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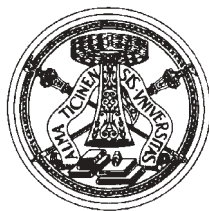
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SVIATOSLAV DMITRIEV

Herodotus, Isonomia, and the Origins of Greek Democracy



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HERODOTUS, *ISONOMIA*, AND THE ORIGINS OF GREEK DEMOCRACY

ABSTRACT. Herodotus' famous 'Persian Debate' is an argument between three 'Persians', who, following the death of 'the Magians', deliberated possible future forms of government for 'Persia': *isonomia* (Otanes), «the rule of a few» (Megabyzus), or «the rule of one person» (Darius). This article proposes to trace the origin of the traditional interpretations of Otanes' words, by Herodotus (6.43) and by modern authors, as his supporting democracy to political changes in the fifth century Greece, which engendered the vision of democracy and oligarchy as specific, dichotomous political régimes. Their antagonism replaced the earlier antagonism between *isonomia* and the rule of one person (or of a *dynasteia*) as the main type of social conflict in Greece (M. Pope, Ch. Marek, R. Sealey). Establishing the precise dating of this development is not really possible, but Greek authors in the mid-fifth century were well aware of what was going on: Pindar's ode from the 460s is thought to have been the earliest mention of monarchy, oligarchy, and democracy together (Pind. *Pyth.* 2.87-88); Pseudo-Xenophon's *Athenian Politeia* (1.3-5; 2.19-20) discussed the relationship between oligarchy and democracy in the 440s or the 420s (depending on the suggested datings); and Thucydides (3.82.8) mentioned *plethous isonomia politike* as the name of a political faction in 420s. The emergence of specific régimes required a readjustment of the existing basic concepts (*plethos*, *isonomia*), which was reflected in the 'Persian Debate': Herodotus, who lived in a democracy (e.g., 4.137; 6.43 and 131), reinterpreted what should have been an earlier debate for *isonomia* against *dynasteia* and tyranny as a debate for democracy against oligarchy and monarchy.

Herodotus reflects the rising political awareness of the Greeks in various ways, including the information about the so-called Persian, or Constitutional, Debate. According to him (3.79), after the death of the false Smerdis and the «slaughter of the Magians» (later in 522¹), seven noble Persians deliberated about what form of government Persia should have. Herodotus (3.80-82) renders what he claims to have been the speeches of three of the participants: the first, Otanes, spoke for *isonomia*; the second, Megabyzus, advocated the «rule of a few»; while the third, Darius, urged for the «rule of one person». The Debate, which occupies almost three pages of the standard Teubner edition, can be briefly restated here as follows: Megabyzus (3.81.1-3) accused Otanes of a desire to «give power to the multitude» (*plethos*) or to a «crowd» or a «throng» (*homilos*). In Megabyzus' own opinion, «nothing is more senseless and arrogant than a useless crowd». He spoke against the «insolence of unguided people» (*demou*) and asserted that only those who

¹ On its date and historical context: D. Asheri, *Erodoto e Bisitun*, in E. Gabba (ed.), *Presentazione e scrittura della storia. Storiografia, epigrafi, monumenti. Atti del convegno di Pontignano (April 1996)*, Como 1999, pp. 110-115; C. Pelling, *Speech and Action: Herodotus' Debate on the Constitutions*, «P.C.P.S.» 48 (2002), pp. 127-128. Translations of ancient texts come, with occasional modifications, from the «Loeb Classical Library» and the «Oratory of Classical Greece», unless noted. Some of these ideas have been presented at the Annual Meeting of the Association of Ancient Historians in May of 2011.

wished Persia ill would give support to the rule of the people (*demo*). Darius (3.82.1-4) referred to Megabyzus' words as a rejection of the rule of the «multitude» (*plethos*), and, at the same time, pointed out that the debate was about the rule of the people (*demou*) or oligarchy (*oligarchies*) or a monarch (*monarchou*). Having extolled the rule of one person, Darius then critiqued the oligarchy and the rule of the people. Otanes wanted to submit decisions to the collective deliberations (*es meson*) of the Persians (3.80.2-6). He criticized a monarch, or a 'tyrant' as in the text, as someone who was insolent, envious, and prone to slander, and accused him of being inconsistent and angry, breaking ancestral customs, raping women, and killing indiscriminately. Instead, he praised the «rule of the multitude» (*plethos archon*) as having «equality» (*isonomien*): «it determines offices by lot, and holds power accountable, and collectively conducts all deliberating». Hence, said Otanes, he exalted the multitude over monarchy, «for all things are possible for the majority (*to pollo*)».

Because neither Otanes nor his interlocutors actually used the word «democracy», the modern view of the Debate as pertaining to democracy has been based on two considerations. The first is the content of the Debate, which allegedly described the typical features of a democracy. The second is Herodotus' own subsequent reference (6.43.3) to Otanes' proposal of *isonomia* as his support for democracy. Therefore, *isonomia* is generally perceived to have always been a concept that designated political equality² and served to identify democracy, or 'proto-democracy', before democracy itself emerged³. The purpose of this article is to show that none

² E.g., G. Vlastos, *Isonomia politike*, in J. Mau - E.G. Schmidt (eds.), *Isonomia. Studien zur Gleichheitsvorstellung im griechischen Denken*, Berlin 1964, p. 1; see also K.A. Raaflaub, *Die Entdeckung der Freiheit. Zur historischen Semantik und Gesellschaftsgeschichte eines politischen Grundbegriffes der Griechen*, Munich 1985, p. 117; A. Dihle, *Der Begriff des Nomos in der griechische Philosophie*, in O. Behrends - W. Sellert (eds.), *Nomos und Gesetz. Ursprünge und Wirkungen des griechischen Gesetzesdenkens*, Göttingen 1995, p. 119; D.D. Boedeker - K.A. Raaflaub, *Reflections and Conclusions*, in D.D. Boedeker - K.A. Raaflaub (eds.), *Democracy, Empire, and the Arts in Fifth-Century Athens*, Cambridge, MA 1998, p. 329; K.A. Raaflaub, in C. Rowe - M. Schofield (eds.), *The Cambridge History of Greek and Roman Political Thought*, Cambridge - New York 2000, p. 47; E.S. Gruen, *Herodotus and Persia*, in E.S. Gruen (ed.), *Cultural Identity in the Ancient Mediterranean*, Los Angeles 2011, pp. 69-70; S. Forsdyke, *Greek History, c. 525-480 B.C.*, in E.J. Bakker et al. (eds.), *Brill's Companion to Herodotus*, Leiden-Boston 2012, p. 537 nt. 44.

³ E.g., A. Debrunner, *Δημοκρατία*, in *Festschrift für Edouard Tièche*, Bern 1947, pp. 21-22; G. Vlastos, *Isonomia*, «A.J.P.» 74 (1953), p. 337 and Vlastos, *Isonomia politike* cit., p. 1 (with bibliography); P. Frei, *Isonomia. Politik im Spiegel griechischer Wortbildungslehre*, «M.H.» 38 (1981), pp. 207, 209, 219; F. Ruzé, *Plethos, aux origines de la majorité politique*, in *Aux origines de l'hellénisme: la Crète et la Grèce. Hommage à H. van Effenterre*, Paris 1984, p. 260; J.L. O'Neil, *The Origins and Development of Ancient Greek Democracy*, Lanham 1995, p. 34 (and nt. 88); A.W. Saxonhouse, *Athenian Democracy. Modern Mythmakers and Ancient Theorists*, Notre Dame 1996, pp. 32-33; M. Ostwald, *Oligarchia. The Development of a Constitutional Form in Ancient Greece*, Stuttgart 2000, p. 25; K.A. Raaflaub, *Introduction*, in K.A. Raaflaub et al. (eds.), *Origins of Democracy in Ancient Greece*, Berkeley / Los Angeles 2007, p. 15; and a recent proposal by N. Birgalias,

of these theories should be accepted, because each of them is based on an understanding of *isonomia* that the Greeks themselves developed later, and that Herodotus' text – and his Persian Debate in particular – offers us the best opportunity to see this development taking place. The first part of this article will reconsider the content of the Debate within a broader conceptual framework, including a reexamination of the historical context of Otanes' proposal of *isonomia*, whereas the second part will search for an explanation of why Herodotus, and modern authors, concluded that Otanes was advocating democracy.

1. *The Content and the Context of the Persian Debate*

Herodotus' evidence about the Persian Debate leads us to several observations. One of them is that the Debate contains a certain terminological confusion: its participants evidently defined the same subjects based on different concepts and, thus, interpreted them in different ways. For example, judging by what we read in Herodotus, Otanes never mentioned the word «people» (*demos*): he (3.80.6) praised the rule of the «multitude» (*plethos*) as having *isonomia*. Megabyzus (3.81.1) also spoke of Otanes as advocating the interests of the «multitude» (*plethos*) or of the «crowd», or the «throng» (*homilos*), and Darius (3.82.1) joined Megabyzus in rejecting Otanes' proposal because it opted for the rule of the «multitude» (*plethos*). However, elsewhere Megabyzus (3.81.2-3) and Darius (3.82.1,4) also criticized Otanes for supporting (the rule of) *demos*, thus employing *demos* in place of Otanes' *plethos*. It is not certain, however, if Herodotus' source(s) and Herodotus' readers viewed these words as having identical meanings. Raaflaub has already noted that «the arguments are not coordinated; they do not hit, they miss each other». His own explanation of this situation as being Herodotus' failure to provide a complete, comprehensive, and skillful debate is not the least bit compelling, as will be argued below⁴.

Apo ten koinonike sten politike pleonopsephia: to stadio tes isonomias, Athens 2009, pp. 48-49, 144-145 to see *isonomia* as a specific political régime that occupied an intermediary place between oligarchy and democracy.

⁴ K.A. Raaflaub, *Contemporary Perceptions of Democracy in Fifth-Century Athens*, «C&M» 40 (1989), pp. 43-44 (at 44). See also F. Jacoby, s.v. *Herodotus*, in *RE Suppl.* 2 (1913), col. 494 = F. Jacoby, *Griechischer Historiker*, Stuttgart 1956, p. 151: «drei selbständige Reden [...] die aufeinander überhaupt keinen Bezug nehmen». F. Hartog, *The Mirror of Herodotus. The Representation of the Other in the Writing of History*, tr. J. Lloyd, Berkeley / Los Angeles 1988, p. 326, who also noted this situation, perceived it in a different way: «If Otanes and Megabyzus were 'speaking Greek', Darius speaks both Greek and Persian». While Herodotus could have relied on Persian evidence and informants (see below, nt. 107), the content of the Debate is wholly Greek; hence this argument also misses the point. For a totally different point of view, see J.G. Gammie, *Herodotus on Kings and Tyrants*, «J.N.E.S.» 45 (1986), p. 174: «the Constitutional Debate has been skillfully composed, framed, and fitted, with considerable artistry».

The terminological confusion we see in the Persian Debate is closely connected with the fact that none of the aspects of *isonomia* mentioned by Otanes – assigning offices by lot, holding power accountable, submitting all affairs to collective deliberations (*es to koinon* and *es meson*), and increasing the power of «the multitude» (*plethos*) – were characteristics of only *demokratia*⁵. The election of officials by lot from previously selected candidates was typical for «Solon's constitution», the oligarchic rule of the Five Thousand (in 411-410), and the tyranny of the Thirty⁶. Aristotle's *Politics* referred to election by lot as typical for democracy and oligarchy alike. In the latter case, the election by lot was only being used for a restricted group of candidates, and Marcel Piérart has justly observed that «the essential opposition between democracy and oligarchy rests not so much on the procedures (the election of sorts is encountered in both types of régimes) but in the limitations of the census imposed in the second type»⁷. According to Otanes (3.83.2), the new king of Persia

⁵ E.g., K. Wüst, *Politisches Denken bei Herodot*, Diss., Würzburg 1935, pp. 52-53; J.A.O. Larsen, *Cleisthenes and the Development of the Theory of Democracy in Athens*, in M.R. Konvitz - A.E. Murphy (eds.), *Essays in Political Theory Presented to G.H. Sabine*, Ithaca 1948, p. 7; Vlastos, *Isonomia* cit., p. 337; V. Ehrenberg, *Origins of Democracy*, «Historia» 1 (1950), pp. 521-522, 527-528; repr. in V. Ehrenberg, *Polis und Imperium. Beiträge zur Alten Geschichte*, ed. F. Stroheker - A.J. Graham, Zürich-Stuttgart 1965, pp. 264-297; K. Bringmann, *Die Verfassungsdebatte bei Herodot 3, 80-82 und Dareios' Aufstieg zur Königsherrschaft*, «Hermes» 104 (1976), p. 269; J. Bleicken, *Zur Entstehung der Verfassungstypologie im 5. Jahrhundert v. Chr. (Monarchie, Aristokratie, Demokratie)*, «Historia» 28 (1979), p. 154; Raaflaub, *Perceptions* cit., p. 42; S. Cataldi, *Democrazia e facoltà di parola nel 'Vecchio Oligarca'*, «Ktèma» 27 (2002), p. 174; N. Birgalias, *Le nomos chez Hérodote et Thucydide*, in P. Sineux (ed.), *Le législateur et la loi dans l'Antiquité. Hommage à F. Ruzé*, Caen 2005, p. 68; Pelling, *Debate* cit., p. 136; Forsdyke, *Greek History* cit., p. 537 nt. 44. M. Ostwald, *Nomos and the Beginnings of the Athenian Democracy*, Oxford 1969, pp. 112-113 is the only person, to my knowledge, who has unambiguously stated that these institutions were neither identical with nor confined to only democracy; paradoxically, he then used this evidence to assert his vision of *isonomia* as the «principle of political equality». But see such hints in R. Sealey, *The Origins of Demokratia*, «C.S.C.A.» 6 (1973 [1974]), p. 276; Raaflaub, *Entdeckung* cit., pp. 115-117; H.-D. Zimmermann, *Frühe Ansätze der Demokratie in den griechischen Poleis*, «Klio» 57 (1975), pp. 298-299; W. Blösel, in A. Haltenhof - F.-H. Mutschler (eds.), *Hortus litterarum antiquarum. FS für H. A. Gärtner zum 70. Geburtstag*, Heidelberg 2000, p. 81.

