

PAUSANIAS AND THE EPHORATE¹

Pausanias, the victor at the battle of Plataea in 479 B.C., is given by Arist. *Pol.* 1307A as an example of the way factions can arise in an aristocracy: ἔτι ἂν τις μέγας ἦ καὶ δυνάμενος ἔτι μείζων εἶναι, ἵνα μονάρχη (ὥσπερ ἔν Λακεδαίμονι δοκεῖ Παισανίας ὁ στρατηγῆσας κατὰ τὸν Μηδικὸν πόλεμον καὶ ἐν Καρχηδόνι Ἄνων).

As we all know, Pausanias received the command in 479 because at the time the Eurypontid king, Leotychidas, was at sea where he fought the Persians in the battle at Mykale. Since the Agiad king, Pleistarchus, was still a minor, Pausanias, his cousin, was regent in his name.²

Pausanias' aspirations to one-man rule in Sparta are recorded in Thucydides as well as in the passage quoted above. Thucydides does not say explicitly that Pausanias wanted to establish a dictatorship or monarchy in Sparta but his second account of the Regent (I, 128-135) certainly implies it. Any Spartan who contemplated an emancipation of the Helots (*ibid.* 132) would have come into conflict with the Ephors (who were mainly responsible for the subjugation of the Helots) and would have had to establish at least a temporary dictatorship in Sparta.³

Herodotus (5.32) and Thucydides (1.128) accused Pausanias of attempting to rule Greece; hence, Arist. *Pol.* 1307A is not surprising. It only supports this tradition.⁴

¹ I wish to acknowledge here the help and encouragement of Profs. M.H. Chambers, E. Badian and Z. Yaavetz. The conclusions and errors are, however, my own.

² Sources quoted by P. Poralla, *Prosopographie der Lakedaimonier*, (Breslau 1913, repr. Rome 1966) 102-3; 105-6.

³ For the fact that the Ephors were responsible for the continuous subjugation of the Helots see Busolt-Swoboda, *Griechische Staatskunde*², 2.685; on Pausanias and the helots see i.a. P. Oliva, *Sparta and her Social Problems*, (Amsterdam 1971) 146f.

⁴ As to the real intentions of Pausanias there is no clarity, especially since some of the facts recorded by Thucydides seem very dubious, biased and slightly contradictory to what was known to Herodotus. See A. Lippold, "Pausanias von Sparta und die Perser," *RhM.* 108 (1965) 320f.; C.W. Fornara, "Some Aspects of the Career of Pausanias," *Historia* 15 (1966) 257f.; cf. A. Blamire, "Pausanias and Persia," *GRBS* 11 (1970) 295f.; Also P. Oliva (see note 3) *ibid.* to quote only some of the latest.

Pausanias is also mentioned by Aristotle in two other places in his *Politics*, but in those passages it is not quite clear whether the Regent is meant or somebody else. I propose to deal with these controversial passages since their clarification is crucial to any understanding of certain still quite obscure points of Spartan constitutional and political history.

The first passage is in Book V, 1301B: ...ὥσπερ ἐν Λακεδαιμόνι φασι Λύσανδρόν τινες ἐπιχειρῆσαι καταχῦσαι τὴν βασιλείαν καὶ Πausανίαν τὸν βασιλέα τὴν ἐφορείαν. *Prima facie* it looks as if Aristotle is referring here to another Pausanias, the king Pausanias who ruled 408/7–395/4 and who was the grandson of the victor of Plataea.⁵

A host of scholars, old and modern, have argued that Aristotle actually meant King Pausanias here, since he calls the Regent only “general” in 1307A.⁶ This was rejected by Reuther and others, because a) Pausanias the Regent had the power and authority of a king and b) King Pausanias was not powerful enough to plan such an upheaval, not to speak of attempting to execute it.⁷ If so, the proximity of 1301 B where Pausanias is called King to 1307A (the first passage) where he is merely called general is disturbing. Is it possible that Aristotle called the same man once general and once king in two passages so close to each other?

