

Punishments and the Conclusion of Herodotus' *Histories*

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ONE MUST CONSIDER the end of every affair, how it will turn out."¹ Solon's advice to Croesus has often been applied to Herodotus' *Histories* themselves: Is the conclusion of Herodotus' work a fitting and satisfying one? Older interpretations tended to criticize the final stories about Artayctes and Artembares as anticlimactic or inappropriate: Did Herodotus forget himself here, or were the stories intended as interludes, preludes to further narrative?² Entirely opposite is the praise accorded Herodotus in a recent commentary on Book 9: "The brilliance of Herodotus as a writer and thinker is manifest here, as the conclusion of the *Histories* both brings together those themes which have permeated the entire work and, at the same time, alludes to the new themes of the post-war world."³ More recent appreciation for Herodotus' "brilliance," then, is often inspired by the tightly-woven texture of Herodotus' narrative. Touching upon passion, revenge, noble primitivism,

¹Hdt. 1.32: σκοπέειν δὲ χρὴ παντὸς χρήματος τὴν τελευτήν, κῆ ἀποβήσεται (text C. Hude, OCT).

²For summaries of earlier assessments (Wilamowitz, Jacoby, Pohlenz, *et al.*) see H. R. Immerwahr, *Form and Thought in Herodotus* (Cleveland 1966) 146 n.19; D. Boedeker, "Protesilaos and the End of Herodotus' *Histories*," *CIAnt* 7 (1988) 30–48, at 30–31; C. Dewald, "Wanton Kings, Picked Heroes, and Gnostic Founding Fathers: Strategies of Meaning at the End of Herodotus' *Histories*," in D. H. Roberts, F. M. Dunn, D. Fowler, edd., *Classical Closure* (Princeton 1997) 62–82, at 75–77.

³M. A. Flower and J. Marincola, *Herodotus' Histories Book IX* (Cambridge 2002) 303. J. Moles, "Herodotus Warns the Athenians," *Papers of the Leeds International Latin Seminar* 9 (1996) 259–284, similarly praises the ending as "brilliant" (273).

East-West relations, the concluding stories at 9.108–122 recall the Prologue and Lydian *logos*, reinforce many of the narrative motifs that thread through the work as a whole, and (perhaps) offer a warning to the Athenians that with the emergence of the Delian League, a new cycle of tragic history may be beginning.⁴

One Herodotean motif that has not been explored systematically—either with regard to the *Histories* as a whole, or with regard to the conclusion—is the theme of punishment.⁵ The final three stories, disparate as they are, share one commonality: all record punishments—of Masistes’ wife, of Oeobazus, Artayctes and his son, and the threatened divine punishment of Artembares and his descendants. This is not an incidental or unimportant fact, for much of the difficulty in assessing the conclusion’s literary merit is in placing it within its proper thematic context. This context, I will argue, is that of punishments. The *Histories* are rife with punishments, some minor, others monstrous. Punishment, with the related themes of crime and justice, plays several significant roles: as literary spectacle, as material for ethnographic and political insight, and as vehicle for an implicit philosophy of history. All this ensures that 9.108–122 is a multi-layered and suggestive ending, offering Herodotus’ final meditation on the ongoing interplay between Greece and Asia, the ambivalence of human accomplishment, the injustice and excess that constitute so much of history, the

⁴For discussions of ways in which the conclusion is integrated into the *Histories* as a whole, see Immerwahr (*supra* n.2) 144–147; N. Ayo, “Prolog and Epilog: Mythical History in Herodotus,” *Ramus* 13 (1984) 31–47; Boedeker (*supra* n.2); J. Herington, “The Closure of Herodotus’ *Histories*,” *ICS* 16 (1991) 149–160; Moles (*supra* n.3); Dewald (*supra* n.2); C. Pelling, “East is East and West is West—Or Are They? National Stereotypes in Herodotus,” *Histos* 1 (1997), <<http://www.dur.ac.uk/Classics/histos/1997/pelling.html>> (paragraphs not numbered).