⁶ Solon: Arist. *Pol.* 1274a.1-2, 15-22 and Arist. *Ath. Pol.* 8.1; 22.5, with G.E.M. de Ste. Croix, *Athenian Democratic Origins and Other Essays*, ed. D. Harvey and R. Parker, Oxford - New York 2004, pp. 89-104, who rejected this evidence but still acknowledged that κλήρωσις ἐκ προκρίτων was introduced for the selection of archons in 487; and P.J. Rhodes, in J.H. Blok - A.P.M.H. Lardinois (eds.), *Solon of Athens. New Historical and Philological Approaches*, Leiden-Boston 2006, pp. 253-254 on the disagreement between the sources, with a brief and concise overview of the debate. The Five Thousand: Arist. *Ath. Pol.* 31.3; 32.1; Thuc. 8.70.1, with G.E.M. de Ste. Croix, *The Constitution of the Five Thousand*, «Historia» 5 (1956), pp. 1-23; R. Sealey, *Essays in Greek Politics*, New York 1967, pp. 123-125; M. Burnett, *Antike und Moderne Oligarchien*, in Ch. Ronning (ed.), *Einblicke in die Antike: Orte-Praktiken-Strukturen*, Munich 2006, p. 24. The Thirty: Arist. *Ath. Pol.* 35.1 with P. Krentz, *The Thirty at Athens*, Ithaca-London 1982, p. 57.

⁷ E.g., Arist. *Pol.* 1266a.9-10; 1298b.8-11. M. Piérart, *Hairesis et klerosis chez Platon et Aristote, in Aristote et Athènes. Études rassemblées par M. Piérart*, Fribourg 1993, pp. 130, 134-135; see also P.J. Rhodes, *A Commentary on the Aristotelian Athenaion Politeia*, Oxford - New York 1981, pp. 115-116.

was to be elected only from the number of the seven conspirators. The eventual procedure took the form of election by lot from the six people, as Otanes had removed his candidacy (3.84.3).

Collective deliberations were also a characteristic of more than democracy. Homeric epics and Aeschylus make references to group deliberations and collective decisions adopted by kings and aristocrats⁸. Interpretations of the corresponding evidence as offering «rudimentary traces of democracy» or «democratic potential» in these gatherings pass over the fact that they were neither self-administered political bodies nor included citizens as their participants⁹. In addition, Otanes' use of *es meson* or *es to koinon* alone does not provide enough evidence for seeing him as speaking in favor of the democratic mode of government. The basic meaning of the word *mesos* and its cognates in the Homeric epics is «in the midst» and «in the centre». Such expressions also designated the position between the two opposites and, accordingly, «mediation» and «moderation»¹⁰. In *The Iliad*, the fight of Paris and Menelaus was to take place between (*en messo*) the armies of the Trojans and the Achaeans; Odysseus' ship was sailing in the middle of a river, eager to reach either side, and it was in the middle of the plain that the armies of the Trojans and Achaeans shared in the fury of Ares. In *The Odyssey*, the main character and his companions saved themselves from the Cyclops, hiding under the sheep (9.429-430) – «the one in the middle (*en meso*) in each case bore a man, and the other two went, each on either side». Writing in the sixth century, Theognis spoke of a lovely boy as a prize that was to be contested between (*en messo*) two singers¹¹.

In the fifth century, Herodotus' text uses *es meson* not just in the basic sense of «in the middle» (of a man's thigh: 1.191, or heaven: 2.25, or river: 2.70), but also with reference to interacting with or bringing something forth: the herald spoke be-

⁸ E. Flaig, *Das Konsensprinzip im homerischen Olymp. Überlegungen zum göttlichen Entscheidungsprozess Ilias 4.1-72*, «Hermes» 122 (1994), pp. 13-31; E. Flaig, *Processus de décision collective et guerre civile: l'exemple de l'Odyssée Chant XXIV, vv. 419-470*, «Annales (HSS)» 52 (1997), pp. 9, 12-13, 27. Aeschyl. *Agam.* 844-846.

⁹ E.g., K.-J. Hölkeskamp, *Agorai bei Homer*, in W. Eder - K.-J. Hölkeskamp (eds.), *Volk und Verfassung im vorhellenistischen Griechenland. Beiträge auf dem Symposium zu Ehren von K.-W. Welwei*, Stuttgart 1997, pp. 1-19 (with p. 3 nt. 10 for bibliography); K.A. Raaflaub, in M. Finkelberg (ed.), *The Homer Encyclopedia I*, Malden-Oxford 2011, col. 104 and K.A. Raaflaub, *Perfecting the 'Political Creature'*, in J.R. Arnaason et al. (eds.), *The Greek Polis and the Invention of Democracy*, Malden 2013, pp. 325 on «the middle (*meson*)» as «the communal sphere (*koinon*) shared by all citizens, elite and non-elite alike», p. 329.

¹⁰ E.g., Hom. *Il.* 1.481; 4.212; 7.382-384, 414-417; 11.413; 12.209; 13.312, 398; 15.635-636; 17.375; 19.50, 77, 249; 20.15, 486; 23.241, and *Od.* 5.326, 487. A.-C. Juret, *Dictionnaire étymologique, grec et latin*, Mâcon 1942, p. 96; P. Chantraine, *Dictionnaire étymologique de la langue grecque* III, Paris 1968-1980, pp. 688-689; H. Frisk, *Griechisches etymologisches Wörterbuch* II, Heidelberg 1972, p. 214; R.S.P. Beekes, *Etymological Dictionary of Greek* II, Leiden-Boston 2010, p. 935.

¹¹ Hom. *Il.* 3.69, 90 (see also 17.375); 8.223; 11.6; 18.263-264. Theogn. *Eleg.* 994. Cf. Hom. *Il.* 18.507-508 (the prize for the best judgment was placed in the midst of the speakers); 23.507, and *Od.* 24.86.

fore Cambyses and the army (3.62); matters were brought forth before the king (3.130.140; 4.97), or before people in the market (7.152), or before soldiers who were deliberating about which course of action they should take (8.74). More specifically, Herodotus tells how Cyrus assembled the chief men of the Persians and laid the matter before them (1.206: *es meson*), and how Xerxes would later lay the matter before the noblest of the Persians (7.8: *es meson*). These are exactly the expressions Otanes used to address the rest of the seven noblemen (3.83-84). According to Herodotus (3.82), Darius criticized collective activity (*to koinon*) as a feature typical of an oligarchy, applying the same phrase we see in Otanes' speech. The meaning of *to meson* and *to koinon* cannot, therefore, be reduced to democracy alone, because Greek texts used these words to juxtapose collective authority and one person's domination, cutting across different political régimes: Pindar (*Pyth.* 11.52-53) compared the happy existence of those who belonged to *ta mesa* with the pitiful fate of tyrants, whereas Herodotus described (4.161) the reform of Demonax, who subjected what used to be under royal authority to collective decisions (*es meson*) in Cyrene, and told (7.164) how Cadmus turned his inherited tyrannical rule over the Coans into their common authority (*es meson*), with the aim of establishing justice (*dikaiosyne*).

In the fourth century, Aristotle offered a valuable insight into the basic meaning of *to meson* as justice, in the sense of «equality», «equal distribution», and «equal disposition». According to him (*Pol.* 1287b.4-5), «when men seek for what is just (*to dikaion*) they seek for what is impartial (*to meson*). For the law is that which is impartial (*to meson*)», implying that the law puts limits on the authority of one person, by eliminating the excesses of his rule. Aristotle then (1294a.41-42) revealed a different aspect of the same meaning, making reference to a «common and equal» (*koinon de kai meson*) principle that combines features of both oligarchies (which instituted a fine for the rich if they did not serve on juries, but no pay for the poor for serving) and democracies (which assigned pay for the poor but no fine for the rich), by introducing both pay and fine. A little later (1294b.2-6), he added that *to meson* meant combining either no or very low property qualifications for assembly participation in democracies, whereas oligarchies required a very high qualification for this. Hence, in his opinion, *to meson* was not something that was between oligarchy and democracy but something that joined together the extremities, while avoiding the excesses of oligarchy and democracy, respectively. Therefore, said Aristotle, the increase of *to meson* dissolved party factions that arose because of inequality¹². Not surprisingly, *to meson* also refers to the best form of life, which Aristotle associated with moderation¹³. In political terms, therefore, the understanding of *to*

¹² Arist. *Pol.* 1294b.16-19 and 1342b.14-17. Party factions: Arist. *Pol.* 1304b.1; 1308b.30-31.

¹³ E.g., Arist. *Pol.* 1295a.36-39 and 1295b.4-5 (*to metrion ariston kai to meson*).

meson as «the middle» meant keeping to the middle course between the extremes. Hence, *to meson* cannot be associated with democracy, which represents something that is extreme and excessive¹⁴, quite similar to a lawless autocracy.

Nor are there any solid grounds for limiting the significance of *plethos* – the word also used by Otales and his interlocutors – to the democratic mode of government¹⁵. In Homeric epics, *plethys* appears to have had two basic meanings: a «multitude» in general terms (most typically, a multitude of warriors¹⁶) and a multitude juxtaposed with singular individuals. The latter meaning is particularly well demonstrated in situational scenarios, when one hero advised another not to challenge him in one-on-one battle but to go back into the throng (*es plethyn*), as Menelaus did to Euphorbus and Achilles to Aeneas (Hom. *Il.* 17.31; 20.197), or in the opposite scenarios wherein Hector, who no longer stood as a challenger to Achilles but waited for him in the throng (*kata plethyn*), changed his mind and charged for the front¹⁷. Christian Meier has marked this contrast between the multitude and singular individuals by perceptively observing that *plethos* could designate either the entire people (including the nobles) as opposed to the tyrant, or only the people as opposed to the nobles¹⁸.

The word *plethos* referred to the lower classes in the latter case: Agamemnon spoke to the multitude of the Argive warriors, as opposed to the council of «scepter-bearing kings»; the Danaan warriors, as a whole, were juxtaposed with the «leaders and lords of the Danaans»; Hector first slew the Danaan leaders and then fell upon

¹⁴ E.g., Arist. *Pol.* 1295b.35-a.18, with H.-J. Gehrke, *The Figure of Solon in the Athênaiôn Politeia*, in J.H. Blok - A.P.M.H. Lardinois (eds.), *Solon of Athens. New Historical and Philological Approaches*, Leiden-Boston 2006, pp. 278-279. For *to meson* as an attribute of the so-called mixed constitution, see, e.g., A. Lintott, *Aristotle and the Mixed Constitution*, in R. Brock - S. Hodkinson (eds.), *Alternatives to Athens. Varieties of Political Organization and Community in Ancient Greece*, Oxford - New York 2000, pp. 160-161; cf. J.F. McGlew, *Tyranny and Political Culture in Ancient Greece*, Ithaca-London 1993, p. 96, who spoke of «the Athenian 'middle' (*hoi mesoi*), a group of citizens of common birth (*kakoi*) whose wealth separated them from the poor», and a reference to Lycurgus, Charondas, and Solon (who traced his lineage to King Codrus and had a modest income) as belonging to the *meson*: Arist. *Pol.* 1296a.18-22 (see below, nt. 39).

¹⁵ E.g., Vlastos, *Isonomia politike* cit., p. 8 nt. 2; D. Lateiner, *The Historical Method of Herodotus*, Toronto-London 1989, p. 168 = R. Vignolo Munson (ed.), *Herodotus, I. Herodotus and the Narrative of the Past*, Oxford - New York 2013, p. 199; C. Mossé, *Les Grecs inventent la politique*, Paris 2005, p. 20.

¹⁶ E.g., Hom. *Il.* 2.278, 488; 5.676; 8.214; 9.641; 11.360; 17.221, 330.

¹⁷ Hom. *Il.* 20.375-378; 22.458-459. Odysseus reflected this situation, when he described (Hom. *Od.* 11.514-515) Neoptolemus as the one who never remained behind in the throng (*eni plethyi*) or the mass of men (*en homilo*) but ran forth far to the front to be engaged in one-on-one combats, and pondered (16.105) a possibility of himself being overwhelmed by the multitude of suitors since he was alone.

¹⁸ Ch. Meier, *Drei Bemerkungen zur Vor- und Frühgeschichte des Begriffs Demokratie*, in M. Sieber (ed.), *Discordia Concors. FS E. Bonjour I*, Basel 1968, pp. 18-25, followed by W. Lengauer, *Die politische Bedeutung der Gleichheitsidee im 5. und 4. Jahrhundert v. Chr. Einige Bemerkungen über isonomia*, in W. Will - J. Heinrichs (eds.), *Zu Alexander d. Gr. Festschrift Gerhard Wirth zum 60. Geburtstag I*, Amsterdam 1987, pp. 76-78.

their multitude, whereas the multitude of the Achaeans followed their leaders. Such instances, however, bear not political but social connotations. Aristotle used *plethos* for the lower classes, but then, just a little later, he applied it both to the poor and the rich, reinforcing the basic understanding of *plethos* as a «multitude»¹⁹. *Plethos* thus neither designated only one specific social group nor necessarily reflected one's political affiliation²⁰. Herodotus' text similarly used this word in a diverse fashion: *plethos* meant «abundance» (of wealth: 1.54; 7.190; food: 2.37), «expanse» (of land: 1.204; 4.123; water: 2.19,20,24,93; 4.48,50,181), and, by extension, a «big number» – of dogs (1.192), fishes (1.141; 5.16), ships (7.49; 8.2,86), rowers (8.119), and seeds in the pomegranate (4.143). It is in this latter sense that Herodotus spoke of the *plethos* of people, or nations, and, most typically, of military men²¹, juxtaposing *plethos* to a single ruler, as did Otanes, who exalted «multitude» over monarchy (3.80).

Another word we see in the Persian Debate, *homilos*, similarly appears to have had more than one meaning. It was used in the sense of a «multitude» or a «throng», with specific references to soldiers²² or, as in *The Odyssey*, the suitors²³. Like *plethys/plethos*, the word *homilos* emphasized juxtaposing the throng as a multitude to singular individuals: Menelaus and Paris fought one-on-one, each in front of the throng of his soldiers (Hom. *Il.* 3.340-394); Apollo set Aeneas apart from the throng (5.445); and Achilles asked Aeneas if he had left the throng to face him alone (20.176-179). Also like *plethys/plethos*, the word *homilos* appears to have had a double meaning: individual heroes were either juxtaposed to the throng or (re-)joined with it – challenged by Menelaus, Paris returned to the throng (*kath' homilon*); on seeing Aias, even Hector thought of shrinking back into the throng (*es homilon*, which is the same expression we see in the Persian Debate); and Nestor pondered whether he should join the throng or search for Agamemnon²⁴. At the same time, however, Homer also speaks of the chiefs and the nobles as a part of the throng (Hom. *Il.* 7.183-184; *Od.* 8.109-125).

By either defining «multitude» in a basic sense, i.e. with everyone being in-

¹⁹ E.g., Hom. *Il.* 2.143,488; 11.304-305; 15.301-305. Cf. Arist. *Pol.* 1308b.27 and 29-30, respectively.

