

# The Marketplace of Ideas and the Agora: Herodotus on the Power of Isegoria

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**P**opular discourse about freedom of speech tends to default to the metaphor of the marketplace of ideas, notwithstanding empirical evidence undermining this concept. Its persistence illustrates the profound attachment freedom of speech inspires, despite the difficulty of justifying it in epistemic terms. I suggest that the ancient Greek historian Herodotus offers a compelling alternative to the marketplace metaphor with his account of *isegoria* at Athens. In Herodotus's telling, Athenian equal right of speech is worthwhile not because of its effects on speech but because of its effect on political culture; equal speech energizes the Athenians and Athens. He thus offers a nonepistemic defense of the right to speak, defending it instead in terms of power and belonging. Yet his account also highlights how Athenian equal speech unleashes political harms and therefore offers a way to defend free speech without minimizing its dangers. Herodotus thus helps us productively reframe contemporary free speech debates.

**D**ebates over free speech are some of the most contentious in modern liberal democracies, pitching those who wish to uphold the classical liberal commitment to freedom of expression against those who worry about the undue harms untrammelled speech can enact upon vulnerable groups. Strikingly, however, both sides tend to cast themselves as the true defenders of free speech.<sup>1</sup> The recent controversy over the “Letter on Justice and Open Debate,” (Harper’s Magazine 2020) illustrates this. In its condemnation of so-called cancel culture, the letter reiterates a classic liberal argument for free speech: “The way to defeat bad ideas is by exposure, argument, and persuasion, not by trying to silence or wish them away.”<sup>2</sup> A response in the *Objective* accused the signatories of hypocrisy, charging that “many of [them] have championed the free market of ideas, but actively ensured that it is free only for them.”<sup>3</sup> In this view, cancel culture is simply free speech at work; those who decry it are in fact trying to silence valid expression, for “calling out” bad or harmful speech is itself a form of free speech. Despite deep disagreement, it is telling that both sides invoke the metaphor of the marketplace of ideas: one side reiterating its basic premise (the only remedy for bad speech is more speech) and the other clamoring for expanded access. I suggest that this is not mere posturing but rather underscores the lasting appeal of the marketplace metaphor. Its claim is fundamentally an epistemic one: that the open competition of ideas will

(eventually) lead to truth. Yet a growing empirical consensus suggests that in the “marketplace of ideas,” the victory of truth is far from assured (Bambauer 2006; Glaeser and Sunstein 2014; Sparrow and Goodin 2007). Given this, scholars have proposed a myriad of ways of reconceptualizing freedom of speech.<sup>4</sup> But the marketplace metaphor persists. Its resistance to empirical debunking undermines its central epistemic claim: that good ideas win on the open market. If free speech does not produce good speech, is it still worth it?

I argue that the worth of free speech should be understood in nonepistemic terms and that the persistence of the marketplace metaphor in fact offers a route to articulating such a defense. The marketplace metaphor endures, I suggest, not because it is the truth but because it tells a good story that justifies in legible (albeit empirically dubious) terms, something to which we are profoundly attached. What “sells” on the market is not truth but a good story, and the marketplace metaphor provides a great one: that in the clash of ideas, good will (eventually) win. This triumphant narrative spins the attachment to free speech in epistemic and therefore dignified terms—it provides a good story that we can feel good about. However, freedom of speech is not particularly dignified. The attempt to render its value in epistemic terms risks downplaying its harms as justified by the eventual victory of the truth. A nonepistemic defense of its worth allows us to better acknowledge and manage its risks, dangers, and harms while maintaining a commitment to its core principle. I argue that we value the experience of free speech more than its results. Because of this, a more apt metaphor than the marketplace is the *agora*: a freewheeling and unpredictable open arena where one can speak truth or lies, be persuaded or tricked, benefited or harmed.

To this end, I turn to Herodotus’s *Histories* and his account of *isegoria* (equal speech), a term that has its

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<sup>1</sup> See also Bejan (2021).

<sup>2</sup> <https://harpers.org/a-letter-on-justice-and-open-debate/>.

<sup>3</sup> <https://www.objectivejournalism.org/p/a-more-specific-letter-on-justice>.

<sup>4</sup> See Howard (2019) for an overview; Bejan (2021).

roots in the *agora*.<sup>5</sup> Herodotus locates the worth of equal speech not its epistemic efficacy but in the way that it empowers the Athenian people and Athens: “Equal speech is clearly a good: take the case of Athens, which under the rule of tyrants proved no better in war than any of her neighbors, but, once rid of those tyrants, was far the first of all. What makes this clear is that when held in subject they would not do their best, for they were working for a taskmaster, but, when freed, they sought to win, because each was trying to achieve for their very self” (5.78).<sup>6</sup> Equal speech empowered the Athenians and Athens to resist tyrants at home and domination abroad; it made them not wise but resilient. His account captures what is good about free speech while attending to the persistence of bad speech. It thus offers a viable correction to the marketplace metaphor that also makes sense of its lasting appeal.

Indeed, the *Histories* must be central to any account of *isegoria*; it is a relatively uncommon term and yet is central to Herodotus’s account of democratic Athens. Herodotus’s account has often been dismissed as unclear. This is because deliberation is largely absent from Herodotus’s account of equal speech/*isegoria*, so scholars have tended to treat *isegoria* in Herodotus as a general stand-in for democracy without particular reference to equal right to speech.<sup>7</sup> But this neglects the way Herodotus locates the primary effects of the right to speech in behavior rather than speech itself. It is this unexpected emphasis that renders his account particularly fruitful for rethinking contemporary free speech.<sup>8</sup> Building on recent work treating *isegoria* as a “language ideology ... of the free, full citizen among his peers” (Gottesman 2021, 197) and as a depiction of a “broader political culture” (Schlosser 2020, 77), I argue that Herodotus offers a nonepistemic account of the way the right to speak energizes participants in a political culture that entitles such participation. The goodness of *isegoria* lies not in its effects on speech but on the speakers (and audience). It depicts a culture of confidence: a community of equals who feel entitled to speak (even if they rarely or never do) in front of an audience of equals. This parity instills confidence in their judgments and daring in their actions; their decisions are *theirs*, not a taskmaster’s, even if their side did not win—and even if their decision is, frankly, stupid.

Herodotus’s account thus supports (and as I shall argue, qualifies) accounts of democracy such as Bagg’s (2018), which finds the worth of democratic institutions

in “the power it denies to various elites” (892). I thus align with recent scholarly work that argues that ancient Athens was not a deliberative democracy (Cammack 2021) but, rather, one that asserted the right of the *demos* to creative self-assertion (Cammack 2020) and so effectively blocked elite domination (Kirshner 2016). *Isegoria*, the right to speak, does not produce wisdom (indeed, Herodotus specifically denies the wisdom of the multitude, 5.97) but asserts and enables the dignity and power of the multitude. The *Histories* thus both illustrate and qualify the account of democratic dignity developed by Josiah Ober (2012). *Isegoria* allows the Athenians to be fully themselves as individuals while relating to others as equals; *isegoria* thus creates the conditions for dignity. But the *Histories* suggest that democratic dignity should not be understood in epistemic terms but in terms of power. My account thus departs from Teresa Bejan’s account of *isegoria*, which casts it as a claim of epistemic equality grounded in the formal rights of the Athenian assembly (2021).<sup>9</sup> The *Histories*, I argue, instead display the transformative effects of *isegoria* on the Athenians and Athens. Herodotus shows that a practice birthed in the democratic assembly comes to full fruition elsewhere (and everywhere). To understand *isegoria*, we thus need to look beyond the assembly. We can only understand its worth in terms of the action it inspires, the way its citizens carry themselves and act in the larger political world. The character of *isegoria* thus emerges through the *entire* narrative Herodotus unfurls about Athens.

