive, an ostracophoria was held a few months later, by early March (eighth prytany). Hence, ostracism was both a regular procedure, since the question was asked annually, and an exceptional one since the actual ostracism was

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4 Nevertheless, it is an interesting coincidence that recall votes at the state-level in the US have also occurred rarely during the 20th century: a total of 19 attempts 15 of which succeeded in eight different states (Bowler 2004, 208).
5 For a discussion of the significance of the 6,000 men quorum and a comparison with turnout requirements today, see below.
6 Moreover, it is likely that the sources consider Hyperbolus’ ostracism as ‘corrupt’ primarily because of his non-elite status, while all previous ostracized figures were de facto from high social rank. The social selectivity of candidates for ostracism was such, that ‘to be ostracized’ became a signifier of high prestige and elite status (Christ 1992, 337-8).
only organized when the majority agreed. Second, it is important to notice that both these procedures took place at fixed times, and only once annually, to prevent excessive or impulsive use of the institution whenever there was a sentiment that a public figure was misbehaving. Third, the delay between the initial vote and the actual ostracism allowed for the largest possible participation and informal debate (Forsdyke 2005, 162-3). Thus, even if the ostracophoria itself was not preceded by formal debate, and possibly not even the Assembly decision whether to hold one (Sinclair 1991, 170; contra: Ostwald 2008, 35; see also Stoneman 2013), there was most certainly informal discussions among the public in the two-month interval between the two formal meetings.

On the day of the ostracophoria, a wooden fence was placed around the agora, with ten entrances corresponding to the ten Athenian tribes. A citizen proceeded to his tribe’s entrance with one potsherd, where the name of the person he wanted to ostracize inscribed. He then casted his ballot by throwing it into a large well, created at the centre of the Agora. Every citizen voted only once and independently – illiterate citizens were assisted by neutral scribes (Forsdyke 2005, 148), a process overseen by the members of the Council and the archons. At the end, the ballots were counted twice, once to determine if at least 6,000 citizens had voted, and again to find out the name of the individual with the most votes. Some scholars used to believe that 6,000 was not a participation quorum, but the minimum number of votes needed to be cast against one single individual (Grote 2001, 95). Yet, the real size of the Agora, which could hardly accommodate more than 6,000 persons in the 5th century makes this hypothesis highly implausible (Hansen 1976).

If we accept that the population size of Athens around that time was 60,000 citizens, then 6,000 were 10% of the total voting population. The reason why this number of voters was considered wide participation – and certainly wider than usual -- was the absence of political parties with large numbers of followers in democratic Athens. No leader could mobilize more than his immediate group of 20-30 followers (Hansen 2014), hence even if they combined forces leaders had no chance of influencing the decision of such a large voting group. The ability to influence such a large number of Assembly voters was furthermore undermined by the random composition of the Assembly meeting, which depended on the citizens who decided to participate that day. In other words, the whole procedure was designed in order to prevent small groups from abusing it to expel their political rivals, although they did not pose a danger to the constitution (De Ste. Croix 2004, 17; Forsdyke 2005, 163; Ostwald 2008, 335-6).

The principle of wide participation as an emergency measure in times of acute political crisis stemmed from the tradition of Solon’s reforms, whose law against neutrality required all Athenians to choose one or another side in a dispute. The idea that widespread participation would fend off political conflict relied on the pragmatic expectation that the conflicting parties would be put off by their inability to influence such a large crowd, as well as on the fundamental belief that the demos was naturally moderate (Arist. Ath Con. 22, 4; Schmitz 2011; Malkopoulou 2015, 50-52). Although moderation was the leading characteristic of democratic power for the ancients, it has hardly been recognized by the moderns. To put it in context, compared to the 6,000 voting quorum of Athenian ostracism, in the modern age of organized
parties, which have the possibility to influence a large number of followers, the threshold to validate a de-selection procedure should be higher than usual (e.g. more than 50%).

The person who attracted the majority of votes was required to leave the city for ten years. During this time, the fugitive’s family could remain in the city, his property was left unharmed and he could continue to benefit from its revenues. After ten years, he could return to the city and enjoy full citizenship rights again. This was admittedly the mildest type of exile that could be found in the classical world. Expulsion in times of tyranny or oligarchy was much harsher, often involving arbitrary mass expulsions from the city and its allies and total loss of property and power (Forsdyke 2005, 244-67). But even democratic exile as a judicial penalty could be worse than ostracism, as it could result to lifelong banishment of an individual (aeifygia) extended to their children, confiscation of property and perpetual loss of civic rights including the right to burial in the territory of the polis (Ibid. 154-5, 178-81; De Ste Croix 2004, 17). So, if today a ten-year exile represents an outlandishly cruel and illegitimate type of sentence, in the context of the ancient world, it was a most limited and lawful form of exile, which established moderation as the central principle of this democratic innovation (Ibid. 151).