²⁰ Cf. a similar approach to *plethos* by H.-J. Gehrke, *Stasis. Untersuchungen zu den inneren Kriegen in den griechischen Staaten des 5. und 4. Jahrhunderts v. Chr.*, Munich 1985, p. 188 nt. 30 («als quantitative Angabe, nicht als politischer Begriff») with reference to Thuc. 4.78.2 (*to plethos ton Thessalon*).

²¹ People or nations: Hdt. 1.58; 2.60; 3.94; 4.81,111; 7.9,234; 8.34. Military men: Hdt. 1.77, 82,153; 3.27; 4.200; 5.92,119; 6.9; 7.48,60,89,104,173,184,208,226,236; 8.38,113,140; 9.23,29,30,96.

²² E.g., Hom. *Il.* 3.449; 4.86,126,209,445,490,516; 5.528; 6.226; 7.186; 10.231,433,517,545; 11.247,469,537; 12.49,206; 13.50,204; 13.204; 15.299; 17.462; 20.173; 22.462; 23.651. See also Juret, *Dictionnaire* cit., p. 182; Chantraine, *Dictionnaire* cit. III, pp. 797-798; Frisk, *Wörterbuch* cit. II, pp. 386-387; Beekes, *Dictionary* cit. II, pp. 1076-1077.

²³ E.g., Hom. *Od.* 1.225; 15.328; 16.29; 17.67,564,590; 22.263,282; 23.303.

²⁴ Hom. *Il.* 3.36; 7.218; 14.21-22; see also 17.129; 20.176-179.

cluded, or juxtaposing it with singular individuals, the word *homilos* displayed a social, though not a political, meaning. It is in this sense that *homilos* came to be used interchangeably with the word *ethnos*: on seeing Menelaus, Paris is said to have shrunk back into the throng (*Il.* 3.32: *eis ethnos*; 36: *kath' homilon*) of the Trojans. Herodotus, too, used this concept with reference to a «multitude» – of people (1.196; 5.23), colonists (4.159), nations (7.184), and, again most prominently, soldiers – without providing it with any political connotations²⁵. The verb *homileo* likewise meant «to be engaged, with or against» (e.g., Hom. *Il.* 11.523; 13.779; 18.194,535), «to be a part of» (e.g., Hom. *Od.* 2.21), «to throng» (e.g., Hom. *Il.* 16.641,644), «to consort with» or «to join» (e.g., Hom. *Od.* 2.21,288,381; 4.684; 16.271; 18.167,383), and «to gather» (e.g., Hom. *Od.* 21.156)²⁶.

Even the word *demos* («people»), which we also encounter in the Persian Debate, did not necessarily mean democracy. Like the concepts examined above, *demos* also had a broad and a narrow meaning. Homeric epics typically used this word in a broader sense, with reference to the population occupying a certain territory. In such cases it can be translated as both «people/population» and «land»²⁷, thus including the nobles as a part of the *demos*²⁸. In its narrower sense, the word *demos* juxtaposed the lower classes with men of high social standing, as follows, most visibly, when Odysseus was calming down the Achaeans (Hom. *Il.* 2.188-198): on encountering a king or a nobleman he gently convinced him with his words, whereas when he saw a man of the people (*demou t'andra*) he would strike him with his scepter and told him to keep quiet. In a similar fashion, Polydamas juxtaposed a man of the people (*demon eonta*) to the noble Hector (Hom. *Il.* 12.213). However, a designation of low social standing alone did not yet constitute a political concept: *demos* was juxtaposed to the rule of the king – Odysseus appealed to the king and the people (Hom. *Od.* 8.157), Alcinous referred to the kings who ruled over their

²⁵ Soldiers: e.g., Hdt. 1.88,189; 4.135; 5.32; 7.41-42,184,229; 8.128; 9.67,70,115.

²⁶ Cf. the use of this verb by Theognis – who advised Cyrnus to consort not with bad people but with good ones (*Eleg.* 31-32,37); recommended to a former friend that he consort with other people (*Eleg.* 597-598; cf. 1243); and reprimanded another for consorting with wicked people (*Eleg.* 1377-1378) – and Anacreon, who criticized Artemon for consorting with the dregs of society (F 43.5 = Page 388.5 = Athenae. 12.534a).

²⁷ E.g., Hom. *Il.* 2.547,828; 5.709-710; 6.158-159,225; 15.738; 16.455; 17.330; 24.481; *Od.* 2.101; 3.215; 6.2-3; 7.11,150; 8.555; 9.6; 11.14; 13.14,186; 14.43,239; 15.228,238,407; 16.96,382; 17.227,558; 19.73,146,273; 20.219; 21.17,258; 22.36; 24.136, with M.-J. Werlings, *Le dèmos avant la démocratie. Mot, concepts, réalités historiques*, Paris 2010. This association: Juret, *Dictionnaire* cit., p. 182; Chantraine, *Dictionnaire* cit. I, pp. 273-274; Frisk, *Wörterbuch* cit. I, p. 380; D. Roussel, *Tribu et cité*, Paris 1976, p. 272; A. Fouchar, *Aristocratie et démocratie. Idéologies et sociétés en Grèce ancienne*, Paris 1997, pp. 28, 31, 182; W. Donlan, *The Aristocratic Ideal and Selected Papers*, Wauconda 1999, pp. 225-227; Beekes, *Dictionary* cit. I, p. 325.

²⁸ E.g., Hom. *Il.* 11.328-329; 12.447, and *Od.* 4.530,652,666; 6.34-35.

people (8.390), whereas Antinous had the desire to be the king over the people of Ithaca (22.52-53). Herodotus, too, spoke of *demos* as «people» in a general sense when he referred to the population of a territory or juxtaposed a multitude to kings or tyrants²⁹.

None of the watchwords used in the Debate was thus confined to democracy. It could be that this is how Herodotus understood these words in the late fifth century. However, in the context of the sixth century, each of the concepts used in the Debate reflected a resistance to the unlimited authority of a single individual, not a desire for universal political rights or the «rule of the people». Otanes offered *isonomia* in place of the rule of a single person³⁰, which he depicted as displaying classical traits of tyranny³¹. Once his proposal to introduce *isonomia* had been defeated (3.83.1), Otanes made this idea even clearer when he demanded that neither he nor his descendants would be subject to anybody, and thus, once again reinforced the contrast between *isonomia* and the rule of one person (3.83.2):

I desire neither to rule nor to be ruled; but if I waive my claim to be king, I make this condition, that neither I nor any of my posterity shall be subject to any one of you.

Nor does the traditional interpretation of Otanes' proposal as a support for democracy find a substantiation in the modern theory that the word *isonomia* always served as a designation for a specific political régime. In fact, as many have already noted, *isonomia* has turned out to have originally been a politically neutral designation for equality, which preceded the appearance of *demokratia*³². Before the noun *isonomia* emerged in our texts, in the sixth century, equality was compatible with monarchy. For example, having taken what he saw as a worthy recompense for his own losses, the old Neleus gave the rest of the booty from Elis to his people (*es demon*), so that everyone had an equal share, offering another example of juxtaposing royal authority with people (*de-*

²⁹ First: e.g., 1.7; 4.11,99; 5.74. Second: e.g., 1.99; 3.81; 4.11; 8.137. See, in general, Donlan, *Ideal* cit., pp. 225-228.

³⁰ E.g., Lengauer, *Die politische Bedeutung der Gleichheitsidee* cit., p. 66; P. Barceló, *Basileia, Monarchia, Tyrannis. Untersuchungen zu Entwicklung und Beurteilung von Alleinherrschaft im vorhellenistischen Griechenland*, Stuttgart 1993, p. 172 (with further bibliography).

³¹ E.g., H. Edelmann, *Demokratie bei Herodot und Thukydides*, «Klio» 57 (1975), p. 318; J.A.S. Evans, *Notes on the Debate of the Persian Grandees in Herodotus 3, 80-82*, «Q.U.C.C.» n.s. 7 (1981), p. 82; Hartog, *Mirror* cit., pp. 326, 330; P. Lévêque - P. Vidal-Naquet, *Cleisthenes the Athenian. An Essay on the Representation of Space and Time in Greek Political Thought from the End of the Sixth Century to the Death of Plato*, tr. D.A. Curtis, Atlantic Highlands 1996, p. 20; Birgalias, *Le nomos* cit., p. 68 nt. 18; D. Asheri, *A Commentary on Herodotus, Books I-IV*, Oxford - New York 2007, p. 473; C. Catenacci, in G. Urso (ed.), *Ordine e sovversione nel mondo Greco e Romano*, Pisa 2009, pp. 13-14; H. Leppin, in B. Linke et al. (eds.), *Zwischen Monarchie und Republik*, Stuttgart 2010, p. 87.

³² E.g., Lengauer, *Die politische Bedeutung der Gleichheitsidee* cit., pp. 66, 84-86; Boedeker-Raaflaub, *Reflections* cit., p. 329; V.J. Hunter, in V.J. Hunter - J.C. Edmondson (eds.), *Law and Social Status in Classical Athens*, Oxford - New York 2000, pp. 24-25.

mos). Likewise, Odysseus and his noble companions equally divided the spoils taken from the Cyclops. For Homer, therefore, royal rule was compatible with equal distribution, justice, and good order; the use of the same phrase on such occasions shows that this was a socially accepted norm³³. Hesiod referred to the goddess of justice, Dike, as a daughter of Zeus (the king of gods and humans) and Themis (the divinity in charge of law and order), and a sister of Eunomia (order) and Eirene (peace). According to Sophocles, Oedipus and Iocasta enjoyed equality (*ison nemon*) as co-rulers of Thebes. Herodotus himself shares this idea when he tells the story of Deioces, who, while a «lover of tyranny», obtained the position of the king of the Medes by rendering «straight judgments» (1.96.3), and overcame «pillage and lawlessness» (1.97.1) by being «strict in the observance of justice» (1.100.1)³⁴.

The ideas of equality and justice were also compatible with oligarchy. According to Thucydides (8.89.2), some urged the Four Hundred to promote a greater equality (*ten politeian isaiteran*) by actually effectuating the rule of the Five Thousand, which was to replace Athenian democracy. Having been invited to establish new laws in Megalopolis, Plato (not an admirer of democracy) rejected the invitation once he learned that the Megalopolitai did not wish to have «equality of possessions»³⁵. As a social concept, *isonomia* equally applied to aristocracy and to democracy³⁶, designating any «constitutional regime, whether oligarchic or democratic, the rule of order, the contrary of the irresponsible tyranny»³⁷. A similarly

³³ Hom. *Il.* 11.704-705 and *Od.* 9.548-549 (*hos me tis moi atembomenos kioi ises*).

³⁴ Hes. *Th.* 901-902; Soph. *O.T.* 579; Hdt. 1.96-101 with McGlew, *Political Culture* cit., pp. 81-82, who discussed this episode as an example of Herodotus' vision of justice and power (in the form of tyranny, in this case) being linked together. Herodotus' vision of tyranny, which was neither overtly negative (*pace* P.W. Rose, see below, nt. 76) nor necessarily neutral, rather reflected the contradictory regard for tyranny by the Greeks (e.g., B.M. Lavelle, in «B.M.C.R.» 94.10.21), including Herodotus and other authors, who observed that tyranny was quite compatible with justice: e.g., McGlew, *Political Culture* cit., pp. 60-74 (with reference to the Cypselids in Corinth); J.B. Salmon, in L.G. Mitchell - P.J. Rhodes (eds.), *The Development of the Polis in Archaic Greece*, London - New York 1997, pp. 63-66. The same evidently was reflected by the 'promiscuous' use of the terms *basileus* and *tyrannos* by the Greeks: N. Luraghi, in H. Beck (ed.), *A Companion to Ancient Greek Government*, Malden 2013, pp. 131, 136, and 138-139 on the possible etymological connection of the word *tyrannos* with «justice» and «righteousness». Cf. A. Ferrill, *Herodotus on Tyranny*, «Historia» 27 (1978), p. 387 and Barceló, *Basileia* cit., p. 181, who believe that the concepts of *basileus* and *tyrannos* were entirely separate and not mutually interchangeable for Herodotus.

³⁵ Diog. Laert. 3.23, with Ael. *V.H.* 2.42, interpreted as *isonomia* by Gehrke, *Stasis* cit., p. 156 nt. 23.

³⁶ J.L. Myres, *Eunomia*, «C.R.» 61 (1947), pp. 80-82. For *isonomia* as (originally) an aristocratic concept: e.g., Roussel, *Tribu et cite* cit., p. 301; R. Thomas, *Oral Tradition and Written Record in Classical Athens*, Cambridge - New York 1989, p. 259; Barceló, *Basileia* cit., pp. 98-99; Fouchard, *Aristocratie* cit., pp. 173-174, 216-218; F. Canali De Rossi, *Tiranni, legislatori e giudici nella Grecia arcaica. Erodoto e la tirannide*, Rome 2012, p. 15.

³⁷ A.W. Gomme, review of M.R. Konvitz - A.E. Murphy (eds.), *Essays in Political Theory Presented to George H. Sabine*, Ithaca 1948, in «C.R.» 63 (1949), p. 125; J. de Romilly, *Le classement des constitutions d'Hérodote jusqu'à Aristote*, «R.E.G.» 72 (1959), p. 93; Lévêque - Vidal-Naquet, *Cleisthenes* cit., pp. 18-22;

general understanding was characteristic of *to meson* as well. When Theognis, a person of good birth but modest means, lamented that there was no longer any equality for *to meson*, he certainly did not have democracy in mind³⁸. Although most lawgivers – including Solon, Lycurgus, and Charondas – belonged to the *meson* and represented its interests, according to Aristotle³⁹, none of them strove to establish democracy. The broadly social nature of *isonomia* explains why the earliest known mention of this word belongs to a philosophical and medical context, as follows from our translation of this later reference to Alcmaeon of Croton (*fl.* 6th century), fr. 4 (= *FVS* 1, p. 215, vv. 11-16):

[the maintenance of] health results from the equilibrium (*isonomia*) of the faculties, (such as) moist, dry, cold, hot, bitter, sweet, and the rest, and the rulership of any single one of them (*monarchia*) is productive of disease, for the rulership of any single one of them is destructive. Disease occurs in some instances from excess of heat or cold, in some other owing to the excess or deficiency of food, etc.

Alcmaeon's contemporaries and later authors also associated equality, including protection by law, with health, while inequality, including tyranny, was likened with pathology⁴⁰. When Plato (*Gorgias* 464b) matched medicine with justice he was reflecting an old view.

What was new was that, whereas individual rule and equality had been compatible earlier, the noun *isonomia* emerged as a definitive antithesis to monarchy⁴¹. This did not make *isonomia* a political concept: it still pertained more to equal treatment and equal distribution in a general sense⁴² rather than, specifically, equal ac-

H. Leppin, *Thukydides und die Verfassung der Polis. Ein Beitrag zur politischen Ideengeschichte des 5. Jahrhunderts v. Chr.*, Berlin 1999, p. 22.