This narrative is complex.<sup>10</sup> The story Herodotus tells allows the ambiguity of *isegoria* and Athens to emerge and thus underscores the tensions of democratic dignity. The zeal that equal speech unleashes also enables the exploitation of others. The narrative invites us to think through the connections between *isegoria* and its costs, the way it encourages dignity as well as exclusion, greed, and imperialism. His treatment suggests that the dark side of democratic dignity is not incidental but inevitable—yet still, somehow, worth it. Herodotus’s superlative praise does not gloss over the flaws of Athenian democracy. Herodotus thus practices *parrhesia*, frank speech, in his discussion of *isegoria*, equal speech.<sup>11</sup> Distinguishing between these two allows us to disentangle the epistemic aspirations of free speech claims—that it finds the truth—from the intrinsic worth of a *culture* of free speech. Although *isegoria* describes the right to speak, it does not determine what one says, how one says it, or whether one will be heard.<sup>12</sup> Therefore, *isegoria* is distinct from (and makes possible) two other related modes of speech:

<sup>5</sup> For more on the history of *isegoria*, see Gottesman (2021), Hohti (1975), Lewis (1971), Naketgawa (1988), Rhodes (2018), and Schlosser (2020). For more on *isegoria* and *parrhesia*, see Carter (2004), Konstan (2012), Landauer (2012), Raaflaub (2004), and Saxonhouse (2006).

<sup>6</sup> Translation David Grene (Herodotus 1987), with some emendations.

<sup>7</sup> Naketgawa (1988); Gottesman (2021) for history of scholarship on *isegoria*.

<sup>8</sup> Bejan (2021) also argues that *isegoria* helps reframe contemporary free speech debates, but her account is enmeshed in a legalistic/epistemic framework that misses out on what is particularly novel about ancient *isegoria*.

<sup>9</sup> Cf. Gottesman: “No ancient text unequivocally supports the definition of *isegoria* as the right to address the assembly” (2021, 178).

<sup>10</sup> For meta-narrative in Herodotus, see Baragwanath (2008), Branscome (2013), Christ (1994), Demont (2009), Dewald (1987; 2002), Irwin (2014), and Zali (2013). For the political consequences of this, see Apfel (2011), McWilliams (2014), Rathnam (2018), Schlosser (2014; 2020), and Thompson (1996).

<sup>11</sup> Konstan (2012).

<sup>12</sup> Much thanks to an anonymous reviewer for this point.

*diabole* (tricking, pulling one across) and *parrhesia* (straight talk, frank speech). Under *isegoria*, speakers can fool one another or talk straight, speak wisdom or foolishness; what matters is not what they say or how they say it or whether they are believed or disbelieved but that they feel entitled to speak at all. Under *isegoria*, both *parrhesia* and *diabole* are possible. The truth might not win, but it can be uttered.

This article will develop Herodotus's account of equal speech as an alternative to modern popular discourse about free speech. I will begin by briefly surveying the history of the marketplace metaphor before suggesting that its main premise is echoed by a character within the pages of the *Histories*. I will then show how the narrative as a whole undermines faith in the ultimate triumph of the truth by examining some examples within the *Histories* of good counsel gone unheeded. Herodotus's account of deliberation thus anticipates epistocratic critics of democracy like Jason Brennan (2017) or Daniel Bell (2016). Yet despite this, Herodotus celebrates the way in which *isegoria* energizes the individual. Because of this, his account complicates contemporary accounts that posit an abrupt break between ancient and modern liberty. Herodotus's praise of equal speech is more "modern" than we might expect but diverges from contemporary liberalism in revealing ways. These differences are not without some disquieting consequences, which emerge when we go beyond the assembly and see what the Athenians actually do. The character of *isegoria* becomes plain not in the assembly but at war. Therefore, I turn to Herodotus's depiction of the battle of Salamis. At Salamis, speeches inspire but fail to persuade; dirty tricks undercut deliberation but then are burnished with fine speeches; the Athenians save the Hellenes, but also dominate them. This limns the dark side to democratic dignity. Thus, the *agora*, beset by cheats and frauds but also a place of joy and verve, better captures the dynamics of free speech than does the order and efficacy envisioned by the marketplace-of-ideas metaphor. In conclusion, I argue that Herodotus, by simultaneously praising and censuring Athenian *isegoria*, practices *parrhesia*—a frank speech that offers us a way to appreciate free speech without denying its harms.

## The Marketplace and the Touchstone

As Bejan notes, the doctrine of freedom of expression originated in religious arguments for liberty of conscience made by Protestant dissenters. In her apt phrase, it was "rendered secular and respectable" (Bejan 2021, 156) by John Stuart Mill (see also Bejan 2017). Although Mill never explicitly called for a marketplace of ideas, in *On Liberty* he claims that free speech is essential for finding the truth: "The peculiar evil of silencing the expression of an opinion is, that it is robbing the human race; posterity as well as the existing generation; those who dissent from the opinion, still more than those who hold it. If the opinion is right, they are deprived of the opportunity

of exchanging error for truth: if wrong, they lose, what is almost as great a benefit, the clearer perception and livelier impression of truth, produced by its collision with error" ([1859] 2003, 87). Mill's argument is more nuanced than is the marketplace metaphor popularized by the American legal tradition,<sup>13</sup> but it shares the similarly progressive premise that, over the long term, liberty of speech will produce better speech (even if the process was not without its harms). The marketplace of ideas has formidable philosophical foundations.

Notwithstanding its deep roots in the liberal tradition, a character within the *Histories* makes an argument that echoes its central premise. At an assembly convened by the despot Xerxes before the invasion of Greece, the royal advisor Artabanus insists that free debate is necessary to find the truth: "My lord, when no opposing opinions are presented, it is impossible to choose the better, but one must accept what is proposed. When such opposites are stated, it is as it is with gold, the purity of which one cannot judge in itself, but only if you rub it alongside other gold on the touchstone and see the difference" (7.10). Artabanus insists that the airing of bad opinions strengthens and reveals good ones, that good ideas will triumph if they are allowed to be tested. Artabanus's opinion is daring; he speaks not to an audience of equals but in front of a despot. Therefore, his speech in defense of free debate is not itself free; he must flatter (Pelling 2006, 109), for speaking in front of despots is a fraught art (Forsdyke 2001; Gottesman 2021; Hohti 1975; Landauer 2019; Zali 2013). Despite this flattery, Xerxes is enraged:<sup>14</sup> "Artabanus, you are my father's brother; that shall save you from a punishment adequate for your empty words" (7.11). Scholars often take Artabanus's failure to persuade Xerxes as yet another iteration on the theme of despotic illogic (cf. Forsdyke 2001). If that is the case, Artabanus's failure in fact vindicates his claim (and the marketplace metaphor). Yet the *Histories* are long, and, as many note (Baragwanath 2008; Irwin 2014; Landauer 2019; Pelling 2006; 2007), its pages are rife with counterexamples where despots listen, learn, and adapt to changing and complex situations. Herodotus's narrative does not uncritically reproduce the binary of free polis/unfree despotism. It is possible to speak frankly to despots, and, as we shall see, sometimes one must self-censor before the *demos*. Xerxes was wrong not to give Artabanus a hearing; the defeat of his army reveals that. However, it does not follow that Artabanus was right. His statement displays profound faith in the efficacy of open debate. In his presentation, deliberation is as reliable as, well, the gold standard: other opinions are the touchstone upon which we find the truth (7.10).