⁵N. Fisher, “Popular Morality in Herodotus,” in E. J. Bakker, I. de Jong, H. van Wees, edd., *Brill’s Companion to Herodotus* (Leiden 2002) 199–224, touches briefly upon what this article seeks to explicate in detail: “the astonishingly rich and ambiguous closing narrative here includes appropriate punishments or revenges meted out to two Persians” (216).

simultaneous existence of human evil and divine justice. Before coming to the concluding punishments, however, we will first examine the various functions that punishments serve in the *Histories*, whether as “wonders,” as characteristic products of particular cultures and political systems, or as means for conveying aspects of Herodotus’ historical and religious vision.

Functions of Herodotean punishments

First, the *Histories* are, from one perspective, a record of “wonders”—the fabulous countries, gods and peoples, rivers, buildings, battles—gathered over years of travel. Among this medley of ἔργα μεγάλα τε καὶ θωμαστά are the injuries and counter-injuries that people have inflicted upon each other from time immemorial, for many of the punishments that Herodotus includes are astonishing in their cruelty or ingenuity. This is particularly true of certain longer “set-pieces” upon which Herodotus lavishes all his narrative skill: the feast that Astyages prepared to punish Harpagus’ disobedience (1.118–119); Pheretima punishing her enemies by impaling them in public places and “cutting off the breasts of their wives, and fastening them likewise about the walls” (4.202); Cambyses flaying Sisamnes alive (5.25); or Hermotimus castrating Panionius and his sons in revenge for his own mutilation (8.105).⁶ Just as Herodotus calls attention to the largest river, the oldest nation, and other geographic or ethnographic records, so too he ranks Hermotimus’ punishment of Panionius as “the greatest revenge for a man wronged, of all those we know.” Like other aspects of Herodotus’ ethnography, this fascination with superlatives is not always easily assimilated to the “grand-

⁶J. D. Denniston admires the “hushed intensity” of Herodotus’ story of Astyages and Harpagus: *Greek Prose Style* (Oxford 1952) 5–6. Flaying alive was an Assyrian punishment, adopted by the imperial Persians: W. W. How and J. Wells, *A Commentary on Herodotus II* (Oxford 1912) 10. Herodotus’ Greek audiences might think of the flaying of Marsyas by Apollo and his Scythian slave. On Hermotimus and Panionius see T. Harrison, *Divinity and History* (Oxford 2000) 108–110; Fisher (*supra* n.5) 214–216.

narrative” of East-West hostility. For instance, the story of how the Libyan Psylli marched out in arms against the south wind, seeking to punish it for drying up their water-tanks (4.173) is itself a “wonder,” yet their attempt has little bearing on the main narrative of the *Histories*. Here, Herodotus may simply be indulging his love of the curious, weird, or extraordinary.⁷ Elsewhere, however, startling punishments are evidence of the variety of human accomplishment, not always praiseworthy, and of the vehemence of the passions, particularly the desire for revenge. Such desires can lead to terrible tragedies, which Herodotus recognizes as part of the historical record. Herodotus may dwell on horrors like Hermotimus’ punishment, perhaps to suggest that the tragic cannot be assimilated to more abstract narratives of cities and national politics: one of the historian’s many tasks is to evoke subjective experience by relating such irreducibly personal moments.

Second, Herodotus’ interest in other cultures is evident not only when he records national origins, diet, dress, weapons, marriages, burials, and so forth; he can also note unusual laws and their attendant punishments. Though not central to his ethnography, Herodotus’ record of such punishments tends to highlight what is distinctive of a people or culture. Thus, Egyptian industry, which cultivated the Nile valley and raised so many impressive monuments, is reflected in laws that punish idleness with death (2.177) or Pharaohs’ decrees that sentenced criminals to hard labor (2.108, 2.124, 2.137), a punishment relatively rare in Herodotus’ Greece.⁸ Similarly, the exceptional

⁷While some might interpret Herodotus’ weakness for τὰ θαυμαστά as a sign of naiveté, others, notably R. G. Collingwood, commend Herodotus for his commitment to recording particulars, even ones that in their idiosyncrasy resist assimilation to all-encompassing universals or narratives. Applying Aristotle’s dictum that history deals only with particulars (*Poet.* 1451b4–11), Collingwood praises Herodotus for resisting the impulse to universalize: *The Idea of History* (Oxford 1994) 29–30.