³⁸ Theogn. *Eleg.* 678, with G. Cerri, *Isos dasmos come equivalente di isonomia nella silloge teognidea*, «Q.U.C.C.» n.s. 8 (1969), pp. 100-102, who believed that Theognis was not able to use the noun *isonomia* here for metrical reasons, followed by Barceló, *Basileia* cit., p. 98 (and nt. 345 with bibliography).

³⁹ Arist. *Pol.* 1296a.18-22, with M. Gagarin, *Early Greek Law*, Berkeley / Los Angeles 1986, p. 59. K.-J. Hölkeskamp, *Schiedsrichter, Gesetzgeber und Gesetzgebung im Archaischen Griechenland*, Stuttgart 1999, p. 48 has seen here the expectation that lawgivers should occupy the position in the middle and above various factions.

⁴⁰ E.g., C. Caserta, in G. Daverio Rocchi (ed.), *Tra concordia e pace*, Milan 2007, pp. 72-78; H. Barta, 'Graeca non leguntur?' *Zu den Ursprüngen des europäischen Rechts im antiken Griechenland I*, Wiesbaden 2010, pp. 109-111.

⁴¹ E.g., W. Nippel, *Mischeverfassungstheorie und Verfassungsrealität in Antike und früher Neuzeit*, Stuttgart 1980, p. 33; Ch. Triebel-Schubart, *Der Begriff der Isonomie bei Alkmaion, «Klio»* 66 (1984), pp. 42-43; Birgalias, *To stadio tes isonomias* cit., pp. 34, 54; K.A. Raaflaub, *Isonomia*, in R.S. Bagnall et al. (eds.), *The Encyclopedia of Ancient History*, Malden 2013, p. 3521.

⁴² E.g., É. Will, *Historica graeco-hellenistica. Choix d'écrits 1953-1993*, Paris 1998, pp. 505-506, followed by H.W. Pleket, *Isonomia and Cleisthenes: A Note*, «Talanta» 4 (1972), pp. 64-65; Cerri, *Isos dasmos* cit., pp. 99-100; F. Lasserre, *Hérodote et Protagoras: le débat sur les constitutions*, «M.H.» 33 (1976), p. 80; Lintott, *Aristotle* cit., p. 153; and E. Lévy, *Isonomia*, in U. Bultrighini (ed.), *Democrazia e antidemocrazia nel mondo Greco*, Alessandria 2005, pp. 123-124. Cf. Larsen, *Theory* cit., p. 9; Ehrenberg, *Origins* cit., pp. 534-536;

cess to law (*nomos*), not to mention political equality⁴³. The original broadly social meaning of *nomos* as «convention» and «custom», and of its etymological root as a verb meaning «to distribute» indicate that *isonomia* only gradually developed from a general idea of equal distribution to legal equality⁴⁴.

Otanes' proposal of *isonomia* as the antithesis of one person's irresponsible rule fits the context of references to the establishment of *isonomia*, which we see in Greek texts beginning in the sixth century. The contrast between monarchy (in the form of a tyranny) and *isonomia* is particularly visible in the two famous drinking songs, or scholia, which praise the tyrannicides Harmodius and Aristogeiton for having made Athens isonomic (*isonomous*)⁴⁵. The debate about whether these scholia emerged before or after Cleisthenes' reform, and the establishment of *demokratia* in Athens, cannot really be resolved, because the interval between the overthrow of the tyranny and Cleisthenes' reform – usually dated to 510 and 508-507, respectively – was too short. Modern studies have generally supported the view about the aristocratic origin of these scholia⁴⁶. Herodotus himself provides several examples, by contrasting *isonomia* with the rule of one person. In one such case, Maeandrius' attempt to replace a tyranny with *isonomia* at Samos meant giving freedom from the rule of one person, as Maeandrius emphasized in his speech, and as Herodotus stresses by contrasting tyranny and freedom elsewhere⁴⁷. Once the Samians rejected his offer of *isonomia*, Maeandrius assumed tyranny, thus again juxtaposing

Ostwald, *Nomos* cit., p. 105 (with nt. 4), and C. Schubert, *Alkmaion of Kroton*, in R.S. Bagnall et al. (eds.), *The Encyclopedia of Ancient History*, Malden 2013, pp. 319-320, who all asserted that Alcmaeon borrowed his ideas from the political field, since they rationalized *isonomia* as a political concept.

⁴³ For *isonomia* as legal equality: e.g., H. Berve, *Die Tyrannis bei den Griechen*, Munich 1967, p. 167; cf. Asheri, *Commentary* cit., p. 474: on legal equality as a later understanding of *isonomia*. For the debate on *isonomia* and political equality: e.g., H. Apffel, *Die Verfassungsdebatte bei Herodot (3,80-82)*, Diss., Erlangen 1957, p. 60 (with nt. 4); V. Rosivach, *The Tyrant in Athenian Democracy*, «Q.U.C.C.» 30 n.s. (1988), p. 47 nt. 11.

⁴⁴ «Custom»: e.g., Juret, *Dictionnaire* cit., p. 185; Chantraine, *Dictionnaire* cit. III, pp. 742-743; Frisk, *Wörterbuch* cit. II, p. 302; S. Todd, *Glossary-Index*, in P. Cartledge et al. (eds.), *Nomos. Essays in Athenian Law, Politics, and Society*, Cambridge 1990, p. 231; Beekes, *Dictionary* cit. II, p. 1006; P. Cartledge, *Greek Political Thought: the Historical Context*, in C. Rowe - M. Schofield (eds.), *The Cambridge History of Greek and Roman Political Thought*, Cambridge - New York 2000, pp. 14-15. «To distribute»: e.g., Juret, *Dictionnaire* cit., p. 97; Chantraine, *Dictionnaire* cit. III, p. 743; Frisk, *Wörterbuch* cit. II, p. 303; Beekes, *Dictionary* cit. II, p. 1007; Cartledge, *Greek Political Thought* cit., p. 15.

⁴⁵ *Poet. Mel. Graeci, Carm. Conviv.* 893 and 896 (Page) = Athenae. 15.695ab.

⁴⁶ Their date: e.g., J. Touloumakos, *Die theoretische Begründung der Demokratie in der klassischen Zeit Griechenlands*, Athens 1985, pp. 20-21; E. Stein-Hölkeskamp, s.v. *Aristogeiton* [1], in *NPauI* I, 1996, col. 1109; Asheri, *Commentary* cit., p. 474. Their aristocratic origin: e.g., Thomas, *Oral Tradition* cit., p. 259 (but see *loc. cit.*, nt. 63); W. Eder, in I. Wehgartner (ed.), *Euphronios und seine Zeit. Kolloquium in Berlin 19.-20. April 1991 anlässlich der Ausstellung Euphronios, der Maler*, Berlin 1992, p. 32; and, with a minor hesitation, Raaflaub, *Isonomia* cit., p. 3521.

⁴⁷ Hdt. 3.142, cf. 1.62.2. This theme of 'freedom': J. Roisman, *Maiandrios of Samos*, «Historia» 34 (1985), pp. 257-277; Birgalias, *To stadio tes isonomias* cit., pp. 49-51.

the two concepts (3.142-145). In a similar fashion, Herodotus tells us, Aristagoras allegedly renounced tyranny and founded *isonomia* in Miletus in 499 (5.37.2).

Both the idea of juxtaposing *isonomia* as equality to one person's domination, and the concepts used in the Persian Debate were familiar to Herodotus' readers. They knew that neither *isonomia* nor *to meson* were political definitions *per se*: when Aristotle (*Pol.* 1297b.26-29) said that «the states of early days were naturally oligarchic and royal, for owing to the smallness of the population their *to meson* was not numerous» and, accordingly, «the multitude (*to plethos*) more readily endured being in a subject position», he reinforced the view that *to meson* could exist within different political régimes⁴⁸.

The Persian Debate reveals an important aspect of the relationship between *isonomia* as social and legal equality, and *demokratia* as political equality. While *demokratia* implied *isonomia*, the presence of *isonomia* did not by itself entail equal political rights: not all who had *isonomia* also had political equality. Thucydides described this situation when, narrating the Theban speech before the Lacedaemonians, he presented the Thebans as saying that in the time of the Persian wars their state was neither an oligarchy under equal laws (*oligarkhia isonomos*) nor a democracy, but the rule «of a few people» (*dynasteia*). While claiming to be innocent of making an alliance with the Persians, the Thebans also showed that it was possible to have *isonomia* under oligarchy as well as under democracy⁴⁹. Arnold W. Gomme correctly interpreted the Theban speech as reflecting that «all citizens have equal rights though not equal political power»⁵⁰. His words also apply to the régime set up in Athens by Solon, who gave social and legal equality to all members of the four income classes, while allotting the right to occupy political offices only to the upper two (or three?) of them⁵¹. Solon's régime was, therefore, both oligarchy (in political terms) and *isonomia*; by giving equal social and legal rights to all four classes, he created the biggest *to meson* possible, clearly aiming to avoid factional struggles. Hence, Solon's famous

⁴⁸ E.g., Arist. *Pol.* 1296a.13-16 and 1296a.23-25.

⁴⁹ Thuc. 3.62.3, with Gehrke, *Stasis* cit., pp. 171 (and nt. 48 with bibliography), 188 nt. 30. It is noteworthy that, elsewhere, Herodotus (8.34) says that the entire people (*plethos*) of the Boeotians joined the Persians, thus demonstrating once again that the word *plethos* did not have a political significance of its own (for this problem, see above).

⁵⁰ A.W. Gomme, *A Historical Commentary on Thucydides* II, Oxford 1962, p. 347; cf. S. Hornblower, *A Commentary on Thucydides* I, Oxford 1991, p. 455: *isonomia* «is normally associated with democracy, though it is not identical with it».

⁵¹ It has been debated whether the *zeugitai* also lacked the right to occupy political offices, i.e. similar to the *thetes*, in the system established by Solon; see, e.g., Arist. *Pol.* 1274a.18-23; Arist. *Ath. Pol.* 26.2 with E. Badian, *Archons and Strategoi*, «*Antichthon*» 5 (1971), pp. 9-10; P.J. Rhodes, s.v. *Archontes*, in *NPauuly* I, 1996, col. 1026; K.-W. Welwei, *Das klassische Athen: Demokratie und Machtpolitik im 5. und 4. Jahrhundert*, Darmstadt 1999, p. 43. What remains the same is that while members of all four income classes had (almost) the same social and legal rights, only some of them had access to political offices.

utterance, preserved for us by Plutarch, that «equality bred no war». Aristotle had a similar idea in mind when he said that the «ideal of the state is to consist as much as possible of persons who are equal and alike, and this is to be found, first and foremost, in those who occupy the middle position (*tois mesois*)»⁵².

The perception of *isonomia* as equality of a broad social nature, which went beyond the possession of political rights, explains why the attributes of *isonomia* praised by Otanes were not only characteristics of democracy, and why Greek authors continued to distinguish it from *demokratia* in later texts: Thucydides talked of both *oligarkhia isonomos* and *demokratia*, Isocrates mentioned *isonomia* side-by-side with *demokratia*, whereas Plato famously opposed tyrannies, oligarchies, and democracies to the «just and equal *politeia*» (*dikaioi kai isonomos politeia*)⁵³. Even those who see *isonomia* as a political concept, or a political principle, need to acknowledge that it had more than one meaning. Among others, Ostwald has regarded *isonomia* as «basically a social and political concept», Lengauer has connected *isonomia* with both the «proportionate equality» (which, he thinks, was also applicable to oligarchy) and democracy, whereas Raaflaub has defined it as «political equality» and as «more broadly based civic equality»⁵⁴. While Sealey interpreted *isonomia* as the «principle of political equality», he also acknowledged that «*isonomia* is not restricted to any one of the stock constitutions»; and Rhodes likewise spoke of *isonomia* as democracy (with reference to Otanes' words) and as «equality before laws» that was a «moderate government as opposed to tyranny». Recent works have accordingly interpreted the meanings of *isonomia* as close, if not identical, with that of the so-called mixed constitution⁵⁵. Although formally correct, such references have never answered the questions of why *isonomia* turned out to have had more than one meaning, and why *isonomia* was either identified with a specific political régime, i.e. *demokratia*, or understood as going beyond its limits. Actually, these questions have never been clearly raised. It is the origin of *isonomia* as a social concept defining «equality» in a general sense, that explains why it was understood in more than one way even after the word *demokratia* started to be used, and why the meanings of *isonomia* and *demokratia* never completely coincided.

⁵² Plut. *Sol.* 14.2; Arist. *Pol.* 1295b.27-28, with Lintott, *Aristotle* cit., p. 161.

⁵³ Thuc. 3.62.3 (see above, nt. 49); Isocr. 12.178 (cf. 7.20); Plato *ep.* 7.326d.

⁵⁴ Ostwald, *Nomos* cit., p. 105; W. Lengauer, in W. Schuller et al. (eds.), *Demokratie und Architektur. Der hippodamische Städtebau und die Entstehung der Demokratie*, Munich 1989, pp. 21-22; K.A. Raaflaub, in J. Ober - Ch.W. Hedrick (eds.), *Demokratia. A Conversation on Democracies, Ancient and Modern*, Princeton 1996, pp. 144-145, and Raaflaub, 'Political Creature' cit., p. 335: on *isonomia* as «political equality, equality before the law». Cf. Birgalias, *To stadio tes isonomias* cit., pp. 38-43, who spoke (p. 39) of *mia ierarchemene isonomia*.

⁵⁵ Sealey, *Origins* cit., pp. 274-275; P.J. Rhodes, s.v. *Isonomia*, in *NPauly* V, 1998, col. 1143 and in *OCD*⁴, 2012, p. 748. For an oligarchy of this type: Gehrke, *Stasis* cit., p. 171. The «mixed constitution»: e.g., Lintott, *Aristotle* cit., pp. 163-164; Lévy, *Isonomia* cit., p. 132.

2. *Herodotus between isonomia and demokratia*

This brings us to the other main argument of those who present the Persian Debate as the earliest documented reference to democracy, or «proto-democracy», in ancient Greece: they point out how, later in the text, Herodotus himself qualified Otanes' words as a proposal for democracy⁵⁶. The fact that neither Otanes nor his interlocutors used the word *demokratia*, whereas Herodotus applied this term to the Persian Debate (thus, identifying Otanes' *isonomia* with *demokratia*) only later in his text has produced numerous interpretations that can be summed up in the form of two clusters, as follows: Herodotus either did not yet know the word *demokratia* when writing Book 3 but this word had emerged and become well established when he was writing Book 6 – i.e. where he referred to Otanes as proposing *demokratia*⁵⁷ – or he knew the word *demokratia* when writing Book 3 but preferred to use the word *isonomia* instead.