The second passage is controversial as well. In Book VII, 1333B Aristotle criticizes those who praise Lycurgus the Lawgiver because he advocated conquest and hegemony over Sparta’s neighbours. Aristotle says the following of this concept: ταῦτα γὰρ μεγάλην ἔχει βλαβήν, δῆλον γὰρ ὅτι καὶ τῶν πολιτῶν τῷ δυναμένῳ τοῦτο πειρατέον διώκειν, ὅπως δύνηται τῆς οἰκείας πόλεως ἄρχειν. ὅπερ ἐγκαλοῦσιν οἱ Λάκωνες Πausανία τῷ βασιλεῖ, καίπερ ἔχοντι τηλικαύτην τιμῆν. The passage is open to interpretations and can have two meanings; Newman translated

⁵ See Poralla, *op. cit.* (n. 2 supra) 103–4.

⁶ So G. Busolt, *G.G.* 3.1.98 n.1; B. Niese in *GGA* (1886) 749; most of the modern scholars also accept this solution. See *i.a.* F. Kiechle, *Lakonien und Sparta* (München 1963) 221; I. Hahn, “Aspekte der spartanischen Aussenpolitik in 5 Jh.,” *AAnt* 17 (1969) 287; cf. D. Lotze, “Selbstbewusstsein und Machtpolitik,” *Klio* 52 (1970) 271 n.1. The latest is A. Roobaert in a recent *Miszelle* in *Historia* 21 (1972) 756–8.

⁷ H. Reuther, *Pausanias*, Diss. Münster 1902, 65f.; also K. Beloch *G.G.* 2.2.158. The case for Aristotle referring to the Regent was summed up by V. Costanzi: “Il re Pausania nei Politici d’Aristotele”, *A&R* 14 (1911) 30–34.

the last part of the sentence thus: "yet this is just what the Laconians charged Pausanias their king with doing, notwithstanding that he was already the holder of so great an office."⁸ But τιμή does not necessarily mean "office". It can mean "honour" as well. Aristotle might be referring here to the honour the Regent had won at Plataea. τηλικαύτην does not need any correlative such as ὥστε (cf. *Pol.* 1288A). Newman suggested that Aristotle might have been guilty of a certain looseness here, as in 1301 B.

It is difficult to determine to whom Aristotle is referring in 1333 B. What we have here is, roughly speaking, a Spartan who was involved both in subjugation of neighbouring states and in an attempt to seize power in his own state. A case can be made, though with difficulty, for either the regent or the king. That Pausanias the Regent was indirectly accused of an attempt to seize power is implicitly clear from the story of his supposed meddling with the helots. The conquest of neighbouring states is another matter. That Byzantium, Greece or even Persia are meant is not at all clear, but, then, we know little about the real policies of the Regent. If King Pausanias is meant here, the difficulties are even greater. Nothing is known about his policies, if any, toward Sparta's neighbours, as Costanzi rightly points out,⁹ but we might have here an oblique reference to the quarrel between King Pausanias and Lysander over Athens and the revolt of Thrasybulus (see further below). For an attempt by King Pausanias to seize power in Sparta there is absolutely no evidence, unless it be another controversial passage in Pausanias (!) the geographer, 2.9:

Κλεομένης ὁ Λεωνίδου τοῦ Κλεωνύμου παραλαβὼν τὴν βασιλείαν ἐν Σπάρτῃ Πausανίαν ἐμιμείτο τυραννίδος τε ἐπιθυμῶν καὶ νόμοις τοῖς καθεστηκόσιν οὐκ ἀρεσκόμενος. ἄτε δὲ ὄντι αὐτῷ Πausανίου θερμότερῳ καὶ οὐ φιλοψύχῳ ταχὺ τὰ πάντα ὑπὸ φρονήματος καὶ τόλμης κατείργαστο...