⁸The Tegeans forced the defeated Spartans to till their land (1.66), and Polycrates made rebels dig a moat around his fortifications (3.39). But because

religiosity of Egyptians is exemplified in their practice of executing any who kill a sacred animal (2.38, 2.65). The Ethiopian custom of binding prisoners with golden fetters (3.23) is a source of wonder for gold-greedy peoples, and further evidence that the “long-lived” Ethiopians, with their fertile land and exceptional health, are indeed a race of noble primitives, uncorrupted by the avarice of “civilization.”⁹ Other punishments seem to suggest that some peoples are more cruel than others. The barbarity implicit in the phrase “a Scythian meal” (1.73) is mirrored by the violence of Scythian punishments: they kill their most hated personal enemies and use their skulls as drinking cups (4.65); errant soothsayers are burnt alive (4.69); slaves are blinded to prevent escape (4.2); nobles who introduce foreign customs (Anacharsis, Scylas) are summarily executed (4.76–80).¹⁰ The imperial Persians also tend towards cruelty. Herodotus notes the Persian custom of “netting” a conquered island in order to kill or deport its inhabitants (6.31). So too, he knows the Persian practice of collective deportation, which brought so much suffering to several Greek communities in the aftermath of the Ionian Revolt.¹¹ Most notably, the Persian use of mutilation and

prison and supervised labor were expensive, execution, exile, or fines were the forms of punishment favored by the small Greek cities. In general, then, labor as punishment was associated more with the mythic world: so the labors of Heracles, Apollo’s servitude to Admetus and Laomedon, or Hesiod’s view of work as divine punishment for human transgression (*Erga* 42–53, 90–92 etc.). Cf. T. J. Saunders, *Plato’s Penal Code: Tradition, Controversy, and Reform in Greek Penology* (Oxford 1991) 42–43.

⁹The occasion on which Darius “rewarded” Democedes with a pair of golden fetters for healing him (3.130.4) may reinforce this distinction between primitive Ethiopia and imperial Persia: like Cambyses’ gifts of perfume and purple cloth, Darius’ reward is deceptive, hiding the evil of slavery beneath pretty trinkets.

¹⁰For a possible parallel to the phrase “Scythian meal,” see the account of “Lemnian deeds” and the Lemnian Pelasgians’ preemptive punishment of their Attic wives and half-Attic sons (6.138).

¹¹Nebuchadnezzar’s deportation of the Hebrews to Babylon is now the most famous in Middle Eastern history, but Herodotus records Persian variants—the wholesale resettlement of Prienians (1.161), Paeonians (5.12–15), Milesians (6.3, 6.20), and Eretrians (6.101, 6.119). In this context, note also the wholesale cultural change imposed upon the Lydians, transformed from a ruling people into a “nation of shopkeepers” (1.156).

impaling punctuates the *Histories*, and will be revisited in the final punishments of Masistes' wife and Artayctes.