In addition, the ostracized individual not only preserved his prestige and influence in public affairs, but the very fact of having been ostracized gave him extra kudos, since it was a sign of his extraordinary power (Christ 1992, 337-8; Forsdyke 2005, 152-3). In fact, even if any citizen could in principle be ostracized - shown by the large number of ‘scatter votes’ i.e. votes against unknown Athenians- the target of ostracism were always wealthy Athenians serving in positions of power, usually elected magistrates such as strategoi (rather than magistrates appointed by lot) or at least members of the Council. Whether this was the initial aim of ostracism or developed through its use, it functioned almost without exception as a medium by which the poor many controlled the exercise of power by the powerful few.

III. Ostracism: Rationale and Use

*Historical context:* There is no record documenting in detail Cleisthenes’ motivation for introducing such an institution. However, the rationale can be inferred by analyzing the historical context. Indeed, Cleisthenean reforms were a product of the democratic revolution of 508/7, which followed shortly after the end of the long Pisistratid tyranny. After the expulsion of the tyrants, a fierce conflict erupted between two members of elite families, Cleisthenes and Isagoras. In the height of this struggle, the latter called for help from the Spartans and managed to expel his rival. However, the Athenian masses revolted and besieged the foreign enemies, recalling Cleisthenes from his exile. As a result, the democratic reforms that followed under the leadership of an obliged Cleisthenes reaffirmed in practical and symbolic terms the demos’ ability to intervene in intra-elite strife, their assumption of control over decisions of political exile and, in general, the power of the masses over elites (Forsdyke 2005, 142).
Institutional context: Some additional insights can be drawn from the rest of the reforms introduced by Cleisthenes. The most important were the reorganization of the tribal system and the use of lot for distributing public offices. In short, the demographic reordering of Athens’ population managed to eradicate localism and ethnic polarization by creating new constituencies comprising groups from different parts of Attica. On the other hand, the establishment of lot as the principal method for selecting public officials clearly aimed at reducing elite influence and granting non-elite citizens a chance to play a role in the new democracy’s political life. In this context, ostracism put in motion both principles motivating Cleisthenes’ statesmanship: the eradication of old rivalries (through the ten symbolic entrances to the ostracophoria, one for each new tribe) and the transfer of power from powerful elites to non-elites.7

Reasons for adoption: If we now turn more specifically to the reasons behind the adoption of ostracism, again we stumble upon a variety of interpretations. One strand assumes that there is no way for us to recover the institution’s original purpose and we should therefore focus on the multiple uses to which it was put. A second tendency is to accept that it had one single function, namely the extra-judicial punishment of an individual who committed wrongs against the community. A third option is to distinguish between, first, the historically specific circumstances that led Cleisthenes to make such a generous transfer of power to the masses, second, the practical utility of a deterring and/or resolving political crises and, third, the symbolic significance of a regular and ritualized reminder of popular power (Ibid., 158). I will discuss the institutional and symbolic significance of ostracism in more detail in the last section of the paper. However, here I would like to briefly mention the associations that can be drawn between the adoption of ostracism and its function, on the basis of Aristotle’s description.

In his work on Athenian democracy, Aristotle claims that Cleisthenes introduced ostracism, “owing to the suspicion felt against the men in the positions of power” (Arist. Ath. Con. 22). He specifies that this suspicion was caused by the memory of Pisistratus’ abuse of power, when from the position of arch-general he turned himself into a tyrant. In this sense, ostracism aimed at preventing “the recurrence of tyranny” (Kagan 1961; Contra: Forsdyke 2005, 153-4). This is furthermore attested by the fact that the first ostracized persons were indeed “friends of the tyrants” (Arist. Ath. Con. 22). At the same time, it has been suggested that since the last Pisistratid tyrant had found refuge in Persia and was trying to reinstate himself with Persian support, resistance to tyranny was soon identified with aggressive foreign policy toward Persia and hostility toward supporters of a peaceful accommodation (Ostwald 2008, 338-44).

7 It is possible that ostracism was inspired by an earlier procedure, which existed before Cleisthenes. Members of the Council could expel one of their colleagues for misconduct by inscribing his name on an olive leaf (ekfylloforia); if at least 200 of them voted against the same person, he was expelled from the Council (Forsdyke 2005, 283). Whether this procedure existed or not cannot be verified by the scant sources. In any case, the rationale of impeachment seems to be substantially different from that for ostracism. On the other hand, it is possible that the procedure described above was a proto-ostracism, introduced earlier by Cleisthenes, before the actual ostracism by the demos (McCargar 1976, 148-9).
However, as mentioned above, Athens had other, much harsher laws in place for punishing tyrants, would-be tyrants and traitors. In fact, an ostracized person could be recalled in order to stand trial for such accusations, as it happened with Themistocles (Thuc. 1.135.3). Therefore, it is much more plausible to think that ostracism functioned as an early warning mechanism against abuses of power, a tool that forced elites to moderate their intentions and a continuous reminder that control of the political order was in the hands of the people. Because it gave non-elites decisive power over elites, ostracism protected and enabled the flourishing of Athenian democracy, to an extent that the decline of ostracism after 415 BCE was linked to the decline of democratic stability and the oligarchic revolutions of 411 BCE and 404 BCE (Connor and Keaney 1969).