⁸ W.L. Newman, *The Politics of Aristotle*, (Oxford 1887-1902) 3.446f.; cf. E. Barker, *The Politics of Aristotle* (Oxford 1961) 319: "... and this although he already held an office of such great dignity."

⁹ *Op. cit.* (n. 7 supra) ... non si trova nello spazio 403-395 un solo periodo in cui fosse data occasione a un re o a un altro cittadino di assodare la propria potenza coi successi militari contro i popoli finitimi, etc.

The passage is tantalizingly obscure. Which of the two namesakes is meant? Costanzi opted for the Regent, as being by far the more famous of the two. By Thychdides we mean the historian, not the son of Melesias; by Napoleon we mean the First, not the Third, by Socrates the philosopher, not the lexicographer, he argued.¹⁰ Roobaert, on the other hand, argued for King Pausanias; the sentence ἄτε δὲ ὄντι αὐτῷ Παισαανίου θεσμοτέρῳ καὶ οὐ φιλοψύχῳ, κ.τ.λ. could refer only to the king, since the Regent was known for both fierceness and courage.¹¹ But one cannot have it both ways. The argument that the Regent was not the one who aimed at tyranny *because he was forceful* is really not acceptable! Moreover, it is quite likely that the geographer is here referring to the Regent, and saying that he lacked fierceness and courage when he fled to the temple of Athena Chalkioikos (Thuc. I.134) instead of seizing power.

I think that the argument for either Pausanias in the Aristotle passages stands or falls with 1301 B. In this passage a Pausanias is accused of attempting to abolish the Ehorate in Sparta. Let us examine the implications of the passage.

Its evidence as to Lysander's attempt to abolish the monarchy fits in nicely with what we know about him. Diod. Sic. (14, 13, 7-8) and Plut. *Lys.* 24 and *Ages.* 8 have a slightly different version. Both say Lysander wanted to abolish the monarchy in the form it had in order to become king. Their common source is Ephorus in all probability. Nepos, probably mistranslating Ephorus as well, gives an account similar to Aristotle's: *iniit concilia reges Lacedaemoniorum tollere* (*Lys.* 3.1). More on this below.

I propose to show that in the other part of the sentence, referring to the attempt to abolish the Ephorate, Aristotle can only mean the Regent. We must remember that there is no evidence that King Pausanias planned any revolution; for after all he was never a powerful or unruly king.¹² As we know, the Peloponnesian War was terminated

¹⁰ *Ibid.* 34.

¹¹ *Op. cit.* (n. 6 supra) 758.

¹² So, rightly, Costanzi, *op. cit.* (n. 7 supra) 31: *Giacchè invano si cerca nella tradizione del Pausania iuniora (i.e. the king) un solo acceno ad atti rivoluzionari.*

by Lysander. The campaign against Elis was led by King Agis.¹³ In 397/6, when the Spartans finally decided to send a sizeable army against Persia, they chose their younger king, Agesilaos, to command it. Three times the Spartans by-passed King Pausanias. Therefore it seems he was not very popular; and an attempt on his part to overthrow the constitution would have needed massive support in Sparta. It is extremely unlikely that this king could have planned any such thing.

Nevertheless, a quotation from Ephorus recorded by Strabo 8. 5, 5 has been brought as evidence to support the theory that Aristotle is referring to King Pausanias in 1301B. Strabo says, in a much mutilated passage, that during his exile, which was caused by the rival house of the Eurypontids, Pausanias wrote a pamphlet on the Lycurgan constitution. That Ephorus means King Pausanias here, and not his grandfather, is quite certain.¹⁴ V. Ehrenberg suggested linking the Ephorus-Strabo passage to Aristotle 1301 B. The latter passage, so Ehrenberg, specified that King Pausanias attacked the Ephorate, a Lycurgan creation.¹⁵ Whether, in fact, the Ephorate was a Lycurgan creation or not is quite irrelevant for our purpose, since Miss Roobaert proved, indeed, that by