A third function of certain punishments is to illustrate the random violence that can accompany despotism and the politics of autocracy; "barbarian" tyrants provide the majority of the punishments in the *Histories*.¹² Thus, Croesus rose to power and wealth partly by violence, as when he tortured a rich enemy to death (1.92). The Egyptian queen Nitocris devised an elaborate revenge upon her brothers' murderers (2.100). Apries the Pharaoh cut off the ears of Patarbemis solely because he was the herald of bad news (2.162). Cyrus is introduced as a boy—"king," ordering Artembares' son to be whipped mercilessly (1.114.3 τρηχέως κάρτα περιέσπε μαστιγέων). On various pretexts, Cambyses stabbed the Apis bull, murdered priests, desecrated corpses, killed his brother and sister, shot his cup-bearer, Prexaspes' innocent son, executed twelve noble Persians, attempted to punish Croesus for his "insolent" advice, and so on (3.16, 27–37). Before his Scythian expedition, Darius executed Oeobazus' sons (4.84), much as Xerxes would whimsically reward, then punish, Pythius and his eldest son (7.39).¹³ Similarly, when the captain saved the royal ship during a storm, a grateful Xerxes crowned the man with gold and then beheaded him for incidentally causing the death of so many Persian nobles

¹²For a more detailed presentation of how a "despotic template" characteristic of Herodotus' Eastern tyrannies contrasts with his presentation of Greek politics, see C. Dewald, "Form and Content: The Question of Tyranny in Herodotus," in K. A. Morgan, ed., *Popular Tyranny: Sovereignty and Its Discontents in Ancient Greece* (Austin 2003) 25–58.

¹³J. A. S. Evans, "The Story of Pythius," *LCM* 13 (1988) 139, argues that the executions of the sons of Oeobazus and Pythius may have religious significance as purification rituals at the beginning of a great undertaking. If so, Herodotus does not realize the fact; even if he did, he still might well condemn the practice as inhumane. S. Lewis, "Who is Pythius the Lydian?" *Histos* 2 (1998) <<http://www.dur.ac.uk/Classics/histos/1998/lewis.html>> (paragraphs not numbered), suggests that Pythius was Croesus' descendant: if so, could Pythius' fate be further punishment for the regicide that founded Gyges' dynasty?

(8.118). Such reports and others¹⁴ are not only astonishing “wonders”: they abundantly illustrate Otanes’ warning in the “Constitutional Debate” about the passions and capricious violence of kings (3.80).

Other “wonderful” punishments offer even more dramatic proof of the folly of tyranny. In the *Histories*, the tyrant’s unlimited desire for control extends not only beyond the confines of ancestral *nomos* and the physical boundaries of his realm, but even beyond the human world itself: the tyrant can even attempt to punish nature, and the dead. So Cyrus punished the Gyndes River for drowning a horse (1.189). During a flood, an enraged Pheros flung a spear into the Nile, and was in turn punished with blindness for ten years (2.111). Perhaps this is one of the contexts in which to place the incident of Darius’ vow to “remember the Athenians” (5.105): after the defeat at Marathon, does Darius’ shooting an arrow at the sky signify an attempt to chastise the gods?¹⁵ When a stormy Hellespont broke up his bridge, Xerxes sent out his slaves to flog it and hurl fetters into it with the words, “O bitter waters, so our master punishes you because you wronged him without cause, having suffered no injustice at his hands” (7.35). Tyrants’ attempts to punish the dead—such as Cambyses’ rage against Amasis’ body (3.43), Xerxes’ impaling of Leonidas’ corpse in revenge for Thermopylae (7.238, *cf.* 9.78), or Tomyris’ plunging Cyrus’ head into a skin filled with human blood (1.212, 214)—similarly highlight the unnatural excess characteristic of such rulers.

Pausanias’ refusal to avenge Leonidas by disfiguring the dead Mardonius (9.78–79) reflects the greater restraint expected in Greek public life: certainly the worst punishments cluster

¹⁴A short list might include the feud between Intaphernes and Darius (3.118–119); Darius’ execution of Aryandes for minting silver coins in imitation of Darius’ gold darics (4.166); Croesus’ enigmatic threat to destroy the Lamp-sacenes “like a fir,” *i.e.* so thoroughly that no trace of them will remain (6.37).