Neither of these interpretations is compelling. The first offers a formal solution to the problem of reconciling Hdt. 3.80-82 and 6.43, but its validity is nullified by our lack of knowledge about the publication date and the method of composition of Herodotus' *Histories*: their integrity has been extensively, and inconclusively, discussed⁵⁸. If parts of Herodotus' *Histories* were originally made public through oral performances, as numerous works have acknowledged, then its publication could have started before the Peloponnesian war and continued over an extended period of time⁵⁹. This theory is further undermined by Herodotus' refer-

⁵⁶ Hdt. 6.43.3. E.g., Larsen, *Theory* cit., p. 5; Vlastos, *Isonomia politike* cit., p. 6; Ostwald, *Nomos* cit., pp. 107 nt. 4, 111; F. Gschnitzer, *Die sieben Perser und das Königtum des Dareios*, Heidelberg 1977, p. 35 nt. 41; Frei, *Isonomia* cit., p. 210; Lasserre, *Hérodote* cit., p. 65; G. Strasburger, *Lexikon zur Frühgriechischen Geschichte auf der Grundlage von Herodots Werk*, Zürich 1984, p. 324; Y. Nakategawa, *Isegoria in Herodotus*, «Historia» 37 (1988), pp. 260-261, 263; Lateiner, *Historical Method* cit., p. 273; V. Parker, *Vom König zum Tyrannen. Eine Betrachtung zum Entstehung der älteren griechischen Tyrannis*, «Tyche» 11 (1996), p. 165 nt. 1; J.M. Alonso-Núñez, *Die Verfassungsdebatte bei Herodot*, in W. Schuller (ed.), *Politische Theorie und Praxis im Altertum*, Darmstadt 1998, p. 28; Ostwald, *Oligarchia* cit., pp. 14, 17; Pelling, *Debate* cit., pp. 123, 136; A. Ward, *Herodotus and the Philosophy of Empire*, Waco 2008, p. 206 nt. 47.

⁵⁷ Vlastos, *Isonomia politike* cit., p. 3: «from the omission of *demokratia* throughout the whole of the Debate we may infer that the word had not yet come into use»; Nakategawa, *Isegoria* cit., p. 263.

⁵⁸ E.g., R. Lattimore, *The Composition of the History of Herodotus*, «C.P.» 53 (1958), pp. 9-21; H. Wood, *The Formal Structure of the Histories of Herodotus*, Diss., New York 1964; H.-F. Bornitz, *Herodot-Studien: Beiträge zum Verständnis der Einheit des Geschichtswerkes*, Berlin 1968; J. Cobet, *Herodots Exkurse und die Frage der Einheit seines Werkes*, Wiesbaden 1971; V. Hunter, *Past and Process in Herodotus and Thucydides*, Princeton 1982, pp. 177-183, 217-220; W. Nicolai, *Versuch über Herodots Geschichtsphilosophie*, Heidelberg 1986, pp. 13-18; Asheri, *Commentary* cit., pp. 12-14.

⁵⁹ Among recent such works, see, e.g., D. Sansone, *The Date of Herodotus' Publication*, «I.C.S.» 10 (1985), pp. 1-9; W.A. Johnson, *Oral Performance and the Composition of Herodotus' Histories*, «G.R.B.S.» 35 (1994), pp. 229-254; R. Thomas, in W. Kullmann - J. Althoff (eds.), *Vermittlung und Tradierung von Wissen in der griechischen Kultur*, Tübingen 1993, pp. 225-244; Pelling, *Debate* cit., p. 124; J.A.S. Evans,

ence to democracy (in the form of a verb) in Book 4, i.e. immediately after his description of the Persian Debate⁶⁰. In the absence of a clear vision of how Herodotus composed his work, suggesting that he did not know the word *demokratia* when writing Book 3 but knew it when writing Book 4 certainly seems surprising. Even if this had been the case, what would have prevented Herodotus from stepping back a little and adjusting his vocabulary in Book 3?

The other theory – that Herodotus meant but did not use the word *demokratia* in 3.80-82 – has relied on various connotations of this word itself, which, allegedly, precluded its use in the Debate. Sealey has suggested that the adherents of democracy referred to it as *isonomia* because the latter sounded better, whereas the opponents of democracy used the word *demokratia* itself⁶¹. However, why would the adherents of democracy, who strove to enlarge their social support, use a different word, especially if everybody knew what they meant? And why did Herodotus, who was not an enemy to democracy, use this word elsewhere (e.g., 4.137.2; 6.131.1), applying it to Otanes' proposal (6.43.3)? Brannan's view has been that «Herodotus by careful avoidance of the word δημοκρατία indicates that there was some sort of πλεθος ἄρχων in Otanes' mind but he does not identify it with the Athenian concept of δημοκρατία». However, others have interpreted Otanes' *plethos archon* as meaning *demokratia*, just as they rationalized the meaning of his *isonomia* to have been identical to democracy even before the word *demokratia* emerged⁶².

Vlastos and Ostwald have asserted that *isonomia* designated «not a specific constitution but a standard by which constitutions can be evaluated», and since democracy «measure[d] up so uniquely to the norm expressed by *isonomia* [...], it [could] be singled out (and, hence, named) by the mere mention of the norm». Generally following Vlastos, Pelling has recently outlined three reasons why

The Beginnings of History. Herodotus and the Persian Wars, Campbellville 2006, pp. 89-100; O. Murray, in N. Luraghi (ed.), *The Historian's Craft in the Age of Herodotus*, Oxford - New York 2007, pp. 16-44 and 314-325; S. Evans, *The Recitation of Herodotus*, in J. Pigoń (ed.), *The Children of Herodotus. Greek and Roman Historiography and Related Genres*, Newcastle upon Tyne 2008, pp. 1-16 (with an outline of the history, content, and nature of the debate).

⁶⁰ Hdt. 4.137.2 as the alleged words of Histiaeus of Miletus (see below in the text).

⁶¹ Sealey, *Origins* cit., p. 274: «One may therefore offer the hypothesis that *demokratia*, like *oligarchia*, was rather a blunt word, to be used by a narrator but not by an advocate; the latter would prefer the euphemism *isonomia*», pp. 275, 277, followed by Nippel, *Mischverfassungstheorie* cit., pp. 34-35 (ntt. 17 and 19) and Saxonhouse, *Democracy* cit., pp. 32-33.

⁶² P.T. Brannan, *Herodotus and History: the Constitutional Debate Preceding Darius' Accession*, «Traditio» 19 (1963), p. 432, with Bringmann, *Verfassungsdebatte* cit., p. 270. See also W.R. Connor, *The New Politicians of Fifth-Century Athens*, Princeton 1971, pp. 202-203; Frei, *Isonomia* cit., pp. 209-210; Nakategawa, *Isegoria* cit., p. 263; Ruzé, *Plethos* cit., p. 260; Lateiner, *Historical Method* cit., p. 273; C. Dewald, *Form and Content: The Question of Tyranny in Herodotus*, in K.A. Morgan (ed.), *Popular Tyranny*, Austin 2003, p. 29; Asheri, *Commentary* cit., p. 474.

Otanes, an aristocrat, supported democracy but purposefully chose to use the word *isonomia* instead: (i) it suited Otanes' character, particularly by suggesting equality before the law; (ii) «in the later narrative the antithesis to Persian tyranny will typically be, not democracy, but something else, something which embraces Greek states which are not at all democratic but in many cases could still be called isonomic»; and (iii) Otanes «has so little positively to say about democracy», because democracy was unfamiliar to him, or, in other words, because he was on much firmer ground when criticizing tyranny than when praising democracy⁶³. But while the idea that tyranny was more familiar to Otanes (and his interlocutors) than democracy is perfectly acceptable by itself, and while it might elucidate the ardor with which Otanes denounced tyranny, it still fails to explain why he ventured to praise democracy (if this was what his *isonomia* meant) in the first place.

Modern interpretations of the Persian Debate, therefore, appear to have a priori accepted Otanes' *isonomia* as his support for democracy, because this is how Herodotus himself interpreted Otanes' words (6.43.3). The flaws inherent in such interpretations suggest that we should approach this situation from the other end and raise a different question: What allowed Herodotus – followed by both ancient (e.g., [Plut.] *De unius reip. dom.* 3.826de) and modern authors – to interpret Otanes' proposal of *isonomia* as support for *demokratia*? The answer to this question lies in the rising complexity of political life in the fifth century, which revealed itself in several ways. One of them was the emergence of the concepts of democracy and oligarchy. The origin of the former concept has been dated to around the mid-fifth century (Mann) or, more specifically, the 440s (Rosivach) or the 430s (Blok)⁶⁴. Establishing the precise dating of this development is not really possible, but Greek authors in the mid-fifth century were well aware of what was going on. Pindar's *Pythian* 2.86-88 (c. 468?) is thought to have been the earliest mention of monarchy,

⁶³ Vlastos, *Isonomia politike* cit., p. 8; see also Vlastos, *Isonomia* cit., p. 347: «while *demokratia* does no more than describe a fact, *isonomia* expresses an idea, indeed a whole set of ideas, by which the partisans of democracy justified the rule of the people», and Ostwald, *Nomos* cit., pp. 111 («a political principle»), 113: on *isonomia* as «the principle of political equality [...] not a constitutional form», p. 180. This approach lacks a historical perspective on the development of practices, institutions, and concepts in ancient Greece. Cf., e.g., Ostwald's puzzlement (p. 106) that Alcmaeon's text (see above) juxtaposed monarchy not with democracy but with *isonomia*. But were there constitutional forms and the principle of political equality before the appearance of oligarchy and democracy in the fifth century? Evidently, it is because the origin of *isonomia* chronologically preceded the origins of specific political régimes, such as oligarchy and democracy, that *isonomia* could be associated with both of them, so that Vlastos and Ostwald have defined *isonomia* not as a «constitutional form» but as a «principle». Pelling, *Debate* cit., pp. 136-138 (at pp. 137-138).

⁶⁴ E.g., Ch. Mann, in A.-C. Hernández (ed.), *Démocratie athénienne - démocratie moderne. Tradition et influences*, Geneva 2010, p. 69 (and nt. 41 with bibliography); Rosivach, *Tyrant* cit., p. 52; J.H. Blok, *Becoming Citizens. Some Notes on the Semantics of 'Citizen' in Archaic Greece and Classical Athens*, «Klio» 87 (2005), p. 30. For this «change in terminology» as a development that evolved over several decades: Raafaub, 'Political Creature' cit., pp. 340-341.

oligarchy, and democracy together, even though Pindar's text defined the latter two régimes as «wise men» and «raucous soldiers»⁶⁵. Aeschylus' words about the «powerful hand of the people» (*demou kratousa kheir*) have been interpreted as a possible reference to *demokratia* (whether in Athens or in Argos, or in both at once)⁶⁶. Pseudo-Xenophon's *Athenian Politeia*, which qualified democracy and oligarchy as political systems, has been dated to the period between the 440s and the 420s⁶⁷.

Another outcome of this development was the replacement of the antagonism between *isonomia* and the rule of one person by the antagonism between democracy and oligarchy as the main type of social conflict in Greece. Maurice Pope has observed that the «political contrast between 'the many' and 'the few' occurs only after 430 B.C.». For Christian Meier, «the wide range of constitutions that were designated as isonomies or democracies, by contrast with 'tyranny', was divided up about the year 430 into 'democracies' and 'oligarchies', each term now being understood in a new sense... The real antithesis of democracies is now no longer tyranny, but oligarchy». Likewise, Raphael Sealey has noted that «in the second half of the fifth century linguistic usage treated the words *demokratia* and *oligarkhia* as a stock contrast»⁶⁸. Ehrenberg, who was probably the first to draw our attention to the idea that the antagonism between *isonomia* and the rule of one person was being replaced by the antagonism between democracy and oligarchy in the fifth century, still rationalized *isonomia* as essentially a political concept. The same stance was taken by Rosivach and Raaflaub, who perceptively observed the evolution of the meaning of this

⁶⁵ Lasserre, *Hérodote* cit., p. 72; Alonso-Núñez, *Verfassungsdebatte* cit., p. 29; Ostwald, *Oligarchia* cit., p. 15; P.J. Rhodes, *Oligarchs in Athens*, in R. Brock - S. Hodkinson (eds.), *Alternatives to Athens: Varieties of Political Organization and Community in Ancient Greece*, Oxford - New York 2000, p. 124; H. Leppin, *Unlike(y) Twins? Democracy and Oligarchy in Context*, in H. Beck (ed.), *A Companion to Ancient Greek Government*, Malden 2013, pp. 148-149.

⁶⁶ Aeschyl. *Suppl.* 604 (463?). Cf., e.g., Ehrenberg, *Origins* cit., pp. 517, 524 and A.J. Podlecki, *The Political Background of Aeschylean Tragedy*, Ann Arbor 1966, pp. 48, 57-58.

⁶⁷ E.g., [Xen.] *Ath. Pol.* 1.3-5; 2.19-20. For detailed discussions and bibliography, see R. Osborne, *The Old Oligarch. Pseudo-Xenophon's Constitution of the Athenians*, London 20042, pp. 4-5; J.L. Marr - P.J. Rhodes, *The 'Old Oligarch': The Constitution of the Athenians Attributed to Xenophon*, Oxford 2008, pp. 3-6, 31-32, and G. Weber: Pseudo-Xenophon, *Die Verfassung der Athener*, Darmstadt 2010, pp. 20-25, who were all inclined to date this text to around the mid-420s. Pace S. Hornblower, in P. Flensted-Jensen et al. (eds.), *Polis & Politics. Studies in Ancient Greek and Roman History Presented to M.H. Hansen on His Sixtieth Birthday*, Copenhagen 2000, pp. 363-384, who advocated the date in the fourth century, largely on literary grounds, but without any support, and P.A. Tuci, in C. Bearzot et al. (eds.), *L'Athenaion politeia rivisitata. Il punto su Pseudo-Senofonte*, Milan 2011, p. 69, who opted for the period between 415-413.