Reas ons for use: The function of ostracism as a disincentive of power abuse at the expense of democratic stability is expressed by its use during the 5th century BCE. In particular, the timing of the ten known ostracisms and the public figures sent to exile reveal its efficiency at times of fierce rivalry between elites that posed a danger for the stability of the democratic system. The first five ostracisms all took place in the 480s, at the peak of the Persian Wars, which would have created the conditions for such rivalries (Ostwald 2008, 338-44). The remaining ones are also mostly the result of acute contentions of power by two men, e.g. the Cimon vs. Ephialties in 461 BCE and Thucydides vs. Pericles in 442 BCE. In both cases, the demos intervened to prevent escalation of conflict and declared its sympathy for the leader deemed most humble and loyal to democratic values. In any case, it is characteristic that none of the recorded cases have anything to do with accusation for misconduct in office, for which Athenians had different procedures, such as eisangeliai eis ton demon (Hansen 1991, 339; Carawan 2011). In that sense, ostracism was clearly distinguishable from procedures of public impeachment similar to modern-day recall votes.

Since ostracism was clearly less a form of political trial and closer to a policy-formulating device, it was a way to shift popular support away from oligarchs and pro-Pisistratids toward leaders that acted in the demos’ favor. In the absence of organized political clubs with large groups of followers, which were strictly prohibited by law, such a device was very useful in cases where anti-democratic leaders were gaining too much influence in the political game. Besides election (of the powerful board of generals) and election by lot (of magistrates, members of the Council of 500, jurors and -from 487 BCE on- archons), ostracism added a third method for determining the person/tribe whose proposed course of action the city should follow. Since each tribe provided only one general (from its elite classes), ostracism gave the Assembly (incl. a majority of non-elite citizens) the opportunity to decide over all of them (i.e. not only over who will be elected general from their own tribe).

As a result, the demos could for a considerable amount of time strike down the power of the leader who least catered for their interests and blocked democratic reforms in favor of the aristocrats (e.g. in 482 BCE Aristides, in 461 BCE Cimon and in 442 BCE Thucydides8). Therefore, the ostracism in 415 BCE of Hyperbolus instead of Alciviades, who was the one ‘representing’

8 The ostracized Thucydides, son of Melesias, is not the same as the famous historian Thucydides.
IV. Ostracism: Consequences and Interpretations

While the positive consequences of ostracism are increasingly appreciated by modern scholars, its negative effects are also well rehearsed. As mentioned, ostracism was a ‘good’ institution inasmuch as it reduced the political tension between factions, de facto lent support to leaders promoting democratic reforms, strengthened the power of the demos and stabilized the polis. Additionally, it can be inferred post facto that its use benefitted the Athenian polis in concrete ways, such as materially strengthening Athens to fight down Persia through the expulsion of politicians who favored different foreign or military policies (De Ste. Croix 2004, 19). On the other hand, the most feared consequence was the abuse of the institution by aristocratic leaders at the expense of the democratic cause, such as it happened in 415 BCE. However, the institution was mostly designed in such a way (e.g. large quorum, fixed time in the political calendar, limitation to use once a year) to prevent abuse; indeed, it was used properly for almost a century. Finally, it has been suggested that it might have encouraged the adoption of a more populist (or popular?) style of leadership, exemplified by Perikles’ change of attitude after the ostracism of Thucydides (Sinclair 1991, 39).

In principle, however, the act of expelling from the city the ‘best’ citizens, those who excel in power and influence, had many opponents in antiquity. Also from the perspective of contemporary liberal societies, which encourage values like excellence, leadership virtue and meritocratic competition, the idea of a society ‘penalizing’ success sounds counter-productive. For example, who has not found herself in doubt about ostracism when reading the famous anecdote of the ostracism of Aristides? As the story goes, during the ostracophoria that led to Aristides’ exile, an illiterate farmer who did not recognize Aristides asked him to inscribe on a potsherd the name ‘Aristides’. When asked to give a reason for his choice, the farmer replied that he was simply tired of hearing everyone calling Aristides ‘the Just’ (!). Aristides then wrote his name on the potsherd and handed it back to the farmer (Plut. Arist. 7.5-6). Plutarch’s attempt to flatter Aristides through this tale manages to create a secondary effect, namely a semantic opposition of Aristides’ fairness on one hand and the irrational and unfair character of ostracism on the other.