<sup>13</sup> Gordon (1997); Haworth (2007); Riley (2005); and Urbinati (2002).

<sup>14</sup> Pelling (2006, 109): "Xerxes' response is one of magnificent fury, and it shows how right Artabanus was to watch his words."

Artabanus could not test this opinion, but Herodotus's narrative will.

### Testing the Touchstone Theory

The Ionian revolt provides several illuminating instances of multiple opinions failing to produce the truth. The Ionian narrative sets the stage for the later Persian invasion of Hellas, a tragi-comic dumb-show version of the later Persian war (Baragwanath 2008, 204; Munson 2007). Although the Ionians do not practice Athenian *isegoria*, at many junctures they engage in open debates about how to face the Persian onslaught. This allows us to disentangle the effects of the political culture of *isegoria* from deliberation itself. Absent the *culture* of *isegoria* and its effects on the bearing of the citizens, we can see whether multiple opinions on their own act as a touchstone for gold. As Schlosser observes, the Ionians both have the potential to be free yet are unable to sustain freedom (2020, 120–1,134). I argue that *isegoria* (and its absence) is central to this: the Ionians have the opportunity to deliberate absent the feeling that one is entitled to speak. The text of the *Histories* suggests that thinking is beset by all sorts of cognitive biases, which are on full display during the Ionian Revolt. At the later battle of Salamis, the Athenian general Themistocles will successfully navigate the same hurdles that crippled the Ionian Revolt. As Landauer observes, “The text pushes its readers to learn from *logos*' success as well as its failures” (2019, 85). The events of Salamis will show how the political culture wrought by *isegoria* interacts with the bad thinking that can derail open debate; the Ionian revolt lets us see these limitations unmitigated by the culture of *isegoria*.

Herodotus underscores an especially bad decision made by the Ionian Carians. Facing the assembled might of the Persian military, they gather to debate how to defend themselves—and incidentally reveal the difficulty of recognizing wise policy. “As the Carians collected in strength, various plans were put forward. The best seems to me to have been that of Pixodarus. . . . The Carians would have no line of escape but would have to stand their ground there and prove better than their nature. However, this plan did not win out” (5.118). Pixodarus argues for putting the Carians into a position of utmost necessity—of choosing, in fact, that necessity. Stripped of any escape, they must either win or die. Because of this, Pixodarus suggests they just might win: the phrase “better than nature” suggests that it is in our nature to do more than the natural in situations of extreme duress. Herodotus deems Pixodarus's plan the best, and its strategy is vindicated at the battle of Salamis (8.83–96). However, the Carians are not persuaded. They choose a less risky plan and fail. Free debate did not lead to the best outcome; the wisest decision was unappealing and difficult and therefore unpopular. Pixodarus's plan required short-term sacrifice for long-term gain. The Carians' rejection of this plan suggests the difficulties human beings have in weighing present hardships against future gain.

A later incident in the Ionian revolt brings this into sharp relief. Dionysius, a Phocaeen general, states the choice starkly: “Men of Ionia, our fortunes are on the very razor edge of decision: whether we will be freemen or slaves. . . . If you people are willing, for now, to endure hardships, you will have, for the immediate moment a hard time, but you will be able to beat your enemies and be free. If you settle into sloth and disorder, I have no hope that any one of you shall avoid the punishment of the Great king for your revolt. Listen to me and entrust yourselves to me” (6.11).<sup>15</sup> The Ionians are at first persuaded, and initially they follow Dionysius's grueling training regimen. After a week, however, they are worn out: “What god can we have sinned against that we pay a penalty like this? We must have been entirely mad and sailed out of our minds' bearings to trust ourselves to this Phocaeen braggart. . . . He takes us over and afflicts us with sufferings from which we will never recover. . . . Rather than horrors like these it would be better for us to endure anything at all, including this future slavery—whatever that maybe—rather than what now oppresses us” (6.12). The Ionians' inability to withstand the discipline that they themselves have agreed to means that they are unable to remain free from domination by others.

Their stated reason for shirking discipline bears closer scrutiny. First, they conceive of their self-chosen activity as a punishment from the divine; they disown their decision to entrust themselves to the Phocaeen braggart. What was chosen *by* them now appears to be an external oppression inflicted *upon* them—by a god, no less. If *isegoria* captures a state of autonomy, of commitment to one's own, the Ionians have reverted to its opposite, reveling in the lack of autonomy, the powerlessness of the god-afflicted. They do not do—they suffer. The temporarily sore muscles resulting from uncharacteristic exertion are cast as suffering from which they will never recover, and the future slavery, destruction, and death that will result from military defeat seem preferable to the present yet fleeting pain of an overtaxed body. Herodotus suggests that human beings outweigh present circumstances and dismiss the pains of the future. The political culture of the Ionians—many of whom are ruled by tyrants—does not allow for the daring and commitment that the self-ownership characteristic of *isegoria* nourishes, even when given the formal opportunity to debate and decide for themselves.

Yet when open debates occur in a culture of *isegoria*, they incur their own failures. Herodotus highlights an idiotic—and disastrous—decision made by the Athenian assembly.<sup>16</sup> This episode demonstrates that if the desire for ease can inhibit judgment, so too does the desire for gain. Aristagoras, a tinpot tyrant from Ionia, appeals to Athens for support against the Persians in

<sup>15</sup> Munson notes the tragic aspect of Dionysius's resistance (2007, 148).

<sup>16</sup> But see Pelling (2007, 186–7) for the suggestion that the Athenians' decision might not have been as straightforwardly stupid as is often assumed.

the doomed Ionian revolt. Aristagoras had earlier sought Spartan support but had been rejected by their king, Kleomenes (5.49–5.51). The Athenians were more easily duped: “It seems then that it is easier to fool (διαβάλλειν) many men than one; Kleomenes the Lacedaemonian was only one, but Aristagoras could not fool him, though he managed to do so to thirty thousand Athenians” (5.97). Aristagoras was not himself Athenian, but his audience is. To a crowd of individuals who seek to “achieve for their very self” (5.78), Aristagoras made promises of great gain. Their appetites whetted (the very same appetites that have been unleashed by *isegoria*), the Athenians accept Aristagoras’s claims without investigating them (Balot 2006, 130; Baragwanath 2008, 201). The greatness of Athenian democracy lies in its energetic pursuit of what it deems good; this same zeal renders it incautious and easy to dupe. *Isegoria* dignifies the Athenians—and they in turn dignify their own appetites. They are thus more receptive to speeches that appeal to these. The political culture of *isegoria* thus affects not just speakers but audience. Equal say does not lead to wise deliberation.