⁶⁸ M. Pope, *Thucydides and Democracy*, «Historia» 37 (1988), p. 282; Ch. Meier, *The Greek Discovery of Politics*, Cambridge, MA 1990, p. 171 (who still considers *isonomia* as designating a political régime); Sealey, *Origins* cit., p. 267; see also, e.g., Meier, *Bemerkungen* cit., pp. 5, 9; Nippel, *Mischverfassungstheorie* cit., p. 43; J. Ober, *The Athenian Revolution. Essays on Ancient Greek Democracy and Political Theory*, Princeton 1996, p. 37; cf. G. Giorgini, *La città e il tiranno. Il concetto di tirannide nella Grecia del VII-IV secolo a.C.*, Milan 1993, pp. 127-128.

word, but, again, placed an emphasis on its political significance⁶⁹. However, this understanding of *isonomia* emerged only later. Herodotus himself reflected this evolution by providing information about two types of social conflicts in Greece. One of them was the old antithesis between monarchy and *isonomia*, which Herodotus illustrated with reference to the activities of Maeandrius in Samos and Aristagoras in Miletus, who strove, either allegedly or for real, to replace monarchy with *isonomia*⁷⁰. At the same time, Herodotus also mentioned a new type of conflict: between the «men of substance», or the rich, and the *demos*. His examples included the expulsion of the rich by the *demos* from Naxos (5.30); the mastery by the rich over the *demos* in Aegina, and the subsequent uprising of the *demos* against them (6.91); and the deportation of landowners from Syracuse by the *demos* and their own slaves (7.155). Such instances led to the establishment of the rule of the *demos* that appeared to be in charge of, and made decisions for, the city (e.g., 1.59; 5.97; 6.104,136; 7.142; 8.7; 9.5). Herodotus likewise used the word «people» (*demos*) both when Demonax turned what had previously belonged to the kings over to the commonality of Cyrene (4.161: *es meson to demo etheke*), and when, as the poor were fighting against the rich, Cleisthenes famously «took people in the partnership», thus making *demos* a political force⁷¹. In the latter case, Herodotus changed the broadly social meaning of *demos* to a designation of a specific political régime⁷².

Still another outcome of the rising complexity of political life in Greece in the fifth century was that not only did new concepts emerge, but existing concepts acquired new meanings. This happened with *demos*, as we have just seen above, and *plethos*, which still retained its original broadly-social meaning of «multitude», but

⁶⁹ Ehrenberg, *Origins* cit., pp. 535-536; Rosivach, *Tyrant* cit., pp. 50, 51: by the late fifth century, *isonomia* «had expanded so far as to be synonymous with democracy», and 47, 51, 55 on *isonomia* as a political concept; Raaflaub, *Isonomia* cit., pp. 3521-3522, and Raaflaub, «Political Creature» cit., pp. 340-341.

⁷⁰ Hdt. 3.142 and 5.37.2, with, e.g., Berve, *Tyrannis* cit., p. 185 and E.W. Robinson, *Democracy beyond Athens. Popular Government in the Greek Classical Age*, Cambridge - New York 2011, p. 177 (Aristagoras). The *isonomia* proclaimed by Maeandrius «was consistent with aristocratic control», according to B.M. Mitchell, *Herodotus and Samos*, «J.H.S.» 95 (1975), p. 86 and G. Shipley, *A History of Samos, 800-188 B.C.*, Oxford 1987, pp. 104-105. Cf. McGlew, *Political Culture* cit., p. 129 (with nt. 9), who doubted that it was correct to define the *isonomia* proposed by Maeandrius as either democratic or aristocratic. In the latter case, his argument was based on Herodotus' words (3.142.4) that Maeandrius' proposal was rejected because of his (Maeandrius') base origin. But this does not make a compelling argument about the nature of *isonomia*: what was rejected was not *isonomia* as such, but Maeandrius' wish to change the political system of Samos, and thus to occupy a special place in its community (in addition to his desire to receive a big money payment and a hereditary priesthood). However, although McGlew formally defined *isonomia* as political equality (p. 125), he actually came close to perceiving its original politically neutral meaning.

⁷¹ On *demos* as designating the poor: e.g., Hdt. 1.93,196. Cleisthenes: Hdt. 5.66,69.

⁷² Rosivach, *Tyrant* cit., p. 52. For the development of the meaning of the word *demos*, which only gradually acquired a political flavor, see the first part of this article, with, e.g., Donlan, *Ideal* cit., pp. 225-338 and Werlings, *Le demos* cit., pp. 267-289.

also began to be used as a designation for political majority⁷³ and, eventually, for democracy, as in the dialogue between Socrates and a Stranger in Plato, *Polit.* 31cd:

Str.: And after monarchy one might, I should say, speak about the rule of the few. Soc.: Yes, how otherwise? Str.: And is not the third form of *politeia* the rule of the multitude (*he tou plethous arkhe*), which is called democracy (*demokratia*)? Soc. And this is for sure.

The meaning of *to meson*, which, as we have seen above, was a broadly social concept, also acquired a political dimension. For example, Aristotle (*Pol.* 1295b.35-37) applied *to meson* as a political concept, thus creating the impression that this had always been the case:

It is clear that the political community administered by the moderates (*dia ton meson*) is the best, and that it is possible for those states to be well governed that are of the kind in which the class of the moderates (*to meson*) is numerous and stronger than the other two classes (together), which would be the best, or, at least, than each of these two.

This later vision of *to meson* as a political régime has allowed some to associate it with the democratic mode of government⁷⁴. But further in the same passage, Aristotle juxtaposed the community administered by the moderates to the extremes of the «ultimate democracy» (*demos eskhatos*) and «unmixed oligarchy» (*oligarkhia akratos*) or tyranny, showing that the original meaning of *to meson* as «equality» had survived into the fourth century. The same follows from passages by ancient authors who put *isonomia* and *demokratia* side by side, evidently because democracy included not merely legal equality (referred to by Pericles in his funeral oration, as we read in Thucydides) but also political equality or, as a later commentator on Demosthenes put it, «democracy has *isonomia* and *isotimia*»⁷⁵.

A similar change affected the idea of equality. It was originally compatible with monarchy (as in Homer), then it was compatible with monarchy provided the monarch was just (as in Hesiod, who also speaks of «bad kings»; see below). Then, the noun *isonomia* emerged to be juxtaposed with monarchy, which designated the rule of one person in the sixth century, as for Alcmaeon, and a political régime in the fifth century, as for Herodotus and his contemporaries, who held monarchy to be synonymous with tyranny⁷⁶. The meaning of the word «tyranny»

⁷³ See esp. Ruzé, *Plethos* cit., pp. 252-259 (epigraphical evidence). For the earlier broadly social understanding of *plethos*, see, e.g., (Otanes in) Hdt. 3.80.6; Arist. *Pol.* 1297b.16-28, and in the first part of this article.

⁷⁴ E.g., Strasburger, *Lexikon* cit., p. 199; Lasserre, *Hérodote* cit., p. 80; L. Gourmelen, *Kékrops, le roi-serpent*, Paris 2004, p. 239.

⁷⁵ Thuc. 2.37.1; Sch. Dem. 22.30: *en demokratia isonomia kai isotimia* (Dilts, 91b).

⁷⁶ Alcmaeon, fr. 4 = *FVS* 1, p. 215, vv. 11-16 (see above). Cf. Solon's view of tyranny as a lawless régime: G. Ferrara, *La politica di Solone*, Naples 1964, pp. 107-134. Herodotus (6.23) used the words «tyrant», «king», and «monarch» interchangeably, and saw nothing wrong in defining the position of Aristagoras,

evolved accordingly as well. Originally a neutral designation for the rule of one person⁷⁷, it has been argued that it only acquired a pejorative sense, as a cruel and immoral domination, in the sixth century⁷⁸. Many have already observed that Darius, who aspired to establish his own sole rule, did not use this word, unlike Otanes who criticized tyranny as one ruler's lawless and unbridled domination⁷⁹. It is possible that the origins of this development should be dated to earlier times: James F. McGlew has perceptively noted that Zeus and Dike (the goddess of justice) became father and daughter in Hesiod, reflecting the «change in the conception of royal power». Hesiod provides a vivid example of this change by juxtaposing the «straight judgments» (*itheiai dikai*) of kings, who were «children of Zeus», to the «crooked judgments» (*dikai skoliai*) of the bad kings⁸⁰.

The emergence of *isonomia* was another outcome of this growing negative perception of the royal rule: the above-quoted reference to Alcmaeon reveals that *isonomia* originally designated social (and, then, legal) justice, as opposed to the excesses of one's individual rule. In what looks like a case of borrowing from sources belonging to different historical periods, Herodotus shows us this transition by using the word «tyranny» in both its earlier and later senses – his Deioces is a «lover of tyranny», who is nevertheless keen to abide by justice and dispenses «straight

the «tyrant of Miletus» (5.49.1), as a «kingship» (5.35.1: *basileie*). See also Eur. *Electra* 876-877 and, in general, Wüst, *Denken* cit., pp. 52-53 and V. Parker, *Tyrannos. The Semantics of a Political Concept from Archilochus to Aristotle*, «Hermes» 126 (1998), p. 162; *pace* P.W. Rose, *Class in Archaic Greece*, Cambridge - New York 2012, p. 202 (with nt. 5), asserting that «one-man rule in any form is, in Herodotus's eyes, an evil». However, this view reflects neither the historical development of the idea of tyranny nor the way in which Herodotus fused together earlier and contemporary evidence and opinions about tyranny.

⁷⁷ E.g., Parker, *Vom König zum Tyrannen* cit., pp. 168-169, 183, 184; Rosivach, *Tyrant* cit., pp. 44-45.

⁷⁸ E.g., M. White, *Greek Tyranny*, «Phoenix» 9 (1955), p. 3; Barceló, *Basileia* cit., p. 85; Parker, *Tyrannos* cit., p. 155; Ostwald, *Oligarchia* cit., p. 10; Dewald, *Tyranny* cit., p. 40. Cf. Ferrill, *Herodotus* cit., p. 385: after 400 B.C.; B. Gentili, *Polemica antitirannica*, «Q.U.C.C.» n.s. 1 (1979), p. 155: in the fifth century.

⁷⁹ Hdt. 3.80.3-5, with White, *Tyranny* cit., pp. 1-2; Vlastos, *Isonomia politike* cit., p. 3 nt. 6; Meier, *Bemerkungen* cit., pp. 25-26; Ferrill, *Herodotus* cit., p. 393; Gentili, *Polemica* cit., pp. 154-155; Parker, *Tyrannos* cit., p. 164; Pelling, *Debate* cit., p. 148; Ostwald, *Oligarchia* cit., p. 17; Dewald, *Tyranny* cit., p. 28. The appearance of this specific understanding of tyranny also reflected the survival of the original vision of kingship as a benevolent rule, allowing later generations to retrospectively see earlier kings as maintaining (Neleus) and promoting (Theseus) justice and equality (and even democracy: see below), and enabling Aristotle (*Pol.* 1279a.38-39) to present kingship as the rule of one person for the sake of the common benefit. The authors asserting that the concepts of *basileus* and *tyrannos* were not mutually interchangeable in the text of Herodotus (see above, nt. 34) ignore the historical development of these concepts.

⁸⁰ Hes. *Th.* 901-902 (see above, nt. 34), with McGlew, *Political Culture* cit., p. 59, and K.-J. Hölskeskamp, *Written Law in Archaic Greece*, «P.C.P.S.» 38 (1992), p. 104. «Straight judgments»: Hes. *O.D.* 39,225-226. Kings as «children of Zeus»: Hes. *Th.* 96. «Crooked judgments» of the bad kings: Hes. *O.D.* 194,221,258-264.

judgments», whereas Herodotus' juxtaposition of tyranny with *isonomia*, including his description of the Persian debate, reveals the lawless nature of tyranny⁸¹.

In the fifth century, *isonomia* became associated solely with democracy⁸², because of the newly-minted concepts designating specific political régimes democracy was perceived as the only one based on equality and law⁸³. Thucydides reflected upon the new understanding of *isonomia*, by mentioning it as one of the names for a political faction in the 420s. Approaching the same situation in a different fashion, Aristotle said that it was the régime of the *mesoi* that most typically consisted of those who were equal and alike, and that the people who formed *to meson* were much more numerous in democracies than in oligarchies⁸⁴. *Isonomia* thus became juxtaposed with monarchy, or tyranny (which was identified, first, as a rule of one person and, then, as a political régime), and with oligarchy (as a political régime). Aeschines reflected this view when he contrasted tyranny and oligarchy as lawless régimes with democracy (1.4-5):

Tyrannies and oligarchies are governed by the temperament of those in power, but democratic cities are governed by the established laws. You are aware, men of Athens, that in a democracy the persons of citizens and the constitution are protected by the laws, while tyrants and oligarchs are protected by distrust and armed guards.

It was the understanding of oligarchy as a lawless régime that allowed the Greeks to group it together with tyranny and juxtapose them with democracy, as Martin Ostwald and Lynette Mitchell have demonstrated in great detail. Mitchell, in particular, pointed to passages from Thucydides, Isocrates, and Andocides, as well as later authors, noting that «Thucydides is the first to make explicit the link between oligarchy and tyranny»⁸⁵. Therefore, the juxtaposition

⁸¹ E.g., White, *Tyranny* cit., pp. 3-4; Berve, *Tyrannis* cit., p. 197; Rosivach, *Tyrant* cit., p. 44; Parker, *Tyrannos* cit., pp. 163-164. Deioces: Hdt. 1.96-101; cf. 3.142 and 5.37.2: contrasting tyranny with *isonomia*, and 3.80.3-4: his negative portrayal of a tyrant.

⁸² Cf. Brannan, *Herodotus* cit., p. 432; Evans, *Notes* cit., p. 84 («by Herodotus' day, *isonomia* implied democracy»); K.A. Raaflaub, in K.A. Morgan (ed.), *Popular Tyranny: Sovereignty and Its Discontents in Ancient Greece*, Austin 2003, p. 76 (on *isonomia* as «democratic equality»); Fouchard, *Aristocratie* cit., pp. 216-219; V. Costa, *Osservazioni sul concetto di isonomia*, in A. D'Atena - E. Lanzilotta (eds.), *Da Omero alla costituzione europea. Costituzionalismo antico e moderno*, Rome 2003, p. 40; Raaflaub, *Isonomia* cit., pp. 3521-3522; Canali De Rossi, *Tiranni* cit., pp. 15-16.

⁸³ E.g., Thuc. 2.37.1; Plato, *Rep.* 8.11.558c; Arist. *Pol.* 1291b.34-36; Plut. *Sept. sap. conv.* 11.154cd; see also, e.g., Sch. Dem. 22.30 [Dilts]-Fouchard, *Aristocratie* cit., pp. 192-193; Birgalias, *To stadio tes isonomias* cit., pp. 34-38 (with bibliography).

⁸⁴ Thuc. 3.82.8; Arist. *Pol.* 1295b.2-3 and 26-27, with R. Laurenti, in S. Cataldi (ed.), *Poleis e politeiai. Esperienze politiche, tradizioni letterarie, progetti costituzionali*, Alessandria 2004, p. 389, and 1296a.13-16, respectively.

