

The Constitutional Debate: Herodotus' (non) Contribution to Political Theory
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Scholars do not often consider Herodotus a political theorist or even a political thinker. When he is discussed, he is often cited as a source for democratic ideology (Forsdyke 1996) or it is sometimes pointed out that his moral lessons have political applications (Raaflaub 1987). In this debate, two passages are cited as political theory: the praise of democracy at 5.79 or the constitutional debate at 3.80-82. The constitutional debate has caused some critics to suggest that Herodotus has imported the debate from another source; the abstract nature of the debate is, to some, un-Herodotean (Bleiken 1979). Other critics accept the debate as Herodotus' contribution to a growing literature of constitutional discussion – his is not the first, nor the last on that subject (Thomas 2000). Despite the Persian context, many scholars assert that the debate is essentially focused on the Greeks (Cartledge 2002); others highlight the importance of its Persian context for understanding Persia (Pelling 2002).

The discussion of the debate's content has led to scholarly disagreement as well. Many scholars believe that Herodotus supports the arguments of Otanes for *isonomia* (implying democracy) even though Otanes's proposal is unsuccessful (Lateiner 1989). Others claim that the outcome of the debate is a failure on the part of the Persians to resist tyranny, even though they too recognize that Otanes does not offer strong arguments for *isonomia* (Thompson 1996). A third, and significantly smaller, group of scholars read the debate as part of Herodotus' support for one-man rule (Flory 1987). This paper presents a middle ground – not only is the constitutional debate an example of theoretical political discussion, it also pushes its external audience to consider how the Persians would present different constitutions and why they decided on monarchy.

The debate contributes to our understanding of Herodotus' political thought, provides depth to the ethnography of the Persians, and reveals how Herodotus connects cultural considerations to more abstract political thought. All three speakers represent and utilize in their rhetoric the ideologies of tyranny, *isonomia*, and an aristocratic *ethos*. They use these ideologies to argue for their chosen constitutions. Each speaker in the debate also reveals his individual motivations for promoting their view: Otanes has been insulted by the current and prior tyrants and seeks protection from that kind of insult; Megabyzus seeks an oligarchy that will include himself and not make stupid, brutal decisions; and Darius argues for a monarchy, which he intends to procure for himself. The pre-existing cultural and political institutions of the Persians also have some bearing on the arguments each speaker makes. Individual motivation, political ideology, and cultural considerations shape this supposedly abstract discussion of constitutional forms to so great an extent that it cannot be separated from its context and the agenda of the speakers. This very quality, which has spawned so many arguments about the nature of the debate, is the key to understanding the debate's role in the *Histories*. By taking abstract political forms and putting arguments for them in the mouths of ideologically motivated, self interested Persians, Herodotus reveals the difficulty of applying abstract and universal considerations of constitutional forms to real world situations. Theory cannot help but be modified and applied in such ways as are suitable to its cultural context. This approach presents a strong argument for expanding the idea of Herodotus as a cultural relativist. The point is not simply that one should accept that different people practice the customs which seem best to them; it is also that other people construct their political and societal systems based on customs and individual experience.