Herodotus’s observations cohere with what political psychologists have generally found: people reason badly about politics. As Brennan summarizes, “The overwhelming consensus in political psychology, based on a huge and diverse range of studies, is that most citizens process political information in deeply biased, partisan, motivated ways rather than in dispassionate, rational ways” (2017, 37). This faulty reasoning often leads to flawed outcomes. Because of this, Brennan argues that we should engage in politics less, that we should reduce or even do away with democratic engagement: “Democracy is a tool, nothing more. If we can find a better tool, we should feel free to use it” (2017, xiv). The story that Herodotus tells shows us that people debate badly and make poor decisions with often disastrous consequences. In the pages of the *Histories*, and in real life, people die because we are bad at deliberating. Herodotus, then, agrees with critics of democracy, both modern (like Brennan) and ancient (like Plato) who argue that democracy is often unwise and unjust, fractious and stupid. Yet he still defends it. His defense has often been regarded as unclear. I argue that to understand Herodotus’s defense of equal speech and democracy, we have to look at his portrait of Athenian democracy in action.

## Zeal Not Wisdom

For Herodotus, the value of democratic debate lies not in its truthfulness or wisdom, but in the energy it unleashes:

It is not only in respect of one thing but of everything that equal right of speech (ισηγορίη) is clearly a good; take the case of Athens, which under the rule of tyrants proved no better in war than any of her neighbors but, once rid of those tyrants, was far the first of all. What this makes clear is that when held in subjection they would not do their best, for they were working for a taskmaster, but when

freed, they sought to win, because each was eager to achieve for his very self. (5.78)

What Herodotus praises about *isegoria*, equal right of speech, does not have to do with speech itself. *Isegoria* does not promote the truth or produce wisdom, or rather this is not what is praiseworthy about it. Equal speech matters because of its effects on the broader political culture, speakers and audience alike. As Schlosser puts it, “Everyone strives for what is best for himself, with the assumed reward being theirs; yet while each pursues his own cause, this leads to the strength of the whole” (2020, 70). It is critical to democratic self-rule, to freedom from tyranny.<sup>17</sup> Decisions and actions, for good or ill, are owned by the whole of the community; they do more and dare more because the doings of the city are the achievements of each individual within it.

This public spiritedness is not an unambiguous good. But first, I wish to note how it differs from the Berlin-Constant view of the ancients, which contrasts ancient moderation and self-restraint with modern hedonism. Patrick Deneen provides a recent articulation of this: “The Greeks especially regarded self-government as a continuity from the individual to the polity. . . . Self-governance in the city was possible only if the virtue of self-governance governed the souls of citizens” (2018, 22). Yet as some have argued (Edge 2009; Karagiannis and Wagner 2013; Miller 2001; Raaflaub 2004), there is greater continuity (although not total similarity) between ancient and modern liberty than is often urged. Herodotus in particular complicates the notion of an abrupt fissure between the two. His treatment of democratic Athens locates resistance to tyranny not in an orderly soul but in the zeal that *isegoria* unleashes; sheer feistiness, rather than virtue, is critical to self-rule. By granting autonomy to individuals, free speech unleashes their vitality: “Each was eager to achieve for their very self” (5.78). *Isegoria* enlivens the Athenians by granting them autonomy. They belong to themselves, and in this, belong to the city. In contrast, the rule of tyrants was like “working for a taskmaster.” Deprived of autonomy, the Athenians willfully give less than their all. In contrast, under *isegoria* the individual is motivated to do well because their achievements are *theirs*.

<sup>17</sup> Saxonhouse links free speech in ancient Athens to its commitment to democratic self-rule, for it is freedom of speech that makes not history or hierarchy the ground of political authority but rather locates it in the free choice of the individual (2006, 53). Fornara locates the primary meaning of *isegoria* in freedom from despotism and de-emphasizes its connection to democracy: “The antithesis is between freedom and despotism, and democracy is secondary to it. ἐλευθεροθέντων is the key word; the quality of *eleutheria* rather than the intrinsic nature of democracy, as a specific form of government, is the issue” (1971, 48–50, quoting 48.) Rhodes (2018) similarly focuses on *isegoria* as freedom from tyranny rather than a form of government in its own right. Yet to focus on the negative account of *isegoria* as freedom from tyranny neglects what it substantively unleashes: its effects on the individual, and how that individual then might or might not affect the city.

This renders Herodotus's treatment of *isegoria* much closer to modern accounts of liberty than is usually admitted. As Naketegawa puts it, "The most important characteristic of *isegoria* consists in a rousing sense of community, a sense that the Polis is not a tyrant's possession but every citizen's own property" (1988, 270). The Athenians take pride in the city because they are the city: equal speech grants each Athenian a stake in Athens. This motivates the individuals to do better and to do more. Herodotus's understanding of *isegoria* thus bears both some remarkable similarities with liberal respect for individual agency and some important differences. Its similarities lie in its commitment to individual autonomy: Herodotean equal speech enables the individual to pursue his own good, to exercise autonomy and agency in the development of a life. Each seeks to achieve for their very self. This way of valuing free speech resembles what Howard terms "speaker autonomy" (2019, 97–8). As Baker puts it, "Respect for personhood ... requires that each person must be permitted to be herself and to present herself" (1997, 992).<sup>18</sup> Equal right of say guarantees the person space in the public realm; it doesn't matter how valuable or moral or wise their contribution is but rather that they are entitled to *be there*, to exist, to develop their own selves through their pursuit of their own good. As Kateb states, "Much expression comes out of the character of the expressers. Their expression is not only theirs, it is them. To tolerate their expression is to tolerate their being" (1996, 233). To allow speech, to give each the right to have their say, is to recognize an individual's existence, his right to occupy part of the public space. *Isegoria*, the equal right of speech, insists that each individual has a say—that they be included, whether or not they are wise, judicious, or virtuous.

Yet, whereas liberal proponents of free speech imagine it as a protection against a government that might seek to infringe an individual's speech, as Saxonhouse has observed, equal right of speech is what *includes* the people within the city; it is freedom as autonomy, not from the state but within and through the civic realm (2006). This becomes evident when we turn to the proofs Herodotus provides that *isegoria* is a good: victory in war. The emphasis on war is a striking departure from the liberal emphasis on comfortable self-preservation. Athens' greatness lay not in the increase of any given individual's wealth but in their successful defense of their city, first against the Lacedaemonians (5.70–77) and later against the Persians at the battle of Marathon (6.112–117).<sup>19</sup> I have so far

<sup>18</sup> Cited in Howard (2019).