¹⁵*Cf.* the custom of the Getae who at the onset of a storm would hurl arrows and threats at the sky-god (4.94).

around the royal or satrapal courts of Persia. This generalization is consistent with the *Histories'* many polarities that tend to celebrate Greek liberty and virtue over the tyrannical excesses of barbarian Asia. Yet such polarities never harden into mutually exclusive opposites. Herodotus remains sensitive to the ongoing interaction between Greek and non-Greek worlds, to the manifold triumphs of non-Greek cultures and the potential barbarity of the Greeks. Thus, Eastern tyrants, satraps, and generals do not completely monopolize excessive punishments: a frenzied mob murders an Athenian sailor returning from Aegina (5.87); the Athenian and Spartan states sacrilegiously murder Persian envoys (7.133); the Athenian *demos* stones a councilor, his wife, and children without trial (9.5). This simultaneous adoption and critical questioning of popular polarities will be apparent too when the executions of Oeobazus, Artayctes, and his son are portrayed as "barbarian" in their cruelty.

Fourth, Herodotus' fascination with punishments may reflect an interest in contemporary history, with its controversial questions concerning Greek unity, hegemony, and imperialism. The general Sophistic study of τὰ ἀνθρώπινα included the topic of punishments. How severe should punishments be, and how proportionate to the crime? Does punishment belong to domestic politics only, or can it be a tool of international policy? Is collective punishment consistent with democratic principles? Should punishments aim to procure future benefits (τὸ σὺμ-φερον) or vengeance for past crimes (τὸ δίκαιον)? These questions are crucial to Thucydides' Melian dialogue (5.84–116) and the debate over the Mytilenaeen revolt (3.37–48).¹⁶ But the revolts in Naxos (467 B.C.), Euboea (446), and Samos (440) involved the same issues: it would be strange if the issues raised by Diodotus and Cleon were not often debated under the *Pax*

¹⁶For an analysis of the Mytilene debate see Saunders (*supra* n.8) 127–131.

Atheniensis, or if Herodotus had not heard similar arguments. But although Herodotus' record of so many and so various punishments may represent his contribution to a contentious issue, it can be difficult to pinpoint precisely where he addresses contemporary debates. The questions of state that inform Thucydides' Mytilene debate are operative when Otanes orders a general massacre of the Samians (3.147–149), or when Cyrus and Darius execute only rebel leaders, not the innocent masses (1.155–156, 3.159; cf. Diodotus); these passages are perhaps the closest obvious reflection of the later penological debates on which Thucydides drew.¹⁷ But given difficulties in dating his composition, revisions, and “publication,” as well as the even more difficult question of when and how viewpoints are formed and deepened, one cannot hope for certainty. Compounding the difficulties of pinpointing Herodotus' relation to contemporary thought is the fact that his general treatment of punishment is more reminiscent of the mythical world of Marsyas, Tydeus, and Atreus than it is of rationalist, Sophistic debates.¹⁸ Herodotean punishments are motivated primarily by the personal desire for vengeance. His is a world of passionate, indomitable personalities: petty calculations of material or political profit, hopes of reforming the criminal, reasons of state find little place here. In this respect, Herodotus seems to strive to evoke a sense

¹⁷For other contemporary contexts of the *Histories* see especially Immerwahr (*supra* n.2) 319–322; J. Gould, *Herodotus* (London 1989) 84–85, 94–109; D. Lateiner, *The Historical Method of Herodotus* (Toronto 1989) 126–135; J. Moles, “Herodotus and Athens,” and K. Raaflaub, “Philosophy, Science, Politics: Herodotus and the Intellectual Trends of His Time,” in Bakker *et al.* (*supra* n.5) 33–52, 149–186; R. Thomas, *Herodotus in Context: Ethnography, Science and the Art of Persuasion* (Cambridge 2000).

¹⁸For instance, the flaying of Sisamnes might recall Apollo's punishment of Marsyas. The Greek mercenaries who kill Phanes' sons and drink their blood before battle might be compared with Tydeus eating the brains of Melanippus before the walls of Thebes, or Achilles raging to “eat Hector raw” (*Il.* 22.246–247). Atreus' revenge on Thyestes forms the prototype for the cannibalistic feasts prepared by Astyages and the Scythians.

of epic grandeur that is hardly consonant with the rationalizing tendencies of the Greek “Enlightenment.”