⁸⁵ Ostwald, *Oligarchia* cit., pp. 21-23; L. Mitchell, *Tyrannical Oligarchs at Athens*, in S. Lewis (ed.), *Ancient Tyranny*, Edinburgh 2006, pp. 178-187 (at p. 182). See Thuc. 6.60.1 with de Romilly, *Le classement*

of *isonomia* with monarchy and with oligarchy only came gradually, and at different times.

In the fifth century, when democracy and oligarchy emerged as specific political forms, tyranny was also reinterpreted as a political régime and, accordingly, was not juxtaposed with *isonomia*, as before, but with democracy⁸⁶. This is how Herodotus (4.137.2) rendered the alleged words of Histiaeus of Miletus to other Ionian potentates who held the council at the moment when Darius was returning from an unsuccessful campaign against the Scythians: «If Darius' power be overthrown, we shall no longer be able to rule, neither I in Miletus nor any of you elsewhere; for all the cities will choose democracy rather than tyranny». Herodotus (6.43.3) also described how Mardonius «deposed all the Ionian tyrants and set up democracies in their cities». Since that time, juxtaposing democracy with tyranny has been a characteristic feature of Greek politics, and of Greek historiography: Thucydides (6.60.1) explained the Athenians' reaction to the mutilation of the Herms and the profanation of the Mysteries (415) by the fear in Athens that the same people who had committed such acts wanted to establish «oligarchy and tyranny»; the «decree of Demophantus» (410) obliged the Athenians to swear to protect their democracy against tyranny (Andoc. 1.96); and the Athenians adopted a similar law supporting democracy against the threat of tyranny in 337-336 (*Agora* 16, no. 73 = *IG* II³.320).

Herodotus' information about the words of Histiaeus and, particularly, about the activity of Mardonius has played an important rôle in modern studies on the origins of ancient Greek democracy. Many, from Larsen to Luraghi, have presented Herodotus' reference to Mardonius having set up democracies in Ionia as proof that Otanes' proposal of *isonomia* was, in fact, advocating democracy⁸⁷. Even when their individual views disagree, they all appear to share the same premise of identifying *isonomia* with *demokratia*. Some – like Vlastos, Lasserre, and Strasburger, among

des constitutions cit., p. 83; Isocr. 16.36-38, and Andoc. 1.96-98. However, both Ostwald and Mitchell seem to underestimate the complexity of this development: Ostwald refers to the «conflation of oligarchy and tyranny» (p. 21 nt. 38) and speaks of oligarchy and tyranny as «combined as opponents of democracy» (p. 22), while Mitchell mentions oligarchy as «generally assimilated to tyranny» (p. 182).

⁸⁶ E.g., White, *Tyranny* cit., p. 4: before the fifth century, tyranny was not a «technical description of a type of government». See Wüst, *Denken* cit., pp. 59-60; Vlastos, *Isonomia politike* cit., p. 5 nt. 2, and Rosivach, *Tyrant* cit., p. 51.

⁸⁷ Larsen, *Theory* cit., pp. 3-4; Apffel, *Verfassungsdebatte* cit., p. 76; Evans, *Notes* cit., p. 82; J.A.S. Evans, *Herodotus, Explorer of the Past. Three Essays*, Princeton 1991, p. 100; Alonso-Núñez, *Verfassungsdebatte* cit., p. 28; H. Erbse, *Studien zum Verständnis Herodots*, Berlin - New York 1992, p. 59 nt. 4; N. Luraghi, *Local Knowledge in Herodotus' Histories*, in N. Luraghi (ed.), *The Historian's Craft in the Age of Herodotus*, Oxford - New York 2001, pp. 142-143. Having accepted Herodotus' words about Mardonius as establishing democracies in Ionia, Ostwald (*Nomos* cit., pp. 109, 179), Strasburger (*Lexikon* cit., p. 275), and Dewald (*Tyranny* cit., pp. 46, 51-52) saw it as a confirmation of what was said at the Debate.

others – have used Herodotus' evidence about Mardonius to interpret the cases when tyrannies were abolished by Maeandrius in Samos and Aristagoras in Miletus in favor of *isonomia*, as the establishment of democracy⁸⁸. Conversely, Gehrke asserted that Mardonius was, in fact, enforcing the régime based on *isonomia*, with reference to Herodotus' words about the *isonomia* established by Maeandrius and Aristagoras. And De Libero has held Herodotus' words about the replacement of tyranny with *isonomia* by Maeandrius and Aristagoras as anachronistic, precisely because she also associated *isonomia* with democracy⁸⁹. Since Herodotus spoke of democracy in some such cases and of *isonomia* in others, and since all these cases have been examined together as being of equal historical value, it is not surprising that the overall conclusion has been that Herodotus saw no difference between *isonomia* and *demokratia*. But even if this was how Herodotus and his contemporaries interpreted *isonomia* and *demokratia* in the fifth century⁹⁰, we still need to distinguish between the events described by Herodotus – i.e. tyrannies being replaced by *isonomia* – and the interpretation of these events in Herodotus' time, when *isonomia* first began to be seen as a political régime that was close to, or identical with, democracy. When Herodotus spoke of tyrannies of the late sixth and early fifth centuries as being replaced by *isonomia*, as in the cases of Maeandrius and Aristagoras, or by *demokratia*, as in the case of Mardonius, he both incorporated the vocabulary of his source(s) and reflected contemporary perceptions, retrospectively applying new concepts, such as «democracy», in contexts in which they never belonged.

Herodotus' stance reflected the development, which emerged in the fifth century, to retrospectively interpret real or imagined promotions of equality (*isonomia*) as support for democracy. Such references concerned some of the most important personalities in Athenian history. Thus, Theseus, the legendary king of Athens – who allegedly supported the rule of law, including bringing proposals forward for collective deliberations (*es meson*), and invited everybody to live «on equal terms» (*epi tois isois*) – was presented as the founder of *demokratia* in a speech from the Demosthenic corpus, in the Parian Chronicle (probably inscribed in the mid-third century B.C.), and by Plutarch⁹¹. Solon, who introduced what we might call *oligarkhia isonomos* in

⁸⁸ Hdt. 3.142 and 5.37.2 (see above, nt. 70). Vlastos, *Isonomia politike* cit., pp. 6-7; Lasserre, *Hérodote* cit., p. 76 nt. 38; Strasburger, *Lexikon* cit., p. 57. A similar stance: Ostwald, *Nomos* cit., pp. 108, 167; Shipley, *Samos* cit., p. 104; Ruzé, *Plethos* cit., p. 260.

⁸⁹ Gehrke, *Stasis* cit., p. 58 nt. 5; and 42 (linking the slogan of *isonomia* with the outbreak of the Ionian revolt). L. De Libero, *Die Archaische Tyrannis*, Stuttgart 1996, pp. 301, 362-363 (on *isonomia* as «equal political rights for individuals»).

⁹⁰ Ehrenberg, *Origins* cit., pp. 526-527, 529-530. Cf. Sealey, *Origins* cit., pp. 275-276, who tried to explain this situation with a reference to the «person and outlook of the speaker at each point».

⁹¹ Eur. *Suppl.* 433-441; cf. [Dem.] 59.75, *FGrH* 239 F A 20, and Plut. *Thes.* 25.1, and also the *Suda*, Θ 368. The rise of Theseus' popularity in Athens has been explained in connection with Cleisthenes' reform late in the sixth century: e.g., J.N. Davie, *Theseus the King in Fifth-Century Athens*, «G&R» 2nd s. 29 (1982),

the early sixth century, was hailed as the father of democracy by Greek authors of the fourth century⁹². It is not surprising that these authors saw Solon's «ancestral democracy» differently from the democracy of Pericles⁹³. Nor is it surprising that the acceptance of this later retrospective view of Solon as the founder of the Athenian democracy by modern authors has provoked a sophisticated ongoing discussion⁹⁴. The evolving Athenian vision of the two tyrannicides offers an even more vivid example of this later reinterpretation: whereas the scholia of the late sixth century presented Harmodius and Aristogeiton as founders of *isonomia*, the two tyrannicides were hailed as defenders of democracy in the comedies of Aristophanes a century later and in a speech attributed to Lysias, broadly dated to the turn of the fourth century⁹⁵. The Athenians also incorporated the new image of the tyrannicides into the democratic system of values by honoring champions of democracy in the same way they honored Harmodius and Aristogeiton and their descendants. Honorific decrees for

p. 26; K.-W. Welwei, *Athen. Vom neolithischen Siedlungsplatz zur archaischen Grosspolis*, Darmstadt 1992, p. 211; H.J. Walker, *Theseus and Athens*, Oxford - New York 1995, pp. 50-55; G. Anderson, *Athenian Experiment. Building An Imagined Community in Ancient Attica, 508-490 B.C.*, Ann Arbor 2003, pp. 136-145. However, while Euripides (clearly) and Isocrates, 10.36 and 12.129 (likely) spoke of Theseus' *isonomia*, they did not connect him with democracy: the image of Theseus as a 'democrat' developed only later; see M.H. Hansen, *Solonian Democracy in Fourth Century Athens*, «C&M» 40 (1990), pp. 78-79 (and nt. 38); C. Calame, *Thésée et l'imaginaire athénien: légende et culte en Grèce antique*, Lausanne 1990, pp. 412-415.

⁹² Isocr. 7.16: «this would be the only means of averting future dangers and escaping from current evils, if we are willing to restore the democracy which Solon, who was the most democratic ruler, established by legislation, and Cleisthenes, who expelled the tyrants and returned the people to power, originally founded»; Arist. *Ath. Pol.* 9.1: on «most democratic» features of Solon's *politeia* and *Pol.* 1273b.38-39: on Solon as establishing «ancestral democracy» (see below, nt. 105), with C. Mossé, *Comment s'élabore un mythe politique: Solon 'père fondateur' de la démocratie athénienne*, «Annales (HSS)» 34 (1979), pp. 425-437, repr. in English in P.J. Rhodes (ed.), *Athenian Democracy*, Oxford - New York 2004, pp. 242-259; Hansen, *Solonian Democracy* cit., pp. 71-99; and E. Ruschenbusch, *Kleine Schriften zur griechischen Rechtsgeschichte*, Wiesbaden 2005, p. 213.

⁹³ Hansen, *Solonian Democracy* cit., pp. 74-75; Gehrke, *The Figure of Solon* cit., pp. 280-281.

⁹⁴ E.g., J. Bleicken, *Die athenischen Demokratie*, Paderborn 1985, p. 14; Hansen, *Solonian Democracy* cit., pp. 71-99; R.W. Wallace, *Solonian Democracy*, in I. Morris - K.A. Raaflaub (eds.), *Democracy 2500? Questions and Challenges*, Dubuque 1998, pp. 11-29; I. Tsigarida, *Solon - Begründer der Demokratie? Eine Untersuchung der sogenannten Mischverfassung Solons von Athen und deren 'demokratischer' Bestandteile*, Berlin - New York 2006; C. Farrar, *Power to the People*, in K.A. Raaflaub et al. (eds.), *Origins of Democracy in Ancient Greece*, Berkeley / Los Angeles 2007, pp. 186-187.

⁹⁵ *Poet. Mel. Graeci, Carm. Conviv.* 893, 896 (Page) = Athenae. 15.695ab (see above, nt. 45), with U. von Wilamowitz-Moellendorff, *Aristoteles und Athen* II, Berlin 1893, p. 319; A.J. Podlecki, *The Political Significance of the Athenian 'Tyrannicide'-Cult*, «Historia» 15 (1966), pp. 129-141 (on this cult as only becoming associated with democracy in the fifth century); Rosivach, *Tyrant* cit., p. 49. Lys. 2.18-19. Wilamowitz-Moellendorff, *op. cit.*, noted that *demokratia* (and, as he thought, *isonomia*) emerged only after the murder of Hipparchus; cf. Vlastos, *Isonomia politike* cit., pp. 1 and 5: «if we put tyranny on one side of a line, we would have to put democracy and oligarchy on the other», completely passing over the fact that, unlike «tyranny», the concepts of «democracy» and «oligarchy» appeared only around the mid-fifth century.

Demades⁹⁶, Lycurgus⁹⁷, Demosthenes⁹⁸, and Demochares⁹⁹, among others, show that the honorand in these cases received a statue of brass in the market place, whereas his oldest living descendant had the right to free meals in the *prytaneum*, as well as to front seats in the theater (*proedria*) and (although this evidence only emerged later) freedom from liturgies (*ateleia*), i.e. the same honors and privileges that were enjoyed by the oldest surviving descendants of Harmodius and Aristogeiton¹⁰⁰.

The retrospective perception of *isonomia* as a political régime has similarly engendered conflicting theories about Cleisthenes' reform in Athens: some believe that the concept of *isonomia* was appropriated by «democrats» and became another designation for democracy¹⁰¹, whereas others say that Cleisthenes established *isonomia* which was (only later) understood as democracy¹⁰². These opinions weigh heavily in the ongoing discussion about whether Cleisthenes' régime can be defined as *demokratia* from its very beginning or whether it only gradually evolved into «classical Athenian democracy»¹⁰³. This discussion has no bearing to our examina-

⁹⁶ E.g., Deinarchos, *Or.* 1.100-101 (Conomis); Longinus, *On invention* (Waltz, vol. IX: 544.21-545.11); Apsines, *The Art of Rhetoric*, 10.6 (Patillion, pp. 82-83); Libanios, *Orations*, 15.42, 464-465 (Foerster, vol. II: 136), with I. Kralli, *Athens and Her Leading Citizens in the Early Hellenistic Period (338-261 B.C.): the Evidence of the Decrees Awarding the Highest Honours*, «Archaïognosia» 10 (1999-2000), pp. 136, 138, 142-143, 147.

⁹⁷ [Plut.] *X Orat.* 851e-852e and *IG II².457 = Syll.³ 326 = SEG 3.156 and IG II².513*, with A.N. Oikonomides, *The Epigraphical Tradition of the Decree of Stratokles Honoring 'Post Mortem' the Orator Lykourgos*, *IG II² 457 and IG II² 513*, «The Ancient World» 14 (1986), pp. 51-54.

⁹⁸ [Plut.] *X Orat.* 850f-851c = G. Marasco, *Democare di Leuconoe: politica e cultura in Atene fra IV e III sec. A.C.*, Florence 1984, pp. 151-152, with D.M. MacDowell, *Demosthenes the Orator*, Oxford - New York 2009, p. 424.

⁹⁹ [Plut.] *X Orat.* 851d = Marasco, *Democare* cit., p. 130, T 2.