<sup>19</sup> Naketegawa (1988, 270) and Euben (1997, 67) note, "Athenian power derived from the fact ... the Athenians above all others embodied freedom in their *politeia* and fought for it unstintingly." See also Forsdyke (2001) on how the *Histories* develop the theme of democracy and civic strength. Schlosser suggests that "the military victories offer only one piece of evidence among many possible examples of support. The context of this assertion shows another, broader set of reasons why *isegoria* supports collective power: namely the Athenians people's ability to gather and respond to urgent matters" (2020, 77). This is undoubtedly correct, yet it remains

downplayed the role of the assembly in understanding Herodotean *isegoria*, precisely because the proofs of its worth are located on the battlefield. But actions on the battlefield are authorized by the assembly; those who vote are also those who fight. Although they may not deliberate wisely, they do so with spirit.<sup>20</sup> The Athenians choose to resist occupation and domination; they choose to fight rather than surrender. Therefore, epistocratic critiques of democracy (like Bell's and Brennan's) miss the point; the main strength of democracy is not its wisdom but the way in which it empowers people to resist domination (Cammack 2020; Kirshner 2016). Herodotus's account thus coheres with Bagg's defense of the power of democracy (2018): the Athenians resisted tyrants at home and the threat of Persian domination abroad.

Herodotus's narrative urges that this resistance to domination can spur the domination of others. As Ward (2008) observes, Athenian freedom involves the domination of other Greek city-states, and as Bejan notes, the inclusive energy of the Athenian assembly rested on those whom it excluded (2021, 165–6). Power affects character, for mass and elite alike, in ways that contemporary democratic theorists should consider. If epistemic accounts of democracy understate the challenges of voter ignorance, as Bagg (2018) argues, instrumental accounts should not neglect the transformational power of democratic institutions. Holding power can transform, for better and for worse, those who hold it. Aristagoras succeeded in fooling the Athenians not because they were ignorant but because they were greedy. The confidence and autonomy characteristic of *isegoria* meant that the Athenians could and did act on their appetites. They "achieved" for their very selves, but these achievements have a dark side. The demos both acts and authorizes those actions; they vote and they do, and in all this, they "seek to win"—whatever it takes.

This suggests that Athenian imperialism is a choice; it is a project authorized by the self-governing people of *isegoria*. As Munson has observed, the Scythian narrative shows a possibility of freedom without domination (Munson 2001a, 212–4): in the *Histories*, "an invasion is an act of the will and an unnecessary choice" (Munson 2001b, 41). Athens' success at war is not an unmitigated good—Herodotus calls war an evil (8.3). The superlative character of Herodotus's praise of Athens effectively highlights the ambiguities in his portrayal. Athenian freedom leads her to dominate her neighbors but is also responsible for the success of the Greek allies against the Persian invasion. As Herodotus proclaims, "So, as it stands now, a man who declares that the Athenians were the saviors of Greece would hit the very truth. For to whichever side they inclined, that was where the scale would come down. They chose that Greece should survive free, and it was they who

important that the "urgent matters" the Athenians must respond to are primarily matters of war—either self-defense or domination of their neighbors.

<sup>20</sup> Cammack (2021, 164) states, "The currency of legitimation was not the quality of deliberation."

awakened all the part of Greece that had not Medized, and it was they who, under Heaven, routed the king” (7.139). Themistocles will probe this tension and put it to productive work at the Battle of Salamis. But his success underscores just how precarious the alliance between Athens and the rest of the Hellenes is. Herodotus repeatedly shows how close the allied Greeks came to collapsing into fractious infighting; the narrative is structured so as to render the fact that the Hellenes held together against the Persians surprising (Baragwanath 2008, 203–39).

Yet just as the coalition of Athens and her allies is precarious, so too is the coincidence of interest between Athens and individual Athenians; the zeal unleashed by Athenian *isegoria* threatens Athens as well.<sup>21</sup> The excellence of Athens rests in the way its norms stir the vigorous pursuit of what the individuals take to be their own good—and these whetted appetites can impair public deliberation, as Aristagoras’s temptation of Athens revealed.<sup>22</sup> The particular virtue of Athenian democracy, its zeal, seems especially in need of the guidance of wise speech. That Athenian equal speech does not in itself lead to wisdom does not mean that there is no wisdom to be found in Athens. Its equality opens up space for the wisdom of previously excluded individuals to emerge<sup>23</sup> while simultaneously leading to crises that *require* that wisdom. This will make plain the relationship between *isegoria* and *diabole* (trickery, deception). Gottesman contrasts these modes: “*Isegoria* describes the experience in sharing in a community of equals, without any need to dissemble or flatter” (2021, 180) while conceding that sometimes equal speech still involves deceptive speech (189–90). Yet this assumes that *diabole* in *isegoria* is incidental and that the primary reason to dissemble is fear. Themistocles’s efforts at Salamis will suggest that, for the *isegoria* to prevail, *diabole* might be required. The ambiguities of Themistocles’s character, and the deeds necessary to secure victory at Salamis, will suggest the dark side to democratic dignity. Equal speech captures the bearing of a citizen; but equals might not always talk straight to one another.

### Dirty Tricks and a Good Story

This becomes clear through Themistocles, the Athenian general who successfully engineered the strategy that saved Hellas from the Persian invasion (7.144). Because Herodotus finds the ultimate proof of the goodness of *isegoria* in Athens’ military success, Themistocles’s central role in staving off annihilation at the hands of the Persians will illuminate just how Athenian *isegoria* promotes such success. Yet the character of his success also limns the dilemma of Athenian equal speech. Schemes and spin are his signature

talents.<sup>24</sup> Both of these skills are put to use for Athens and for Greece as a whole, but their power to help is also the power to harm. The ambiguity of Themistocles thus encapsulates the complex character of speech at Athens.<sup>25</sup> Indeed, Themistocles’s first appearance in the *Histories* illustrates how equal speech opens up space for the previously unheard. Herodotus highlights his newness; the son of Neokles, “New Renown,” he only recently came into the front ranks of the city (7.143).<sup>26</sup> This new actor intervenes at a crucial moment to offer a wise speech that is also persuasive.

Faced with an oracle that seems to foretell the defeat of Athens at the hands of the Persians (7.141–142), Themistocles interprets in such a way that it promises success—if the Athenians were to take action. He spun his reading of the oracle to work with the motivation of the Athenians: “This was Themistocles’ explanation, and the Athenians decided that it was preferable to that of the oracle-interpreters; for the latter would not have them prepare for a sea fight or indeed, to tell the truth, put up a hand’s worth of resistance at all” (7.143). Themistocles provides an optimistic narrative that shapes the Athenians’ appetite for resistance into sound defensive action. Schlosser treats this incident as an example of successful democratic deliberation: “The Athenians allow Themistocles to propose an alternative interpretation. Themistocles does not persuade them or demand their obedience” (2020, 123). Yet Herodotus’s emphasis on the affective state of the Athenians shows that what Themistocles is doing is indeed persuasion (Ward likewise highlights Themistocles’s rhetorical skill; 2008, 132). This does not undermine *isegoria* but rather confirms that Themistocles knows and shares its character: the Athenians are open to listening to him, but he is heard because he understands and directs their own motivations. The political culture that grants the upstart Themistocles the right to speak also kindles the desire to assert themselves within the Athenians. As Ober notes, this action was owned by the whole of the *demos* (2017, 152; cf. Schwarzberg 2014). Ober reads this decision as confirming the validity and wisdom of democratic deliberation. Indeed, this spirited decision was also wise: as Herodotus makes plain, with this plan the Athenians became “the saviors of Greece” (7.139). Although spirited decisions can be wise, they are not necessarily so. The narrative will explore how zeal, wisdom, and deliberation at times intersect—and conflict.