In general, ancient sources are not so sympathetic towards ostracism, mainly because of their own anti-democratic credentials. An outright criticism can be found in the pseudo-Andocides’ Speech Against Alciviades, where the author condemns the institution of ostracism for being unfair towards individuals, biased in favor of powerful politicians, ineffective in protecting the state and harmful for the city’s progress (1-6). Other authors condemn democracy for unjustifiably expelling or blocking off talented persons, even if they do not mention ostracism.
explicitly. For example, both Thucydides and Xenophon condemn the Athenian democracy as a tyrannical polis because it unfairly banishes its best citizens. To illustrate their claim, both historians refer to the exile of Alciviades, which -albeit not the result of an ostracophoria- they describe not only as irrational, but also harmful for the welfare of Athens (Thucydides and Xenophon, cited in Forsdyke 2005, 268-70).

The evidence from Plato is a little more convoluted. On one hand, he focuses on the trial of Socrates to criticize the unreasonableness of democratic exile and the harm Athenians inflict upon themselves by banishing the best citizens (Apology, cited in Forsdyke 2005, 272-3). On the other hand, despite being an outspoken critic of democracy, Plato also seems to show some understanding for the use of ostracism. He considers the ostracism of Miltiades, Themistocles, Pericles and Cimon as proof of their inadequacy as statesmen (Plato, Gorgias, 516d-e). Hence, ostracism appears as a justified method of ‘punishment’, by which people silence the voices of those they do not like and get rid of bad leaders. This attack is repudiated later by Aelius Aristides, who distinguishes between the good principles animating the procedure of ostracism and the bad use in which it was put (Ael. Arist., 258).

Aristotle himself is critical of the use to which ostracism is put, but not of the principle as such. He prefers it to be avoided in an ideal constitution: “the best constitution, he says, should not banish exceptionally virtuous men nor rule over them, but have such men be obeyed gladly and “be kings in the cities for all time”” (Arist. Ath. Con. 1284b). However, his general treatment of ostracism in this passage is such that offers a rather positive assessment of the institution. Aristotle claims that ostracism is democracy’s response to challenges encountered in all constitutions. In fact, he even describes it as “advantageous and just” (Ibid.) because it puts into practice harmony, i.e. a central Aristotelian principle, as I will explain in the next section.

V. The Principles of Ostracism

To understand the central principles animating the Athenian institution of ostracism it is necessary to draw associations with political customs, democratic ideology and philosophical principles of the time. In addition, considering the effects of the procedure separately from the perspective of the political leaders and from the point of view of the demos yields different results, which illustrate the many synergies and functions at play. In a nutshell, this last section of this paper will discuss the concepts of mass popular participation, democratic moderation and political equality. I will also take into account the symbolic function of ostracism, which has concentrated the attention of classicist scholars of late, but will focus primarily on the political virtues that the use of the institution activated and encouraged.

i) Harmony, Political Equality and Power Equilibrium

According to Aristotle, ostracism shows the similarity of democracies with tyrannical and oligarchic governments. Just like these other constitutions need to entrench their hold, he acknowledges that ostracism is democracy’s method to protect itself by sending to exile
outstanding men (Ibid., 1284a). To illustrate this claim, Aristotle uses a well-known anecdote about the silent message sent by Thrasylus, the tyrant of Miletus, to Periander, the tyrant of Corinth⁹: the advice of one tyrant to the other was passed on by the vivid image of cutting off the tallest ears of grain that stood out in the field; this was interpreted as the necessity of removing the outstanding men from the city. Although the assimilation of ostracism to cutting off the tallest corns has been taken as an indication of how tyrannical a democratic people really is, a reservation can be established here on the intentions of Aristotle in this passage. Not only is his comparison not accompanied by any accusations against ostracism, but it is in rather neutral tone that he compares ostracism with tyrannical expulsions, as well as with similar practices (e.g. expulsions of political rivals) in oligarchic regimes.

To explain this, he argues that the objective of removing powerful individuals in all constitutions arises from the need to abide to the principle of harmony. This is not only found in these divergent constitutions (i.e. democracy, tyranny, oligarchy), but also in “constitutions directed to the common good”. In fact, because removing outstanding individuals is advantageous in all constitutions, it is comprehensible. Further, Aristotle draws parallels to similar practices in the non-political domain. Harmony, he contends, is not only a principle of good government, but must also be observed by painters, ship-builders and chorus trainers when they engage in their respective professional activities (Arist. Pol. 1284b): they should not paint a disproportionally-sized foot, or build a disproportionally large mast, or let a disproportionally loud voice dominate the entire chorus. These emulations allow us to read in the concept of harmony the Aristotelian principle of equilibrium, the ‘golden mean’, or the absence of excess.