¹³ Xen. *Hell.* 3.2. 21–30; Paus. 3.8. 3–6. On the other hand, Diodorus 14.17. 4–21 has Pausanias in charge of the Elis expedition. Ed. Meyer in *Theopomps Hellenika* (repr. Hildesheim 1966) 114–148 attempted to show that the Spartans used two columns in the expedition and Pausanias was in charge of the corps that is not mentioned by Xenophon (or by Pausanias the geographer). G. Busolt, on the other hand, showed quite convincingly that Diodorus' source (either Theopompus, as suggested by Ed. Meyer and G. Busolt, or Ephorus as W. Judeich *RhM* 66 (1911) 106f. argued) is mistaken or even deliberately wrong, (G. Busolt, "Zur Glaubwürdigkeit Theopomps", *Hermes* 45 (1910) 230–7). All modern accounts accept the fact that it was King Agis who led the Elean expedition; see *i.a.* M. Cary, *CAH* VI, p. 33; Hammond, *History of Greece* (Oxford 1959) 450; S. Perlman, "The Causes and the Outbreak of the Corinthian War", *CQ* 14 (1964) 73–5.

¹⁴ Jacoby, *FGH* 70 F 118: Παν(α)σανίαν τε, τῶν Εὐρυποντιδῶν ἐκπεσόντα ὑπὸ τῆς ἐτέρας οἰκίας, ἐν τῇ φυγῇ συντάξει λογ(αν) κατὰ τῶν (Λ)υ(κούρ)γον νόμων, ὄντος τῆς ἐκβαλλούσης οἰκίας, ἐν ᾧ καὶ τοὺς χρησμοὺς λέγει τοὺς δοθέντας αὐτ(ῶ)ι ἀπ' + ἐ(γ)κωμίον πλείστων.

For the difficulties of the text see Roobaert, *op. cit.* (n. 6 supra) summarizing the various attempts to settle it. Whatever the exact words were, it is quite clear that Ephorus meant King Pausanias who fled from his failure to help Lysander at Haliartus: Xen. *Hell.* 3.5.25; D.S. 14.89; Plut. *Lys.* 30.1; Paus. 3.5.6. Nevertheless, we might mention in passing that G. Gilbert, *The Constitutional Antiquities of Sparta and Athens*, Transl. Brooks-Nicklin (New York 1895, repr. Chicago 1968) 22 n.2, suggested that the Regent Pausanias was the author of the booklet. This is certainly wrong.

¹⁵ V. Ehrenberg, *Neugründer des Staates* (München 1925) 15.

the time of Ephorus that was the current belief.¹⁶ But the link between Ephorus and Aristotle 1301 B is not established by the mere fact that it was Lycurgus who created the Ephorate.¹⁷ Moreover, the Ephorus-Strabo story should not be accepted as an unchallenged fact. That Ephorus was often fond of mentioning memoirs and/or pamphlets belonging to politicians who lost their power or died is illustrated by the fact that we have a tradition, clearly derived from him, that Lysander wrote or used a book suggesting that the monarchy should be changed. So Diod. 14, 13, 8 and Plut. *Lys.* 30 who explicitly quotes Ephorus on that (cf. *Ages.* 8.3).¹⁸ So much for Lysander. But did King Pausanias really write a pamphlet against the Lycurgan constitution? We have, in fact, some evidence to the contrary. In his collection of Spartan anecdotes, Plutarch, *Mor.* 230 F, records two sayings attributed to King Pausanias which are very interesting indeed. Once asked why it was forbidden in Sparta to change any laws, he said that the laws ought to have authority over men and not vice-versa.¹⁹ Even more interesting is the other quotation. During his exile in Tegea King Pausanias continued to praise the Spartans and so he was asked why he did not stay at home. He answered that physicians usually spend their time among the sick and not among the healthy.²⁰ These can hardly be sayings of the man

¹⁶ See Strabo 10.4.18 = Jacoby, *FGH* 70 F 149; Roobaert, *op. cit.* (n. 6 supra) 757.