Indeed, the Athenians are rather unseemly saviors. At the battle of Artemisium, Athens initially displays a noble Panhellenic solidarity. Despite Athens’ obvious

<sup>21</sup> Saxonhouse notes the complex reception of this (2006, 31).

<sup>22</sup> Balot notes, “Herodotus shows that the *demos*’ greedy desires sometimes affected their sound judgment” (2006, 130).

<sup>23</sup> Miller notes, “Equality of speech ensures that natural talent will have the chance to be heard and if sufficiently developed, recognized and honored by the *demos*” (2001, 412).

<sup>24</sup> Frost (1968); Jordan (1988).

<sup>25</sup> See Moles (2002, 43–8) for an overview of Themistocles’s character as well as a survey of scholarly controversy it occasions. Debate revolves around whether we are to admire or disdain him; I insist, as do Konstan (1987, 70–2) and Romm (1998, 187–9), that the ambiguity of his character is precisely the point.

<sup>26</sup> Scholars have debated the meaning of his “newness.” Some contradict it (Frost 1968), some read it as a slur (Podlecki 1975, 69) or as an invocation of Homer (Fornara 1971, 68), and some find resonance between Themistocles’s origins and those of a key rival (Evans 1987).

naval superiority, the allies objected to putting them in charge of the Greek fleet. But “the Athenians gave way; they thought what mattered most was the survival of Greece and knew very well that if there was a dispute about the leadership, Greece would perish—and that thought was correct, for strife within the nation is as much a greater evil than a united war effort as war itself is more evil than peace” (8.3). They put aside vanity for the greater good, a fine moment for Athenian democracy. Yet Herodotus does not leave this noble vision of Athens untarnished, for they yielded “only so long as they had urgent need of the others, as they later proved” (8.3). Herodotus’s ever-restless narrative, which roves back and forth in time, keeps both sides of Athens’ character in frame: its brave selflessness and its predatory attitude toward its neighbors.

Themistocles’s behavior at Artemisum likewise combines both the interest of the group and his own self-interest, which here coincide—yet not quite seamlessly. Faced with the ominous spectacle of the Persian fleet, the assembled Greek allies become fearful and wish to flee. Despite this, Themistocles entices the Hellenes to fight an ultimately successful battle by accepting a bribe, bribing others, and managing to pocket the remainder for himself (8.4–5). His conduct has struck many as ignoble; some readers of Herodotus, aghast, have seen in it evidence of Herodotus’s reliance on hostile sources (How and Wells 1928). But as Baragwanath notes, for an Athenian audience, Themistocles’ ability to reconcile the common interest with his own “rather enhance[d] his achievement” (2008, 292). Themistocles’s selfish cunning here served the greater good (Fornara 1971, 72–3). Achieving “for his very self” (cf. 5.78) helped him achieve for Athens—and for Greece. Themistocles once again understands and directs the self-interest of others in order to support the common good. However, what brings these together is not wise speech but bribery. Unlike his interpretation of the oracle, Themistocles’s persuasive speech is insufficient to move his audience.

### Salamis and the Dark Side of Democratic Dignity

The limits of speech become more apparent during the battle of Salamis, often regarded as a foundational moment for Athenian democracy. As Euben writes, Herodotus suggests “that the victory at Salamis ... was won by men because of their political culture” (1997, 65); Raaflaub (2004) has likewise noted how fundamental Athenian power in the Persian war was to the development of democratic constitutionalism, Forsdyke (2001) has explored its role in democratic ideology, and Ober notes how, after Salamis, “democratic Athens went on to become the preeminent state of the Greek world” (2017, 152). In Schlosser’s words, the Persian invasion “leads the Greeks to articulate a political notion of freedom not just as resistance to tyranny but as something secured through their cooperative effort—that is, as a political achievement” (2020, 126). Yet it is striking—and sobering—how vulnerable this achievement is: how close it came to

not happening, the sneaky tricks required to pull it off. This emerges most clearly through the role of deliberation at Salamis. Schlosser suggests that persuasion is critical to the collective efforts of the Greeks at Salamis (2020, 126), and Ober likewise finds in Athenian victory proof of the wise judgment of the Athenians (2017, 151–2).<sup>27</sup> However, persuasion is remarkably impotent at Salamis.<sup>28</sup> Themistocles, an upstart who feels entitled to speak, will trick and scheme to save Hellas from itself. The character wrought by *isegoria* will in fact prove to be decisive for victory, but in ways that bring its ambiguity to the fore.

This ambiguity is evident from the moment the assembled Greeks debate where best to fight (8.49). The majority resolve to return to the Peloponnese and give up on Attica (8.49). But Mnesiphilus, an Athenian, tells Themistocles how disastrous this plan will be: “If once they draw off the ships from Salamis, you will never again fight for any fatherland at all; everyone will run off, each one to his own city, and neither Eurybiades [the Spartan commander], nor any other man will be able to keep the army from scattering. Greece will be lost, and all through sheer folly. If there is any means at all by which you can undo this decision, if by any means (μηχανή: contrivance, device, or art) you can persuade Eurybiades to change his mind and stay here, do so” (8.57). Each will prefer their own and will abandon the common project of fighting once the temptation of home is nearby. Much like the Carians, the preference for present ease and comfort will lead them to gamble their futures. Mnesiphilus’s final entreaty for Themistocles to use any μηχανή/means conveys his desperation: do this by any means necessary.

Themistocles first tries persuasion, with some success: he persuades Eurybiades to summon the generals back to revisit their decision (8.58). Herodotus underscores the tactical and rhetorical aspect of Themistocles’s speech to the generals. The way he fashions his speech is a μηχανή, a scheme itself: the presentation of his words is designed to suit his purpose, which is to sway—to win. Themistocles begins by disguising his true opinion: as Herodotus says “for in the presence of the allies it would not have been suitable for him to make accusations against anyone” (8.60). As Pelling states, Themistocles “did not speak his mind... . He cannot say [his true opinion] in public” (2006, 112). Although this is an open debate, Themistocles does not speak openly. His earlier successful speech interpreting the oracle to the Athenians suggests why. There, Themistocles had understood the Athenians’ desire to fight and gave it a concrete form. This suggests a profound limit to the persuasive power of speech. It can shift and direct, but it has to appeal to what people already want. The zealous Athenians, bred in a culture of *isegoria*, want to fight; the assembled generals do not.

<sup>27</sup> Ober notes the importance of 5.79 and Aristagoras’s *diabole* but depicts it as an incidental lapse.

<sup>28</sup> Collins (2019) likewise notes how Salamis complicates Ober’s account of Athenian democracy.