The same ideal of avoiding excess is found in Plato:

“if any one gives too great a power to anything, too large a sail to a vessel, too much food to the body, too much authority to the mind, and does not observe the mean, everything is overthrown, and, in the wantonness of excess runs in the one case to disorders, and in the other to injustice, which is the child of excess.” (Pl. Laws, 3.691; emphasis added)

Plato draws a casual relation between excess and injustice. His devotion to ‘the golden mean’ is such that, in another passage, he claims that a virtuous man should tolerate exile, if that is the cost to pay for being virtuous: “an exile he must be and endure all such trials, rather than accept another form of government, which is likely to make men worse.” (Pl. Laws, 6). In a similar manner, Aristotle concludes that “in relation to acknowledged superiorities the argument for ostracism has a certain element of political justice” (Arist. Pol. 1284b); in other words, it is a justified method of rectification. In this context, it is plausible to interpret the attitude of both philosophers toward ostracism as conditionally positive. They acknowledge

⁹ Notice that Aristotle mistakenly reverses the names of adviser and advisee, a move that betrays the ideological rather than historical value of the anecdote (Forsdyke 2005, 275).
that ostracism is democracy’s response to the fundamental ethical principle of equilibrium, or proportional equality.

This double-edged endorsement of the principles animating ostracism, despite the rejection of the institution as such (and their general opposition to democratic government), can be further illuminated by an analysis of the principles of arithmetic and geometric (or proportional) equality in ancient Greek culture (Manin 1997, 35-38). Indeed, Aristotle, Plato and Isocrates give us two concepts of equality. One is based on equality of free birth and consists of all people receiving equal shares of something; distributing public offices by lot is an example of such equality, and consequently it expresses democratic justice. The other type of equality is based on the unequal distribution of virtue in society and consists of individuals receiving shares whose value correspond to the value of the individual; this is the ‘correct’ idea of equality characteristic of virtue-based oligarchies (Ar. Pol. 1287a). Hence, neither general equality nor general inequality is ideal, but a proportional type of equality based on virtue.

In this sense, ostracism is seen as the expression of both types of equality. Aristotle mentions that ostracism is used in democratic states “for these are the states considered to pursue equality most of all things, so that they used to ostracize men thought to be outstandingly powerful on account of wealth or popularity or some other form of political strength” (Arist. Pol. 1284b, emphasis added). Which equality does he have in mind? I argue that, to the extent that ostracism targets individuals that stand out of the community on any ground, he thinks ostracism promotes arithmetic or general equality, which is for him reproachable. But if the targets of ostracism are only individuals who draw their power from some inherited quality (e.g. fortune or noble birth) and not men of virtue, ostracism may express proportional equality; for in the Aristotelian mind, inherited qualities are not legitimate grounds for privileged access to power. It is only virtue and political ability, which can be considered superior qualities and should be allowed to prosper contra the ideal of general equality. Hence, for Aristotle, if ostracism could exempt men of virtue and guarantee that only men distinguished for their inherited advantages will be expelled, then it would make a desirable institution that expressed proportional equality based on virtue.

If we look further into the effects of ostracism on the moral education of the Athenian leadership class, we may admit that it reconciled the tension between the democratic sentiment created by equal participation in the Assembly and the aristocratic philosophy of government by the best. Even in the heyday of Athenian democracy in the mid-5th c. BCE, while most public officials were selected by lot, the board of generals and (until 487 BCE) archons were elected. Secondly, the generals constituted the only position that was not restricted to one or two terms per person per lifetime, but could be held repeatedly for an unlimited number of times by the same person, as was often the case. Of course, their election was only a matter of recognition of personal qualities, and under no circumstances did they count as representatives of the demos, as did the Assembly (Manin 1997, 24). Nevertheless, the fact that such positions were de jure and de facto always occupied by members of the elite classes introduced an undeniable social bias in the distribution of high-rank positions. This explains
Thucydides’ famous dictum that under Pericles, “what was nominally a democracy became in his hands government by the first citizen (Thuc. 2.65.9).

Their exclusive access to elective magistracies motivated members of the aristocratic classes to seek election and created a fertile ground for power struggles among elites; Ostracism was a way to set a limit to the excesses that such antagonism could unleash. Or, it prevented the inequalities caused by the “aristocratic ethos of agonism” (Kalyvas 2009: 28-29). As such, it protected the demos from individuals who were driven by a narcissistic drive for personal power and glory. In other words, ostracism provided a safety-valve “to protect the democratic city from individual over-ambition, immoderate self-love, the reckless quest for superiority and hubris.” (Ibid.) It was a warning against the replacement of the common good with personal self-aggrandizement as the end of political struggle. Indeed, disciplining corrupt politicians and “articulating disapproval of the sexual and social behaviors of the elite” (Forsdyke 2005, 161) was an effect of ostracism, albeit an unintended one. Although ostracism played indeed a significant role in resolving extreme political divisions led by elites, it is unlikely that its primary goal was ethical rather than political. Rather, it aimed at offering a competitive advantage to popular leaders favouring democratic reforms by striking a blow against their less popular political rivals.

