

KLEISTHENES' REFORM BILL

Modern research has done much to elucidate the question what the reforms of Kleisthenes in fact achieved, and the work continues,¹ but that does not settle the question what he was trying to achieve.² Herodotos gives him a political motive in outline, that he brought the people over to his side because he had been defeated in a struggle for power against Isagoras (5.66.2); and in resuming this proposition after a digression he describes the Athenian people as *πρότερον ἀπωσμένον* (5.69.2). But he gives us no clear insight into the nature or mechanism of the struggle with Isagoras, and in particular he does not say that the latter's election to the archonship in 508 constituted his victory, though the dating of the reform to the archonship of Isagoras ('Αθπ.21.1) makes that highly probable; nor does he explain in what sense or by whom the Athenian people had been 'previously excluded'. Later (6.131.1) he refers to Kleisthenes as the man who set up the tribes and the democracy for Athens; but though the tribes were certainly his creation, modern scholars are rightly agreed that he could not have foreseen democracy in the form it presented at the time when Herodotos was in Athens, let alone the form which it had developed by the end of the fifth century. Aristotle lays heavy stress on his desire to 'mix the people up' ('Αθπ.21.2-3), and at *Pol.*1319^b19-27 he uses Kleisthenes as an example of the use of such devices to increase democracy; but Kleisthenes cannot have seen himself as Aristotle sees him, as one of a series of steps towards the establishment of extreme democracy as Aristotle knew it.

It is wildly unlikely that we shall ever acquire an earlier and better account of Kleisthenes' motives, and we can only start from the results of the reform as we know them. But one approach has perhaps not been adequately exploited, consideration of the concrete form in which his proposals were put forward. I do not claim that this is a key which will unlock all secrets, but it may help us to determine which issues were explicitly discussed at the time, and to understand some elements in the mechanics of the reform. We are not indeed sure what formal procedures were followed. Busolt (*Gr.Gesch.*ii.402 with n.6) found it very highly probable that Kleisthenes was given a special post, as *thesmothetes* extraordinary, but later writers mostly prefer to think that he introduced his measures to the assembly as a private citizen.³ Again, we do not know how the procedure of the assembly before the reform may have differed from that followed by the middle of the fifth century, or to what extent normal procedure was affected by the disturbed conditions of the year 508/7, culminating in the intervention of Kleomenes.⁴ But whatever the procedure, Kleisthenes' wooing of the people was

¹ See J. S. Traill, *Hesperia* Suppl. 14 (1975), with the bibliography listed at pp.x-xi. This paper originated from discussion in a class held jointly by D. M. Lewis and myself early in 1976 on the basis of Traill's work, and an earlier draft was read by M. I. Finley and P. J. Rhodes; to all these I am grateful for comment, and this does not of course imply their agreement. I also thank K. H. Kinzl for sending me in advance of publication a

copy of the paper referred to in n.2.

² J. Martin, *Chiron* 4 (1974), 5-42; K. H. Kinzl, 'Athens: between Tyranny and Democracy', in the forthcoming *Festschrift for Fritz Schachermayr*.

³ e.g. C. Hignett, *History of the Athenian Constitution*, pp.127-8.

⁴ Historians often assume (e.g. Hignett, *op.cit.*, pp.126-7), with some plausibility but no direct evidence, that at that time the archon controlled the procedure of

a political act necessarily involving much public discussion, and the nature of his measures to a large extent determined the topics discussed. In what follows I shall treat the main reform as a package presented to the assembly to be voted on, but if the proceedings were less tidy than that my conclusions are not greatly affected.

(i) The new tribes, universally remembered as Kleisthenes' primary achievement, were at the heart of the matter, but there is no direct indication of the arguments that were used against the old Ionic tribes, or even whether the issue was mainly about military organization or about civil administration. Most Greek states about whose internal organization we know anything at all did at some date change from a kinship to a territorial basis,¹ but the reasons for this are left to our imagination; in the case of Athens we may get some hint from the nature of the components of the tribes and from the way they were put together. There is no difficulty in imagining the general formula by which it was enacted that there were to be ten tribes, and the procedure for naming them, by submitting a list of a hundred names to Apollo for him to select ten, could have been enacted at the same time. There is still the minor question, who constructed the list and whether or at what stage it was submitted to the assembly.