Instead of accusation, Themistocles takes “quite another tack” (8.60). Rather than speak an insulting truth, he chooses to frame his message in a way that flatters. Themistocles tells them that “it is in your hands to save Greece if you will be persuaded by me” (8.60). Just like Artabanus had to flatter Xerxes (7.10–11), so too does Themistocles flatter an audience of his peers.<sup>29</sup> Yet this flattery does not contradict *isegoria*. Themistocles still displays the characteristic verve of Athenian *isegoria*, the character of a citizen who belongs and is entitled to speak. The Corinthian general admonishes him for this: “In the games, those who get off the mark too soon are whipped.” Themistocles’s reply is marked by the energy of democratic Athens: “Those who get left behind never get crowned” (8.59). One can be insouciant and bold yet still take care in how one’s opinions are expressed. *Isegoria* does not mandate *parrhesia*, frank speech.<sup>30</sup> Only after this flattery does he list concrete reasons why it would be superior to fight at Salamis, concluding that they are likely to win “if the probable chances of war occur” (8.60). He concludes that “it is when men make probable designs that success oftenest attends them; if their designs are improbable, not even the god is willing to lend his help to the plans of men” (8.60). Echoing his tactics in the interpretation of oracle, he recruits divine support in order to support human agency.

Flattery, reason, the divine: Themistocles employs three powerful hooks in order to persuade his audience. But these fail, and so Themistocles turns to threats: “There are no Greeks able to withstand an attack by us” (8.61). This is hardly an uplifting display of deliberation. Herodotus refers to these debates as a “verbal skirmish (*ἀκροβολισάμενοι*)” (8.64). Debate here is agonistic combat—not collaborative deliberation, but spectacle.<sup>31</sup> It works on the Spartan general Eurybiades, but what persuades is not reason but fear (Eurybiades “especially dreaded that the Athenians would desert them” [8.63]). Yet this does not persuade the other generals: “For a while they would stand close together ... whispering their bewilderment at the stupidity of Eurybiades. But at last it all burst into the open” (8.74). The commander of the Greeks had resolved to fight but could not simply command the allies to do so. Without widespread support, his decision lacked force. The generals were bewildered by the “stupidity” of Eurybiades; yet their own plan to retrench at the Isthmus has already been impugned by what happened to the Carians. They are unable to see the wisdom of Themistocles’s proposition.

That the gifted orator Themistocles is unable to persuade the generals demonstrates that persuasion has its limits. He must seek other, more duplicitous methods—a *μηχανή*/scheme to override the flawed results of open debate. Themistocles dispatches a member of his household to transmit a message to the Persians: that Themistocles is an “adherent of the king” and as such is informing him of the dissent amongst the Greeks and the opportunity it provides (8.75). This apparent betrayal is successful because it is plausible. Not only do the Persians generally view the Greeks as fractious and disloyal (1.153, 7.9); many Greeks have in fact gone over to the Persian side (7.132; Pelling 2007, 112). It is entirely plausible that the Greeks would collapse, because they are already on the verge of collapsing. Themistocles will use that disunity to ensure that the Greeks are all equally forced into a situation of extreme duress. Informed by Themistocles’s message, the Persians encircle the Hellenes, who now must fight. In this, they are forced into the extreme necessity that Pixodarus envisioned for the Carians, yet without the freedom to choose that necessity. Themistocles has stripped the Panhellenic council of choice (Collins 2019). The allies may freely debate what to do, but Themistocles has engineered a situation in which the decision is out of their hands. Themistocles, empowered by the *isegoria* of Athens, has taken power away from the rest of the Greeks.

Ironically, having deprived the Hellenes of choice, Themistocles makes an impressive speech urging the gathered generals to “choose the better” (8.83). Herodotus does not let us hear this speech; he merely describes its contents. Herodotus thus disenchants his audience. We know that words are spoken, but because we do not experience their charm, we are prevented from being taken in by them. Herodotus thereby draws our attention to what Themistocles is *doing*, rather than what he is *saying* (Zali 2013, 483–4). Herodotus’s treatment of this speech thus underscores its irony. Just when Themistocles seems to have abandoned speech in favor of sneaky tricks, he uses it again—to reframe and inspire, not to persuade. Themistocles has engineered a situation where the Hellenes have no choice, where they must fight or be destroyed. Once in that situation, however, the power of his speech encourages them to view their situation as a choice: he imbues it with dignity. In doing what they must, they are made to feel that they are acting nobly. Necessity forces them to fight, but Themistocles’s speech (and Herodotus’s praise of it) suggests that the proper mental framing—the right narrative—can help them to fight well. As Schlosser writes, Herodotus’s provocative narration asks us to consider the effects of stories on their audience, directing us to reflect on how “stories direct the reader toward particular activities” (2020, 89). Stories can elevate and motivate, and thus they have a political power reason often lacks. The speeches of *isegoria* sometimes persuade, sometimes flatter, sometimes trick, sometimes inspire, and sometimes dupe. This power becomes evident through Herodotus’s own story. Herodotus thus equips us to be more sophisticated audiences (Schlosser 2014; Rathnam 2018).

<sup>29</sup> Pelling also notes the parallels between Themistocles’s comportment here and speech in front of the despot (2006, 112).

<sup>30</sup> Irwin (2014) argues for the ways in which Herodotus implicates the Athenians with despotic desires; Landauer notes the way the practice of *parrhesia* in Athens suggests that, historically, democratic Athens did behave remarkably like a tyrant: “One might even say that speaking with *parrhesia*—offering bold counsel in the face of significant personal risk—was a democratic virtue only insofar as the *demos* itself was structurally similar to a tyrant” (2012, 188).

<sup>31</sup> Pelling (2007) also notes the bellicosity of Herodotus’s language.

A more fitting metaphor for equal speech is thus not the marketplace of ideas but rather the *agora* as depicted by the Persian Cyrus in his mockery of the Hellenes: “I never yet feared men who have a place set apart in the midst of their cities where they gather to cheat one another and exchange oaths, which they break” (1.153).<sup>32</sup> Skulduggery and spin are characteristic of *isegoria*. We are less shoppers than hagglers, moved by performances, schemes, and a good story. This suggests that the marketplace metaphor itself succeeds not because it is true but because it sells a good story. Cyrus’s depiction of the *agora* more accurately grasps the nature of equal speech. Therefore, he is not wrong in his dismissal of the Greeks as duplicitous. Yet Cyrus underestimates the worth of unseemliness. If Themistocles had not been such a dirtbag, the Hellenes would have lost the war. But if such vice has its virtues, Herodotus never lets one eclipse the other—the narrative keeps both sides of Themistocles in view. In the aftermath of the battle, after failing to convince the other Hellenes to pursue the fleeing Persians, Themistocles changes his position and persuades the Athenians to let the Persians go (8.109). However sound this policy, Herodotus is clear about Themistocles’s motivations: “He intended that this act should be as a reserve to his credit with the Persians, that he might have a refuge if, one day, trouble overtook him at the hands of the Athenians, which is indeed what took place. With such words Themistocles deceived them (διέβαλλε), but the Athenians were convinced” (8.109–110). The verb recalls Aristagoras. The hero of the war has done to the Athenians what the petty tyrant who duped them into a disastrous military expedition did: tricked them (Pelling 2007, 181).