¹⁰⁰ E.g., M.J. Osborne, *Entertainment in the Prytaneion at Athens*, «Z.P.E.» 41 (1981), pp. 153-170; A.S. Henry, *Honours and Privileges in Athenian Decrees*, New York 1983, pp. 275-278; M.W. Taylor, *The Tyrant Slayers: the Heroic Image in Fifth Century B.C. Athenian Art and Politics*, Salem 19912, pp. 1-5; D.M. MacDowell, *Hereditary sitesis in Fourth-Century Athens*, «Z.P.E.» 162 (2007), pp. 111-113.

¹⁰¹ E.g., Myres, *Eunomia* cit., p. 82; Ehrenberg, *Origins* cit., pp. 533-534 (but see 535); Ostwald, *Nomos* cit., pp. 155, 157; Leppin, *Verfassung* cit., pp. 23, 61; M. Rausch, *Isonomia in Athen. Veränderungen des öffentlichen Lebens vom Sturz der Tyrannis bis zur zweiten Perserabwehr*, Berlin - New York 1999, p. 369; Rhodes, *Oligarchs in Athens* cit., p. 122; Cartledge, *Greek Political Thought* cit., p. 15; Asheri, *Commentary* cit., p. 474; Canali De Rossi, *Tiranni* cit., pp. 15-16.

¹⁰² E.g., Frei, *Isonomia* cit., p. 218; Pleket, *Isonomia* cit., pp. 80-81; C.G. Starr, *Individual and Community. The Rise of Polis: 800-500 B.C.*, New York - Oxford 1986, p. 90; R.K. Sinclair, *Democracy and Participation in Athens*, Cambridge 1988, p. 4; Thomas, *Oral Tradition* cit., p. 259; Rhodes, *Isonomia* cit., col. 1143; Lévêque - Vidal-Naquet, *Cleisthenes* cit., pp. 18-22 (even though they considered *isonomia* to have been a «purely political notion»: pp. 20, 150-151 nt. 17); K.A. Raaflaub, in K.A. Raaflaub et al. (eds), *Origins of Democracy in Ancient Greece*, Berkeley / Los Angeles 2007, pp. 121, 149.

¹⁰³ See esp. Ch. Meier, in R. Herzog - R. Koselleck (eds.), *Epochenschwelle und Epochenbewusstsein*, Munich 1987, pp. 353-380. Rosivach, *Tyrant* cit., pp. 49 nt. 17, 50 nt. 19 rejected both the views that Cleisthenes' régime was democratic and that Cleisthenes used *isonomia* for his democratic reform.

tion, in the sense that both camps still see *isonomia* as having originally been, and as having remained, a political concept. But this discussion touches upon another important development in the fifth century that seems to have been passed over or, at least, has received no specific treatment in corresponding studies: not only did new concepts emerge and existing concepts acquire new meanings, but even the meanings of the newly-minted concepts evolved as they were retrospectively applied to the past. Thus, *demokratia* itself could be understood in more than one way: it is clear that when Isocrates, who was not a friend to classical Athenian democracy, urged for the restoration of the democracy of Solon and Cleisthenes, he did not have the democracy of Pericles in mind. Likewise, when the Four Hundred entertained the idea of restoring Cleisthenes' *demokratia*, they did not look forward to (re)establishing equal political rights¹⁰⁴. The «ancestral democracy», which emerged as a powerful slogan in fourth-century Athens¹⁰⁵, was a product of the retrospective application of the word *demokratia*, further confusing modern perceptions of the origins of ancient Greek democracy. The situation with *isonomia* was similar: *isonomia* did not develop into *demokratia*¹⁰⁶, but it became reinterpreted in political terms from a later perspective.

Herodotus' information and interpretations, therefore, need to be put in their fifth-century context, when specific political concepts (oligarchy and democracy) emerged, and old social concepts (tyranny, *demos*, and *isonomia*) acquired narrow political significance, even as they retained their original broad connotations; and when the meaning of the newly-minted concepts evolved, as they began to be retrospectively applied to the realities of the past. This perception of the terminological context in which Herodotus wrote his *Histories* raises the question of the sources he used. While a definite answer to this question is impossible¹⁰⁷, we can explain con-

¹⁰⁴ Isocr. 7.16 (see above, nt. 92), with Leppin, *Democracy and Oligarchy* cit., pp. 156-157, who used this evidence to speak about «the wide concept of democracy», «true democracy», and «restricted democracy». Arist. *Ath. Pol.* 29.3, with J. Day - M. Chambers, *Aristotle's History of Athenian Democracy*, Berkeley / Los Angeles 1962, p. 102, who rejected this evidence precisely because they saw democracy as having been established in the same form at once, and G. Camassa, in V. Azoulay - P. Ismard (eds.), *Clisthène et Lycurgue d'Athènes. Autour du politique dans la cité classique*, Paris 2011, pp. 48-55, who never raised the problem that the democracy established by Cleisthenes was not the same as the classical Athenian democracy.

¹⁰⁵ Arist. *Pol.* 1273b.38-39 with Hansen, *Solonian Democracy* cit., pp. 74-75 (see above, nt. 93).

¹⁰⁶ This view: N. Birgalias, in M. Lombardo (ed.), *Forme sovrapoleiche e interpoleiche di organizzazione nel mondo Greco antico*, Galatina 2008, pp. 52-53.

¹⁰⁷ E.g., Larsen, *Theory* cit., pp. 1-4; Vlastos, *Isonomia* cit., p. 337 nt. 4; Vlastos, *Isonomia politike* cit., p. 3 nt. 6. For bibliography on Herodotus' (use of) sources for the Debate, see Apffel, *Verfassungsdebatte* cit., pp. 9-23; Ostwald, *Nomos* cit., p. 179; Lateiner, *Historical Method* cit., p. 272 ntt. 12-13; Alonso-Núñez, *Verfassungsdebatte* cit., p. 19 nt. 1, and Pelling, *Debate* cit., p. 125 nt. 9. It is certainly true that «modern scholarship has lost interest in identifying unspecified sources [in Herodotus' text]: S. Hornblower, in E.J. Bakker et al. (eds.), *Brill's Companion to Herodotus*, Leiden-Boston 2002, p. 377. But some things appear to be obvious on their own: Herodotus' evidence that Xerxes traced his ancestry through Darius directly to Achaemenes

traditions in the *Histories* by Herodotus' use of evidence from different periods, as well as by his reworking and rephrasing this evidence on the basis of perceptions of his own time. Thus, Herodotus' information about the Persian Debate contradicts what he later says about Xerxes' claim that his ancestry went back through Darius, directly to Achaemenes (7.11.2)¹⁰⁸. There was no need to stage the Debate if Darius' right to kingship was undisputed. Nor was there any need for Darius to obtain the kingship by fraud, as we read in Herodotus' description that immediately follows the Persian Debate (3.83-84).

The most obvious internal contradiction in the Debate is that it combines the evident bipartite social (and legal) juxtaposition of monarchy and *isonomia* with what is, formally, an argument over three specific political régimes. We do not know whether this happened because Herodotus brought together sources belonging to different periods or because he altered his source(s) in line with contemporary views. It could be both. Internal evidence can be used either way: the lack of any reference to democracy speaks for the former opinion, whereas oligarchy's allotment to a much less significant place in the Debate supports the latter¹⁰⁹. While Herodotus borrowed the information (or, at least, the basic outline) of what we have in 3.80-82 from elsewhere, and while he did not use the word *demokratia* and its cognates in the Debate because they were not in his source(s), he gave his own inter-

(7.11.2), which likely had a Persian provenance (e.g., J.M. Balcer, *Herodotus & Bisitun. Problems in Ancient Persian Historiography*, Stuttgart 1987, pp. 35-36), contradicts what we read about the Debate, and about Darius' fraud. The latter information, therefore, likely came either from some non-Persian source(s) or from an «unofficial Persian source»: e.g., Lateiner, *Historical Method* cit., p. 272; Balcer, *Herodotus* cit., pp. 37-38 («an ancient Indo-Iranian folktale that bound together horse racing and kingship»). On Herodotus' informants: J.L. Myres, *Herodotus. Father of History*, Oxford 1953, p. 159 («Persian officials domiciled on estates granted by the King in western provinces», «renegade Greek families»); Ostwald, *Nomos* cit., p. 179 («Persians and Asiatic Greeks») and *Oligarchia* cit., p. 15 («Greek informants»); S. West, in R. Rollinger - B. Truschnegg (eds.), *Herodot und das Persische Weltreich*, Wiesbaden 2011, pp. 259 («oral inquiry and a wide range of local informants who relate a local tradition, saga or legend»), 264. On Herodotus' travels to Egypt and Asia, see esp. Jacoby, *Herodotus* cit., coll. 262-268 = *Historiker* cit., pp. 35-38.

¹⁰⁸ It is not correct, therefore, to say that Herodotus «offered no alternatives» to the Debate: Myres, *Herodotus* cit., p. 160. On correlation between Hdt. 7.11.2 and the official Persian stance, as also displayed in Darius' inscription in Bisitun, see R. Rollinger, *Der Stammbaum des achaimenidischen Königshauses oder die Frage der Legitimität der Herrschaft des Dareios*, «D.A.I. Teheran» 30 (1998 [1999]), pp. 196-199; Asheri, *Erodotus* cit., pp. 103-105. Pelling, *Debate* cit., pp. 129-130 suggested that Herodotus kept the information in 7.11.2 that he «suppressed» in 3.80-82. It is more likely that 3.80-82 and 7.11.2 derived from different sources. P. Brian, *From Cyrus to Alexander. A History of the Persian Empire*, tr. P.T. Daniels, Winona Lake 2002, pp. 110, 898-899 has acknowledged that the claim raised by Xerxes in Hdt. 7.11 is historically invalid. But even if this was the case, this claim still represented the official version.

¹⁰⁹ A complimentary explanation of the diminished rôle of oligarchy in the Persian Debate (which has already been noted: e.g., Wüst, *Denken* cit., pp. 54, 59) has been that oligarchy and tyranny were jointly juxtaposed with democracy: Ostwald, *Oligarchia* cit., pp. 21-22 and Mitchell, *Tyrannical Oligarchs* cit., pp. 182-183 (see above, nt. 85).

pretation to the content of the Debate in 6.43.3, by substituting *isonomia* with *demokratia*, which was already familiar to his readers ¹¹⁰.

The Persian Debate, therefore, stands in the same line as Theseus' synoecism, Solon's reform, the murder of Hipparchus by Harmodius and Aristogeiton, and the reorganization of Attica by Cleisthenes, all of which were retrospectively reinterpreted as events pertaining to democracy. Other cases of Herodotus' use of the word *demokratia* reveal the same situation: the alleged words of Histiaeus of Miletus to Ionian rulers in 4.137.2, the reference to Mardonius as replacing tyrannies in Ionia with *demokratiai* in 6.43.3 (i.e., in the same passage where he interpreted Otanes' words as a proposal for *demokratia*), and the words that Cleisthenes gave the Athenians «tribes and *demokratia*» in 6.131.1. They all reflected a later juxtaposition of tyranny with democracy. These instances reveal Herodotus' own voice, as he provided contemporary interpretations to events of the past. His reference to Mardonius as establishing democracies in Ionian cities, therefore, cannot serve as a support of his reference to Otanes as defending *demokratia* in the Persian Debate ¹¹¹, because both were made in retrospect.

Conclusion

By reinterpreting *isonomia* as *demokratia* (4.137.2; 6.43.3), Herodotus retrospectively projected the political realities of his own time onto the events of the sixth century. His description of the fall of tyrannies in various Greek cities and of the Persian Debate confuses different stages in the political development of Greece, because he used old concepts (which he provided with later definitions) and retrospectively applied recently coined concepts (which had to be adjusted to fit into an alien context). Thus, the main antithesis we see in the Debate – between monarchy (understood as tyranny) and *isonomia* – reflects the situation in the sixth century, when *isonomia* designated social equality and legal protection as opposed to the unlimited domination of one person. But the Debate also introduces the realities of the fifth century, by setting three specific political régimes against each other. Since democracy saw monarchy and oligarchy as lacking equality and legal protection, they were lumped together with tyranny. *Isonomia*, on the other hand, was associated with the newly minted democracy and reinterpreted as political equality. The result is that the content of the Persian Debate is awkward and confusing: oligarchy is essentially neglected; *isonomia* is used as a name for a political régime; and

¹¹⁰ Jacoby's perceptive remarks (*Herodotus* cit., coll. 429–430 = *Historiker* cit., p. 119) that the Debate's three speeches represented a self-standing statement that required no further clarification, and that the Debate and Hdt. 6.43 need not to belong to the same source have, sadly, been disregarded.

¹¹¹ For this view, see above, nt. 87.

the central conflict appears to be between monarchy, which is understood as a political régime, and democracy¹¹². Such observations undermine the vision of the Persian Debate as a rhetorical construct, which gives too much credit to Herodotus as a «verbal craftsman», who specifically «diversified the terms used by the participants to further the emotional effects of their language»¹¹³. This diversity can also be explained by Herodotus' use of evidence, whether written or oral (or both), some of which he retained and some he reinterpreted, and rephrased, on the basis of contemporary perceptions¹¹⁴.

Having a closer look at the Persian Debate reveals that modern view of *isonomia* as having always been a political concept, thus designating democracy or 'proto-democracy' before the emergence of the word *demokratia*, effectively blurs our vision of the political development of Greece in the fifth century, including the emergence of new concepts and the evolution of the meaning of those that already existed. Historical perspective on *isonomia*'s development in stages – of which only the last one linked it with democracy – undermines the theories of the «mixed constitution» and «proto-democracy». These theories are untenable, unless one wishes to see traces of «proto-democracy» in any form of collective activity. Gomme's old maxim that *isonomia* (originally) designated a «constitutional regime, whether oligarchic or democratic, the rule of order, the contrary of the irresponsible tyranny» still holds true, as does Vlastos' keen observation that if *isonomia* meant «what Gomme thought it did, much of what has been written on the subject is false or at least misleading»¹¹⁵.

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¹¹² For Otnes juxtaposing monarchy with democracy: Ehrenberg, *Origins* cit., pp. 524-525; Connor, *Politicians* cit., pp. 192-193; Lateiner, *Historical Method* cit., p. 170 = Vignolo Munson (ed.), *Herodotus and the Narrative of the Past* cit., p. 201; Parker, *Vom König zum Tyrannen* cit., p. 165 nt. 1, and above. It is only in this sense that the arguments used in this Debate were «firmly rooted in Greek thought of the second half of the fifth century»: Raaflaub, *Perceptions* cit., p. 41.

¹¹³ E.g., Connor, *Politicians* cit., p. 204.

¹¹⁴ For a close stance, see Fouchard, *Aristocratie* cit., p. 218.

¹¹⁵ Gomme, in «C.R.» 63 (1949), p. 125 (see above, nt. 37); Vlastos, *Isonomia politike* cit., p. 2. I am grateful to two anonymous referees for several observations and suggestions.

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