(ii) It must have been enacted specifically that each tribe was to have three *trittyes*, one from each of three regions. That far from obvious provision needed explanation and must have been debated from the moment that this element in the programme was made known. The 'mixing up' which Aristotle thought so important was therefore an issue openly discussed: that does not imply that Kleisthenes foresaw the further developments familiar to Aristotle, but it does imply that his supporters knew that they were supporting what *Pol.*1319^b calls 'the breaking up of old associations' and that the effect of this on the influence of the great families was consciously intended. Again, there is no great difficulty in imagining the terms in which the general principle was enacted: at most, some argument might be needed for the inclusion of a large stretch of coast and plain in the region to be designated 'city', more than would in any period have been covered by the normal use of *asty*, but the notions of coast and inland would not otherwise call for definition. The provision that *trittyes* were to be assigned to their tribes by lot would most naturally be included in this same enactment; but we have still to ask by whom and at what stage a list of *trittyes* was drawn up, procedurally a more important question even if there is no certain answer, and whether or when it was submitted to the assembly.

(iii) Whereas there had been tribes and *trittyes* under the older system, demes were a novelty calling for elucidation. In the context of the tribal reform they were presumably introduced as components of the new *trittyes*, but there would

the assembly, so that very strong popular pressure would have been needed even to get these matters on to the agenda; and it is surely the case that Isagoras as archon was in a strong position and would not easily have given way. The question here, strictly unanswerable, is whether these pressures were applied to constitutional machinery still more or less functioning, or in a more fluidly revolutionary situation. If Isagoras remained in office after the passage of the reform (p. 247 below),

that tells a little in favour of constitutional procedure; but there can be no certainty and it does not greatly matter.

¹ The Athenian case is the most clearly dated and documented, but it is not in doubt that Sparta abandoned, probably much earlier, the three old tribes named in Tyrtaios fr.19.8 (West). For a similar change at Argos, probably in the middle of the fifth century, see my note in *HCT* to Thuc.5.72.4 and the literature there cited.

be no way of avoiding discussion of the general merits of introducing this new type of unit into politics and administration, and this may well be the item which did most to gain Kleisthenes the support of the people.¹ Some steps must have been taken at this stage towards their organization, at a minimum the institution of demarchs (below), but their part in the selection of Councillors and their function in other areas of the machinery of state² could have been left for subsequent legislation. But the role intended for them must have been extensively argued in the course of Kleisthenes' political campaign, and it is easy to imagine the attraction of the proposal that groups of familiar neighbours should not only manage their own local affairs but play a part in the affairs of the state. To the extent that they were seen as replacing phratries at the lowest level of the organization of the community, the new demes could be seen as another means of reducing aristocratic influence, even if in many cases membership of the old phratry and the new deme largely overlapped. But it is a recognized problem, how and when the detail of the deme system was worked out; the reform could not take effect till the population of Attica was enrolled in demes, and before that could be done there had to be a list of the demes themselves.

Here there are two main schools of thought. One posits a long-drawn-out process covering several years, in which the boundaries of demes (and *trittyes*) were defined by means of a survey on the ground.³ The other concentrates on lists of people rather than on demarcation of territory, and culminates in W. E. Thompson's adventurous suggestion⁴ that Kleisthenes could achieve what he wanted 'without drawing deme boundaries, simply by announcing that each man was to register in his home village.' The main supports for this are (a) Thompson's clearly correct reinterpretation of Eratosthenes ap.Str.1.4.7,65, that there was no precise and definable boundary between Kollytos and Melite, (b) the argument that 'in the midst of a revolution' Kleisthenes had not time for elaborate surveys, if indeed a survey in the requisite detail was technically feasible at the end of the sixth century. Those who favour a lengthy process must in some degree deny this revolutionary urgency to the reform,⁵ but I have argued in (ii) above that the break-up of old associations, with the consequent damage to the influence of some great families, was a conscious and deliberate aim of Kleisthenes' movement. His measures had to be carried through quickly while this feeling still ran high: delay would bring the danger that the opposition would rally and haggle over the details at leisure, with a view to saving something of their old position within the new framework. Thompson's scheme allows for rapid registration, with no more delay than was needed to establish the list of demes, and this fits very much better with the situation as I have envisaged it.

There are of course difficulties. The least of these is the use of the deme-name to locate property: country demes were locally identifiable even if they had not precise boundaries, and the *ἐγκεκτῆμενοι* of Dem.50.8 would be recognizable enough as men who did not vote where the majority of their neighbours voted. But the area within the city walls was not an agglomeration

¹ Cf. e.g. W. G. Forrest, *The Emergence of Greek Democracy*, p.195.

² It would be interesting to know what lies behind the statement of *Αθπ.*21.5 that the demes replaced the *naukrariai*.

³ C. W. J. Eliot, *Coastal Demes of Attica*, pp.146–7.