¹⁷ The conclusion of Miss Roobaert, *ibid.*, in her attempt to establish the Ephorus-Aristotle link, is rather strange: *Des lors, il me semble logique d'admettre, en dépit de toutes les discussions et controverses que lorsque le même Ephore rapporte que Pausanias rédigea un ouvrage contre les lois de Lycurgue, cela sous-entend implicitement que le roi, dans son pamphlet, s'en prenait également à l'éphorat.* Pursuing the same logic, King Pausanias must have called for the abolition of almost every single law and custom in Sparta, since Lycurgus was believed to have initiated almost every one of them. Hence, King Pausanias, according to the same logic, called for changes in the education, treatment of Helots, etc. This is clearly too much. Strabo 8.5.5 and 10.18 do not constitute proof that King Pausanias attempted to abolish the ephorate.

¹⁸ According to Nepos, *Lys.* 3,5 and Plut. *Mor.* 212 C, the real author of the book was Cleon of Halicarnassus.

¹⁹ Plut. *Mor.* 230 F: ὁ τοῦς νόμους ... τῶν ἀνδρῶν, οὐ τοῦς ἀνδρας τῶν νόμων κυρίου εἶναι δεῖ.

²⁰ *Ibid.* ὅτι οὐδ' οἱ ἰατροὶ ... παρὰ τοῦς ὑγιαίνουσιν, ὅπου δὲ οἱ νοσοῦντες διατρίβειν εἰώθασιν. But cf. D.L. 2.70, who records a similar saying attributed to Aristippus: εἰπόντος τινὸς ὡς ἀεὶ τοῦς φιλοσόφους βλέπει παρὰ ταῖς τῶν πλουσιῶν θύραις, καὶ γὰρ οἱ ἰατροὶ ... παρὰ ταῖς τῶν νοσοῦντων, κ.τ.λ. Was this a popular expression?

who supposedly delivered such a scathing attack on the Lycurgan constitution.²¹

All this, however, may not matter. The fact remains that Ephorus recorded that King Pausanias wrote a booklet against the Lycurgan constitution and Lysander had one against the monarchy. The similarity between these facts on one hand and Arist. *Pol.* 1301 B is apparent. Did Aristotle and Ephorus have, after all, the same garbled tradition?

Let us look once again at 1301 B. Aristotle says that "some say" that, at Sparta, Lysander attempted to abolish the kingship and Pausanias the king the Ephorate. One should notice, first, that Aristotle is not quite sure of his facts (φᾶσι ... τινες). But within the context it becomes clear that Aristotle wanted to believe the facts; otherwise he could have used other examples rather than Lysander and Pausanias.

Now to the facts. Did Lysander actually attempt to abolish the Monarchy? Apart from the story of Cleon's speech, our sources are full of details about Lysander's plans to change the constitution, including attempts to bribe oracles. But there is no clear-cut evidence. Nevertheless (there is no need to go into details) the circumstantial evidence is backed up by powerful motives. As we all know, Lysander was twice frustrated in his political plans; once by King Pausanias before Athens, then by King Agesilaos in Asia. Aristotle's point is certainly justified and his reservation (φᾶσι ... τινες) only does him credit.

As for King Pausanias again, there is no evidence that the king wanted to abolish the Ephorate. The much mutilated Ephorus-Strabo passage (Str. 8.5.5.) is of no help since it merely says that King Pausanias attacked the Lycurgan constitution. But how about his motives, the circumstantial evidence?

A closer look at the relations between King Pausanias and the Ephors reveals that in fact much of the support he did have in Sparta came from these magistrates. In 403/2, fearing that Lysander was actually going to conquer Athens, King Pausanias persuaded three of the five Ephors to block Lysander's attempts and he was given an army with which he marched to Attica (Xen., *Hell.* 2.4.29-36). There he assumed command and won a victory over the democratic faction, but he

²¹ We might assume that the quotes do not derive from Ephorus, but possibly from Theopompus.

declined to continue the fight and opened negotiations. As a result Athens was able to re-establish the democratic regime. On his return to Sparta, King Pausanias was put on trial.