For the same reason, we must also reject the suggestion that ostracism aimed at removing the individual, who concentrated the largest amount of political power. The idea that ostracism ‘produced’ rather than ‘corrected’ excellence was put forward by Nietzsche. He claimed that the creation of excellence in societies acquires a level-playing field, where more than one contestant has a chance to win. However, the drive for competition may be blocked by a single “individual who towers above the rest” (Nietzsche 1976, 36; see also Kalyvas 2009, Honig 1993). In order to avoid such a monopolistic subversion of competition, it is necessary to stimulate plural claims to power. Hence, ostracism works “not as a safety valve but as a stimulant: the preeminent individual is removed to renew the tournament of forces” (Nietzsche 1976, 36). The Hellenic concept of competition, according to Nietzsche, “assumes that there are always several geniuses to incite each other to action, just as they keep each other within certain limits, too” (Nietzsche 1994: 178). In this sense, “ostracism evidences not an intolerance of excellence but a commitment to its (re)production” (Honig 1993: 530). By permitting the development of ‘a second genius’, it becomes the structural protection of plurality and freedom from domination, which are the necessary conditions for genuine political action.

However, historical evidence suggests that, contrary to the idea that ostracism removed the most powerful individual, in reality it often helped a powerful individual (e.g. Ephialtes or Pericles) to pursue his policy line without distractions. Only those very powerful individuals, who were not popular enough were the targets of ostracism. In other words, it only prevented “monopolistic subversion” inasmuch as the ostracised individuals were suspected of harbouring

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10 Indeed, in ancient times hubris was not as is often presumed a religious concept, denoting disrespect for the gods, but a moral and political principle of domineering behavior that lacks in moderation, i.e. “the characteristic injustice of the powerful, and hence one of the primary causes of stasis or political conflict” (Marquez 2014).
oligarchic sentiments and an antidemocratic agenda. Hence, ostracism was not as liberal an institution as Nietzsche imagined, but rather a polemic instrument on behalf of the demos against those individuals whose power did not originate from democratic popularity.

The idea that ostracism was a weapon against powerful individuals of a specific type is best captured by investigating the concept of legitimate opposition in democratic Athens. According to Kirshner (2014), the function of ostracism was that it demarcated what constituted an illegitimate or undemocratic opposition (Ibid.). Because ancient Greek democracy protected free and equal speech rights and did not discriminate against different ideas, the process of democratic self-defence took on a very distinct form compared to contemporary examples.\(^\text{11}\)

Ostracism did not ‘punish’ ideas, but looked at citizen status instead; in particular, it directed attention at the quality and sources of political power (Ibid. 11). In case an individual’s power did not stem from popular, but from aristocratic support, he was categorized as member of the very illegitimate and undemocratic political opposition that ostracism was supposed to eradicate. In this sense, it prevented the rise of philo-oligarchic leaders that were seen as enemies of the democratic order. To be fair, ostracism did not render dangerous or prohibitive any pursuit of oligarchic policies or the belonging to oligarchic factions. What it did was to raise the costs of pursuing such policies to the extremes, in a way that they could harm the interests of the whole community and challenge the sovereignty of the demos.

To conclude, ostracism shared the aim of limiting the opportunities for the emergence of a powerful individual that might defy the power of the demos with other democratic constitutional arrangements. Clearly, the lot was a similar anti-elite measure: the random selection of councillors, judges and (from 486 BCE on) most of the magistrates reduced the exclusive access of aristocratic classes to a minority of positions, namely some elective magistracies (e.g. generals) and the life-long seats in the Areopagus. Similarly, the limits on tenure served also the goal of power delimitation. Unlike elections, lot and selection restrictions adhered to the central democratic principle of rotation in office (Manin 1997, 28-34). As is well known, democrats believed that the virtue of citizenship was contained in the idea of being governed and governing in turn.

In this sense, ostracism was a method for adjusting elective offices to the principle of rotation. When individuals were suspected of sympathising oligarchic or tyrannical ideologies, which were associated with mass expulsions of political rivals, they deserved to be expelled themselves. On one hand, the experience of exile would halt their antidemocratic projects for ten years, hoping that by the time of their return their power will have diminished substantially. On the other hand, it would discipline them in a fair manner by subjecting them to a limited form of the currency by which they might have planned to ‘pay’ their rivals had they acceded to power. Hence, ostracism mitigated the antidemocratic tendencies that free speech and political toleration allowed to emerge in the democratic polis.