⁴ *Symb.Osl.*46 (1971), 72–9; cf. D. M. Lewis, *Gnomon* 35 (1963), 174.

⁵ So Kinzl (loc. cit.), who argues that Kleisthenes had the support of the majority of the aristocrats, who alone 'could deliver the mass vote in the Assembly.'

of distinguishable villages, and here Thompson presumes that it was 'necessary to establish boundaries, such as roads and rivers'.¹ He proposes such boundaries for Melite, and is then under the necessity of supposing that these were forgotten when deme registration was completed; and indeed if enough families of Meliteis and Kollyteis had moved away from the boundary since 507, the line could have been much blurred by Eratosthenes' time. But the latter's point is more convincing if there had never been a clear-cut line, and we may manage without one. The names of the five demes actually within the walls may well have been names already current for districts of the city,² though it would be rash to suppose that only these five names were current; but Kleisthenes could have picked on these five for his list of demes and told the inhabitants of the city to register at whichever of these centres they chose, which no doubt would normally be the nearest, and individual choice could produce a very ragged 'border'. The suburbs were probably more easily separable, and in the country it is no doubt right to imagine that the inhabitants were not spread out evenly but lived in distinguishable named villages,³ and that few would be in doubt about the deme with which they should register. Even here some preliminary decisions were needed. Thompson points to the case of Aphidna, in whose neighbourhood several villages emerge as demes or quasi-demes in post-classical times,⁴ and at least two of them were developed enough to have *komarchoi* in the latter part of the fourth century,⁵ but in the classical period they formed parts of the one deme Aphidna. We may find it hard to guess why e.g. Sybridai should rank as a deme but not Petalidai, but that is the fact and the decision must have been taken at the first stage of the process.

This first stage need involve no great difficulty or take long time: a few men, with enough local knowledge between them, could draw up the necessary list in an evening. It was further necessary to appoint men to act as registrars in each deme, and that might take a little longer, but a matter of days rather than months. A simple method would have been to appoint demarchs at once to draw up the rolls which their successors, elected within the deme, would keep thereafter.⁶ The question how all this was enacted or authorized is of less interest when it comes to the mechanics of setting up the new organization: if we think of the measure as being submitted in detail to the assembly, there had been on any chronology time enough for Kleisthenes to work out these details beforehand, and a list of demes could be presented to the meeting and the election of demarchs or some other sort of registrars could follow immediately; alternatively we could imagine a brief enabling act and the appointment of a commission to

¹ R. S. Young, *Hesperia* 20 (1951), 140–3, suggested that some boundaries might have followed roads, partly because they are easy to follow; but a road, at least one inhabited on both sides, tends to unify rather than divide, and on the procedure I suggest below it would not matter if the 'boundary' ran behind the houses.

² Kydathenaion has been thought an artificial name, because of its supposed meaning; but see Judeich, *Topographie von Athen*², p.172, and the literature there cited on the doubtful etymology of it.

³ Ἀθ.π.21.5 προσηγόρευσε cannot mean that Kleisthenes invented all the names, and

need not mean that he invented any new name. The last clause of that sentence, in spite of valiant attempts to make it intelligible, remains opaque to me, and I suspect that the source has been condensed too drastically.

⁴ See Traill, pp.87–91.

⁵ See D. M. Lewis in *Problèmes de la terre en Grèce ancienne*, ed. M. I. Finley (1973), p.205, nos. (25)–(26); for the date, p.191.

⁶ The names for these rolls, *ληξιαρχικά γραμματεῖα*, should have some relation to their origin or function, but no very convincing explanation has yet been found.

deal with the details. Delegation to a commission is more familiar from the procedure of the late fifth century, but it is not impossible to imagine a late sixth-century equivalent, and for the later stages of the business (below) a commission seems almost inevitable. Once this first stage was achieved, the actual enrolment could proceed fast enough, perhaps with a proviso that those who were abroad at the time could register on return within a fixed period.

But if enrolment in demes can be imagined as a relatively simple process, the allocation of demes to *trittyes* cannot, and the results as presented on our maps become steadily more intricate.¹ The natural assumption that *trittyes* would be blocks of contiguous territory began to crumble some while ago, and in 1963 D. M. Lewis explained the major anomalies then known (the separation of Probalinthos, Halimous, and Hekale from the remainder of their respective *trittyes*) as due to a wish to break up old cult associations and ensure that they were not carried over as blocks into the new organization.² Further anomalies have turned up since, notably the location of the inland Antiochid deme Eitea to the north-east, a very long way from Pallene which gave its name to the *trittys*.³ Again, the wide variations in the size of *trittyes* led Eliot to question the statement of 'Aθπ.21.4 that they were assigned to tribes by lot, on the ground that a trio of very small or very large *trittyes* could have produced a disproportionately small or large tribe;⁴ and though his arguments were considerably undermined by Thompson in a later article,⁵ the latter's scheme still allows the possibility that one abnormally small tribe could have been produced by free use of the lot. Further, it has often been conjectured that Kleisthenes manipulated the distribution of demes among the *trittyes* to produce political advantages for the Alkmeonidai.⁶