Further shading this characterization of Themistocles is the way in which, after letting the Persians go, the Athenians quickly turn on their Hellenic neighbors who had medized. Although this can be framed as retribution for collaborating with the Persians, Herodotus is quite clear about Themistocles’s motivations, for his “greed for money was insatiable” (8.112). Themistocles’s personal greed mirrors that of Athens. This unleashed self-interest fosters the greatness of Athens, the unique and spectacular achievements of its citizens. But Themistocles’s career reminds us that such self-interest threatens both domestic and international politics. The best and worst of Athens are interconnected; its customs are volatile, a precarious balance. What is best about it also renders it vulnerable—to strife within, to domination and war without. As Herodotus says of the Athenian decision to (temporarily) put Hellas first, “For strife within the nation is as much a greater evil than a united war effort as war itself is more evil than peace” (8.3). Athens’ energy, the political culture nourished by equal speech, allows them to resist domination at home and abroad, but it also fosters its capacity for greed, domination, and imperialism.

<sup>32</sup> For Cyrus’s attitude toward the Greeks and the *agora*, see Rathnam (2018); for the *agora* and *isegoria*, see Schlosser (2020, 77–8).

By cultivating the wise judgment of his readers through his performance of inquiry, Herodotus equips us to recognize this. Athens might already be lost, given over to its temptation to empire, but we, the future audience of the *Histories* envisioned by the proem,<sup>33</sup> might learn from its example, its virtues, and its mistakes. And for this reason, Herodotus’s mode of speech—and his skills—differ from those of Themistocles. Themistocles understands his audience, and the power of a good story, but to accomplish his ends, he hides his art, obscures the ways in which he persuades, schemes, and tricks his way into securing Hellenic victory. Themistocles, the paragon of *isegoria*, must at times practice *diabole*—and this *diabole* may be for good or ill. But in showing us the schemes, stories, and spin, the *diabole* characteristic of the citizen of *isegoria*, Herodotus practices a form of *parrhesia*—frank speech. He boldly speaks the truth, what his inquiry has uncovered; he shows what some would conceal and what others would rather not hear. His praise of Athens is such frank speech. In declaring his opinion that the Athenians were the saviors of Greece, Herodotus acknowledges the unpopularity of this opinion yet the necessity of stating it: “At this point I am forced to declare an opinion that most people will find offensive; yet because I think it is true, I will not hold back” (7.139). His depiction of Athens praises what is offensive to others but does not shy away from what is unflattering about Athens. Herodotus feels compelled to speak the truth—but only after showing us how difficult it can be to hear it, the stories and biases that impair our ability to separate gold from the dross, the ways in which Artabanus’s faith in a marketplace might be misled—and ours as well.

## CONCLUSION

Herodotus’s frank speech about equal speech, his *parrhesia* about *isegoria*, allows its harms to come into view alongside its benefits. *Isegoria*, the equal right to speech, describes a community of equals who belong to a free political community and are empowered by such belonging; its dangers are thus not only the well-documented untruths and harassment that speech can occasion but also exclusion and domination (Bejan 2021; Ward 2008). If all forms of belonging involve some degree of exclusion, boundaries drawn between those who belong and those who do not, exclusion can be more or less justified, more or less legitimate. Exclusion can be domination—Athens excluded slaves, non-citizens, and women from full participation in the community. Exclusion can also be used to manage those who would dominate others; those who harass women and minorities on social media might be excluded in order to maintain an inclusive space. In this view, the maintenance of the marketplace requires the exclusion of pernicious actors.

<sup>33</sup> See Bakker (2002) for the unfinished task of the *Histories*.

Inclusion within an empowered community may necessitate a degree of exclusion. But we should be careful about licensing a more expansive scope for exclusion, as this can have unintended consequences. Viewing free speech as a matter of power centers its interplay with power dynamics; this reminds us to attend to the pragmatic and political considerations of limiting free speech. Arguments for exclusion can be used against the marginalized and oppressed (as witnessed by the increased push to ban challenging or controversial material from schools based on the discomfort such works might incur); target the undeserving; or leave no room for transformation, genuine regret, and reparation. We must remember that the power to exclude is still power, so it should be wielded with care. Herodotus, who praises *isegoria* in terms of its power, also warns of the dangers of such power; the *Histories* as a whole counsel moderation (Lateiner 1989). Herodotus's critique of the rule of taskmasters thus reminds us not to become taskmasters ourselves, for pushing pernicious voices out of the public might only make those beliefs more attractive to those inclined to believe them. Attempting to silence an opinion can instead amplify it, as Tim Wu notes (2018, 559). As Pixodarus and Themistocles knew, people fight back when they feel they have no escape. Excluding bad actors does not make them disappear—instead, it might inflame them. If free speech does not make for good speech, silencing speech can have unanticipated and deleterious effects on the broader political culture.

It is precisely because Herodotus finds the most significant effects of *isegoria* in the larger political culture rather than particular institutions or laws that his account is relevant today. Bejan (2021) notes that the negative protection against government interference promised by the First Amendment and the popular belief in a substantive right to say what one wishes are often conflated in a way that obscures larger issues and offers her account of *isegoria* as epistemic dignity as a way of clarifying these different objectives. But Herodotus's treatment of *isegoria* suggests that the very fact that public discourse blurs these distinctions is important. It suggests that a legal right can have a substantive effect on the culture and bearing of a people—that what people care about matters, even if it cannot be defended in epistemic terms. Herodotus's treatment of the nonepistemic virtue of *isegoria* urges us to attend to this attachment, for the *Histories* show that the right to speak is not just a matter of law but the feeling that animates it. A recent *New York Times* poll<sup>34</sup> found that a majority of Americans believe that the culture of freedom of speech is under threat. Whether or not it is empirically true, that perception matters. Herodotus urges us to take that culture, and the attachment to it, seriously.

Herodotus's frank speech in praise of *isegoria* thus grants us another metric by which we can evaluate free

speech. If we expect that free speech will produce a marketplace of ideas where the best will inevitably win, Herodotus suggests that we will be disappointed. However, this disappointment is misplaced. Epistocratic critiques of democracy misunderstand the character of political knowledge and action; they treat politics as technocratic problem solving. As Cammack (2020) writes, this conflates two separate kinds of inquiry: questions of *episteme* center on fact, but political decisions pertain to the future because they enact the creative self-assertion of the demos. Ancient Greek political practice thus offers a way of responding to epistocratic critics, and this is lost if we frame Athens as a primarily deliberative democracy (cf. Bejan 2021; Ober 2012; 2017). Herodotus's account of *isegoria* in particular celebrates the right to speak as central to democratic self-assertion. The limits to *isegoria*, to equal speech, are thus also the limits to community: who can speak is also who belongs. In drawing these limits, we must remember that these boundaries are political, an act of self-definition. An ancient text cannot and should not settle these boundaries for us, but because the *Histories* also underscore the harms of *isegoria*, it can help us think through the dilemmas posed by free speech. *Isegoria* offers a powerful means of checking the exploitation and domination endemic to other forms of government. That it involves exploitation of its own means that we require *parrhesia*, frank speech to highlight this—again and again and again, given that the victory of truth is never guaranteed. Equal speech might be stupid, even harmful, and yet still somehow good.

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## CONFLICT OF INTEREST

The author declares no ethical issues or conflicts of interest in this research.

## ETHICAL STANDARDS

The author affirms this research did not involve human subjects.

<sup>34</sup> New York Times/Siena College Research Institute, February 9–22, 2022; “America Has a Free Speech Problem,” *New York Times*, March 18, 2022.

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