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\(^{11}\) By contrast, the popular post-WWII doctrine of ‘militant democracy’ does not deal with the source or means by which anti-democratic forces emerge, but with the aim of their subversive efforts: to overthrow democracy (Klamt 2007: 153).
ii) The moderate and unified demos

In addition to functioning as an instrument of democratic control of the elites, ostracism brought out the virtues developed by the citizen body in its collective capacity. In the beginning of the paper, I mentioned that the key to understanding the function of ostracism lies in the concept of wide participation. In pragmatic terms, this was achieved through the quorum of 6,000 votes required to validate an ostracophoria. The same quorum was used in votes concerning an individual advantage, such as a grant of citizenship or dispensation (e.g. an application for tax levy) (Sinclair 1991, 115). Such a quorum was clearly an appeal for increased participation; in that sense, it was reminiscent of an archaic law that might have set the foundations for the Greek culture of participation.

Indeed, ostracism might have been inspired by Solon’s stasis law, an ambiguous yet emblematic symbol of democracy’s beginnings in the early sixth century BC (Malkopoulou 2015, 52; Schmitz 2011; Grote 1859, 143-6). It stipulated that in the case of a domestic discord all citizens were obliged to take a stand, lest they would lose their civil membership rights (Arist. Ath. Pol. 8.5). This law responded to the same problem as ostracism: to moderate the polarization between noble families before it escalated into armed conflict. It also relied on the same method as ostracism: calling in the masses, i.e. an otherwise non-aligned and passive majority, to pacify the conflict and protect the democratic constitution. The intent of Solon was to deter insurgent leaders by the idea that, to take over power, they would need support from the majority of the masses and could not simply count on their passive submission after overthrowing a small group of elite rivals. Like ostracism, the stasis law prescribed universal participation regardless of which side a citizen would chose to support. Hence, it counted on the quantity of citizens, which it assumed carried the quality of a moderate voice.

The belief in democratic moderation is another central characteristic of ostracism. As mentioned earlier, the political behaviour of the demos was ‘milder’ than the respective attitude of oligarchs or tyrants. This is evident above all in their restrained employment of exile as a weapon to get rid of anti-system opposition (Forsdyke 2005, 151-2). Tyrannical expulsions were notoriously harsh, for life, extended to whole families and involving total loss of property and power. Similarly, oligarchic regimes also habitually expelled their rivals plus families, which usually led to exiles organizing the overthrow of oligarchs at home, leading to a new round of exiles and so on (Ibid., 80-90). By contrast, democracies adopted exile as a political sentence, yet they regulated its use very strictly: ostracophoriae were optional and took place

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12 More specifically, the sentence for not taking a stand was atimia, which in the archaic times meant ‘outlawry’, i.e. the loss of protection from the community. A citizen sentenced with atimia could be killed by any member of the community with no punishment inflicted upon the killer. Thus, in practice, atimia meant a self-imposed exile to avoid being killed. In classical times, the meaning of atimia changed to signify the loss of certain political rights (Forsdyke 2005, 10).

13 Their harshness was deliberately magnified by literature influenced by 5th and 4th c. democratic ideology (Forsdyke 2005, 244-67).
maximum once a year; they were organized at fixed times and required a high turnout; democracies expelled only one individual per time, leaving his family, property and prestige intact; the exile lasted only ten years and upon return his citizenship status was fully reinstated. Further, as foreseen by the legislator, the procedure was used frugally and, by avoiding the creation of new groups of angry exiles, this infrequent use contributed to stabilizing the polis.

In addition, the procedure of ostracism contributed in the constitution and consolidation of the demos as a unified political force. In fact, the symbolic power of controlling political exile became a constant basis of popular sovereignty, especially since authorizing political expulsions was a synonym of dominating the political order (Ibid., 149-151) Furthermore, ostracism created a meta-consensus with regard to the basis of collective membership. By articulating the basis of inclusion and exclusion in the political community, the demos shaped the political values of the community and the criteria of collective membership, which they imposed on the elites (Ibid., 159). In this sense, it also served as a public demonstration of the morally and legally binding nature of democratic decisions, regardless of whether they were irrational; anyone who accepted a democratic decision that was not in his favour was allowed to remain part of the community (Ober 1989, 73-5).

The importance of the symbolic value of ostracism as “the manifestation of a political culture” has gained much prominence among scholars. By rearticulating the social and cultural antagonism between poneroi and chrestoi in the late 5th c. BC, it helped transform their respective ideologies into political action (Rosenbloom 2004a, 90). But, primarily, it served as the centre-stage of the polis, where democratic ideology was performed in a carefully designed ritual: the collective casting of smashed potsherds into a circular well, set up next to the statue of the tyrannicides, in the Agora, the symbolic centre of all Attica. In fact, the materiality of broken potsherds and the casting gesture, which resembled stoning and scapegoat rituals, carried strong connotations of violence and destruction (Kosmin 2015, 126-44). At the same time, the simultaneous gesture of ostrakon-casting forged the fantasy of a unanimous, unified and united demos and brought about the political integration of individual citizens (Ibid., 143-4). Further, the anti-tyrannical valence of ostracophoriae and the rhetorical exhortation of the sources of corruption cultivated the democratic sentiment, constitutional morality and sense of equal responsibility of civic engagement among the Athenians (Smith 1842, 125; Grote 2001, 91; Stoneman 2013, 149).