These remote complexities are not likely to have played much part in the political campaign by which Kleisthenes won over the people, and it is at this point that one is almost driven to envisage a commission entrusted with working out the detail. The manipulations discussed by Lewis (above) look like backroom work, and if there was gerrymandering in the Alkmeonid interest, it was more than ever necessary to keep that in few and safe hands. The eccentricity of the result has given rise to several hypotheses, to which I would add one more, that the commission was working within a scheme already laid down in outline: that is, I suggest that a list of thirty *trittys*-names was compiled at an early stage, probably at the same time and by the same means as the list of demes, and either formally approved by the assembly, or published in such a way that the reformers felt bound by it thereafter. The assignment of these *trittyes* to the

¹ See Traill's Map 1, which supersedes previous maps and simplifies the picture by not attempting boundaries. The location of Upper and Lower Potamos should be corrected in the light of his pp.44–5 with n.18. Doubts about deme locations are indicated, but doubt about the affiliation of a few demes to *trittyes* could not be.

² *Historia* 12 (1963), 22–40.

³ See Traill, p.54.

⁴ Traill's Table 1 on p.71 (also to be corrected from pp.44–5) gives the number of *bouleutai* from each *trittys*. This is the most reliable indicator of the numbers

involved, in spite of some slight distortion due to the fact that a deme can only have a whole number of *bouleutai*, so that there is no indication of differences in population between demes with the same number of *bouleutai*. The figures of known *demotai* compiled by A. W. Gomme (*Population of Athens* (1933), pp.55–65) from Kirchner's *Prosopographia Attica* (1901–3) are subject to more varied and serious distortions.

⁵ *Historia* 13 (1964), 405–9.

⁶ Forrest, op. cit., pp. 197–200; P. J. Bicknell, *Studies in Athenian Politics and Genealogy* (*Historia Einzelschrift* 19, 1972).

ten tribes could then proceed immediately, leaving the detailed composition of the *trittyes* till a later stage, when enrolment was complete and the numbers of each deme were known. It could well have been argued at the time that the allocation of demes to *trittyes* was not possible before the deme picture was clear; but once the numbers were known, gross inequalities between tribes could be avoided by assigning particular demes to one *trittys* rather than another, and in the course of this Kleisthenes could achieve the other objectives that have been proposed for him. If the final result had to be formally approved by the people, it would necessarily have been presented to the assembly in a package of such complexity that it could not be examined in any detail at a large meeting, and would be likely to go through without question.

It would not have been hard to produce a provisional list of *trittys*-names. Many of the country *trittyes* are obvious enough, demes large enough to stand alone as Acharnai or Aphidna, easy combinations such as Lamptraia with Anagyrous; and even in the more involved 'city' region there are at least four simple choices, Kydathenaion Alopeke Phaleron Peiraeus. Thorikos probably got on to the list for its ancient name; another such, Dekeleia, may well be the name of the inland *trittys* of Hippothontis; Tetrapolis was a natural choice, whether or not Kleisthenes realized in advance that not all four of its original components would end up in the *trittys* of that name. With Epakreis, a very anomalous *trittys*,¹ we are hampered by our ignorance about Zeus Epakrios. But sometimes one can guess at a reason for an oddity: thus Acharnai was both an obvious choice for a *trittys* and too large to have the smaller demes of the neighbourhood linked with it, and that may account for the shape of the inland *trittys* of Leontis, a semicircle of small demes behind Acharnai, Hekale to the east being thrown in for quite other reasons. To the west one must suppose an early decision that the area behind Eleusis and Thria was not enough to make an inland *trittys*, even if that meant a rather large coastal *trittys* of Eleusis. But it would have been at the later stage that Anaphlystos was inflated (for the sake of the Alkmeonidai?) to become the largest *trittys* of all, leaving nothing in the close neighbourhood for Phrearrhioi, which instead gets Sounion and, more oddly, Deiradiotai and Potamos Deiradiotes which would more naturally go with Kephale. The argument may have been that the numbers of Leontis needed to be raised, whereas Akamantis had enough already.