This trial is described by Pausanias the Geographer (3.5.2). The court was composed of the twenty-eight *Gerontes*, the five Ephors and Agis, the other king. According to the geographer, fourteen *Gerontes* together with Agis voted against King Pausanias. The rest (τὸ δὲ ἄλλο ἀπέγνω δικαστῆριον) were for acquittal. Beloch (*G.G.* 3.1.15 n.1) took into consideration the fact that in Xenophon's account (*loc. cit.*) only three Ephors supported King Pausanias against Lysander; so, Beloch added two Ephors to the group which voted for conviction. Thus he arrived at seventeen for conviction and seventeen for acquittal, the latter thus succeeding almost by default. This calculation was rejected by Bonner and Smith,²² rightly in my opinion, since the geographer says explicitly that "the rest" voted for acquittal. Hence all five Ephors probably supported King Pausanias.

The trial and its result were a terrible blow for Lysander and his policies. He disappears for a long time from the political scene (whether voluntarily, as R.E. Smith, *op. cit.* suggested, or under compulsion does not matter here) and returns only with the ascendancy of Agesilaos.

One thing is clear from the evidence: during this political showdown in 403/2 the Ephors stood in a block behind King Pausanias in order to thwart Lysander's goals. *This is the only evidence we have on the relations between King Pausanias and the Ephorate.* Once we delete the testimony of Ephorus (who does not mention the Ephors), there is nothing to link the king with these magistrates except *mutual support*. There is no evidence, whether direct or circumstantial, not even as to motives. To the contrary, if we accept Miss Roobaert's theory that Aristotle meant King Pausanias in 1301 B, we are faced with a tradition that is not only unsupported but also in contradiction to the evidence we do have.

And so, the only other possibility is that Aristotle means Pausanias the Regent. His feud with the Ephors is recorded by Thucydides, and

²² J.R. Bonner & G. Smith: "The Administration of Justice in Sparta". *CP* 37 (1942) 118f; cf. R.E. Smith: "Lysander and the Spartan Empire", *CP* 43 (1947) 147. See now G.E.M. de Ste Croix, *The Origins of the Peloponnesian War* (Ithaca 1972) 157.

was therefore well known. Only Pausanias the Regent had the prestige and means to attempt the abolition of this magistracy. As for motives, he had plenty. He was hounded by the Ephors who tried to secure a conviction on *any* charge. He was accused of treason, murder and conspiracy with the Helots. The Ephors were the ones who procured the evidence, though they dared not prosecute him a second time.²³ During a second trial Pausanias the Regent could presumably have revealed unpleasant details concerning any possible charge brought against him.

There remains the question why Aristotle called the Regent by the title of king. It is tempting to assume that Aristotle added the words τὸν βασιλέα for rhetorical purposes to create a chiasmus; but I believe that K. Beloch's explanation (*G.G.* 2.2.158) is still the best: *Aristoteles sah auf das Wesen der Sache, und da Pausanias die königliche Macht hatte, hat er ihn König genannt.*²⁴

The fact that Pausanias the Regent is called otherwise in *Pol.* 1307A does not necessarily mean that Aristotle wanted to differentiate between two men with the same name. After all, what we have in 1307A is not a title but a description.

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²³ The Regent was put on trial during the winter of 478/7 and convicted of some "private" charges, but on the major charge, Medism, he was acquitted (*Thuc.* 1.95–96). Nevertheless, even after his conviction, Pausanias was still able to acquire a trireme and leave for the Hellespont.

²⁴ Aristotle was not the only one to make such a "mistake". Plutarch, *Mor.* 105 A, Suidas *s.v.*, Pausanias, and Justin 9.1 call him king as well.