Ostracism effectuated the political communion of Athenian citizens not only through ritual, but also because of its procedural distinctiveness. Compared to the other two common forms of selection, lot and elections, ostracism was a universal act, not regulated by quotas or other restrictions. Indeed, whereas elections and ostracism involved an active participation of the people and their reflected judgment of selection, lot was only a passive selection process. On the other hand, whereas election of generals was formally limited to one per tribe, ostracism contained an unlimited range of alternatives as to who could be ostracized every year; for this reason, unlike the usual show of hands where numbers of positive and negative votes were only roughly estimated, in ostracophoriae the votes were secret and counted twice (Rhodes 1981).
Therefore, *ostracophoriae* were the only instance when the demos assembled and casted a collective political judgment over an individual. Of course, Assembly meetings were held frequently and issued decisions on the most important political questions. Yet, only in *ostracophoriae* had the citizen body as a whole the opportunity to make a selection—or de-selection for that matter—of a politician from any of the ten tribes and the 139 demes of Attica. Moreover, this reverse election was valid for ten years, i.e. much longer than the regular election term of one year. This universal reach and long-term effects of the ostracism vote, along with the participation quorum of 6,000 citizens, turned the institution to a supreme medium of political integration, democratic communion and collective power.

Lastly, a fruitful comparison can be made between the type of judgment cast in elections (e.g. of generals in Athens, of representatives today) and in processes of de-selection like ostracism. As was shown above, contrary to what is happening today, elections were hardly the crucial moment of unified popular judgment in ancient democracies. Selection (in the positive sense) was mainly by lot rather than active decision. And elections were an intra-tribal procedure, which could not have carried any cross-tribal appeal. Thus, community-building exercises of selection took the form of a reverse election that relied on a collective negative judgment against individual Athenian citizens.

The need to resort to a negative rather than positive choice was precipitated by the philosophy of demotic arbitration embodied in ostracism: an easy and effective way to resolve an extreme political division was to remove one of the contestants of power. Besides, the people’s power over decisions of political exile confirmed the supreme value of popular sovereignty. However, to some extent, ostracism merged the political and judicial role of Assembly and People’s Courts respectively, and forced the demos to draw simultaneously from both these capacities. For instance, like in the courts, citizens were called to assess the loyalty of a person to the democratic constitution and the extent to which this posed a threat to the stability of the polis (Stoneman 2013, 146). Secondly, the minimum number of citizens required to validate an ostracism (6,000) was the same as for the staffing of People’s Courts with heliastai. Hence, although ostracism was under no circumstances a political trial (there was no hearing, no group of jurors and no laws to adjudicate), nevertheless the *ostracophoria* vote borrowed elements from some judicial procedures. Since courts were used to cast not only positive, but also negative verdicts on the accused, so the negative judgment expected by participants in an *ostracophoria* was quickly legitimized as an act that imitated previous and well-established procedures.

**VI. Concluding Note**

In this paper, I argued that ostracism was a procedure by which the people in democratic Athens assumed control over the resolution of political deadlocks that threatened the stability of the democratic order. This exercise of democratic control did not resemble a political trial, but rather a process of collective self-definition that unified the people against a powerful
individual who did not owe his power to demotic popularity. In that sense, ostracism allowed the Athenian people to exercise democratic control over the elites and deter their intentions to pursue antidemocratic agendas. Its success relied on a number of key principles: wide participation ensured by a turnout requirement, combined application of arithmetic and proportional equality, democratic moderation in the use of political exile and the ritualistic enactment of collective civic purgation. These general principles illuminate hitherto underexplored dimensions of ostracism and make it possible to compare with other institutional arrangements.

Such comparisons are useful for drawing historical and practical lessons from the use of ostracism in Athens. For example, unlike contemporary methods of electoral de-selection like recall votes, we know that ostracism was not conceived as a solution against political corruption and office misconduct. In addition, it took place only once a year at a fixed time and not irregularly upon collection of signatures. Secondly, as a method of collective negative judgment that could put on hold the political career of an individual, ostracism was a process with a more universal reach and a more significant effect than elections. Of course, as the elections of generals was not a process of representation, so ostracism fell short of indicating which politician was unrepresentative. Yet, one could infer from the outcome the public figure that at best embodied the moral, political and cultural characteristics with which the demos did not wish to identify.

Finally, ostracism was a democratic way to circumvent the freedom of speech and protect the democratic constitution, without violating the right to active dissent. In that, it offered an alternative to the modern equivalent of judicially banning political parties. The ability of contemporary democracies to follow this course of action is contingent on the belief in the moderate character of the masses and the need to avoid political excesses.

Bibliography