Lastly a word about the timetable. If the victory of Isagoras was his election to the archonship early in 508, Kleisthenes could start to work out his plans and mount his campaign for the people's favour at any time after that. Herodotos does not indicate the time of year at which Kleomenes intervened (5.72.1), and Busolt's assumption (*Gr. Gesch.* ii.402 n.6 on p.403) that he came in the spring since that was the normal Spartan campaigning season, is not in order here since Kleomenes came *οὐ σὺν μεγάλῃ χειρὶ*, not with the regular army. Perhaps a better indication is the fact that Isagoras' name survived in the official list of archons to designate the year 508/7, suggesting that he came near to finishing out his year; otherwise we might expect a suffect archon, who would have given his name to the year as Theopompos did for 411/10. The intervention of Kleomenes and the expulsion of Isagoras should then be placed not too long before mid-summer 507. The relation between the reforms and the Spartan intervention has been disputed, but I would accept the verdict of most historians² that Herodotos

¹ See Thompson, loc. cit., pp. 78–9; and cf. Lewis, *Historia* 12 (1963), 32.

² e.g. Hignett, p.126 with Appendix VI.

was right to place the completion of the reform before Isagoras' appeal to Kleomenes. Putting this rather shakily together, it suggests that Isagoras stayed in office for some time after the reform and before calling in Kleomenes; possibly it was a defeat in the elections to the archonship in spring 507¹ that convinced him that he could not recover his position without external help. The evidence is too meagre to allow us to reconstruct these details, but it is enough to show the possibility that the reform was carried before the end of winter 508/7, and that it could have been implemented in time for the opening of the year 507/6.

Those who envisage a much slower process have sometimes found the year 501/0 more attractive for its completion.² According to a widely favoured reconstruction of 'Aθπ.22.2 it was in this year that the bouleutic oath was instituted 'which they still swear', so this might be the first year in which the new Council of Five Hundred was in action. But Aristotle, however emended or interpreted, dates the oath by the interval *μετὰ ταύτην τὴν κατάστασιν*, which would most naturally be taken to mean after the effective establishment of Kleisthenes' regime; and though that might be Aristotle's misunderstanding of his source, six years, as Eliot admits, is a long time for giving effect to the reform. An earlier date for the installation of the new Council need not carry the corollary that it deliberated unsworn in its first years: P. J. Rhodes argues³ that at first it had no major function except probouleusis, and as this was true of its predecessor the Solonian Council, the oath sworn by that Council could continue in use until, for whatever reason, the Athenians decided that a new oath was needed. The second provision recorded in 'Aθπ.22.2, the election of generals by tribes, is more securely dated to 501/0 as the twelfth year before Marathon; and this could be an indication that the army of Athens was first organized in ten tribal regiments in 501. The *ἔπειτα* with which Aristotle moves from one measure to the other shows that in his mind there was no connection between the bouleutic oath and the election of generals, and he makes no overt connection between the latter and the tribal reform. Again, he might be mistaken: but I will not argue that here, since the problem has wider ramifications which would more suitably form the subject of another paper.

The limitations of the approach I am recommending are obvious, but it may have some contribution to make. My main point is the implication of the scheme by which each tribe was made up of three sections from three different areas of the country: it is hard to see how this very unusual arrangement could have been supported except by the argument that some existing links within the community ought to be broken. That means that Kleisthenes' campaign was overtly directed against some sources of aristocratic influence, and it is worth putting that beside the point, more often made, that his demes would have a large electoral appeal. Secondly and less certainly, the suggestion that the *trittyes* were named at an early stage, before their composition could be known, avoids the difficulty that Eliot found in the use of the lot to assign them to their tribes, and it may help

¹ Pollux 8.110 says that the tribes became ten under Alkmeon, which is most naturally interpreted as meaning that the reform, carried in a previous year, came into operation when he was archon: cf. T. J. Cadoux, *JHS* 68 (1948), 114. There is no other evidence of the date of his

archonship, which must thus depend on the view taken about the time needed to implement the reform.

² Eliot, *op. cit.*, p.146 n.18; P. J. Rhodes, *The Athenian Boule*, pp.192–3, 210.

³ *Ibid.*, pp.209–10.

to explain some other surprises in the resultant scheme. As to the question intermittently raised above, whether lists of tribal heroes, demes, and *trittyes* were submitted to the assembly, developed democracy would certainly have required that, and my guess is that the archaic assembly would have felt the same, if conditions were quiet enough to make this possible; the next steps, reference to Delphi and the sortition of the *trittyes* would then flow more easily, but they are not unimaginable without such formal approval.

Oxford

A. ANDREWES