Indeed, much in Herodotus runs counter to a (modern) Enlightenment understanding of history: his recognition of suffering, his preoccupation with injustice and revenge as the forces driving historical change preclude any optimistic doctrine of progress. Moreover, Herodotus is no atheist, for he insists on the role of the divine in human affairs. Punishments are one means by which he conveys this historical and religious vision.

First, for Herodotus the historical process as a whole can almost be reduced to a series of crimes and punishments. Punishment—and its attendant themes of crime, *pleonexia*, jealousy, revenge, reciprocity, justice—serve Herodotus’ most central purpose of explaining the relation between events and showing why things occurred as they did. As regularly noted, Herodotus’ initial discussion of the abductions of Io, Europa, Medea, and Helen strikes the keynote for the work: one injustice (ἀδίκημα) prompts an attempt at revenge (τιμωρία, τίσις), *i.e.* justice, that may in turn be disproportionate to the initial crime, and constitute a further crime. Agamemnon’s στόλος μέγας, for instance, seems to be a disproportionate retaliation for a minor piratical raid (1.4). The events of world history are thus seen as bound together in one long sequence of crimes, punishments, and counter-punishments: the mythical abductions; the Lydian kings’ wars on Ionia; Croesus’ aggression against the Greeks, inherited by Cyrus and the Persians; the Ionian revolt and burning of Sardis (5.101–102.1); the retaliatory sack of Miletus and Eretria (6.18, 6.101.3); the “netting” of Aegean islands (6.31); the burning of temples in Athens and many smaller Greek cities.¹⁹ In other regional histories, the desire to punish is one factor that raises armies, sacks cities, changes whole

¹⁹For more detailed references see J. D. Mikalson, “Religion in Herodotus,” in Bakker *et al.* (*supra* n.5) 187–189.

peoples. One of Croesus' reasons for attacking Cyrus was to punish him for overthrowing Astyages, Croesus' ally and brother-in-law (1.73). Cambyses' invasion of Egypt was partly due to an Egyptian eye-doctor's desire to avenge himself on Amasis (3.1). Darius invaded Scythia partly to avenge the Cimmerian invasion (4.1.1, *cf.* 4.119); in a reciprocal "punishment," the Scythians raided the Chersonese (6.40). Athenian-Aeginetan relations were a concatenation of ἀδικήματα and attempted retributions (6.87–93). Similarly, peoples previously isolated are typically brought into contact not by trade or travel but by war and the "injustice" of unprovoked invasion: so Croesus and the Aegean islanders, Cyrus and the Massagetae, Cambyses and the Ethiopians (1.27, 1.206, 3.21).

Finally, punishments not only provide the nexus between historical events but also reveal to Herodotus the reality of divine justice. The *Histories* are pervaded by a conviction in divine intervention. Herodotus does not hesitate to declare this faith, most notably when he praises the truth of Bacis' prophecy, and of all oracles: "When with ships they bridge the holy shore of Artemis of the golden sword and Cynosoura by the sea, wildly hoping to sack bright Athens—then divine Justice will quench strong Excess, Hubris' son ..." (8.77). Given the many proofs of Xerxes' *hubris* and criminal nature,²⁰ it is no wonder that "divine Justice" struck him down, as it does all that is too high (7.10.ε). Herodotus notes that it was the gods who were most responsible for repelling the Persian invaders: αὐτοὶ οὗτοι [οἱ Ἀθηναῖοι] ἦσαν οἱ ἐπεγείραντες καὶ βασιλέα μετὰ γε θεοῦς ἀνωσάμενοι (7.139.5). The phrase "after the gods at least" is no pious tag, for Herodotus often suspects or is certain of some

²⁰Bridging and branding the Hellespont, cutting through the peninsula of Mt Athos, seeking an empire coextensive with the heavens (7.8.γ), committing atrocities (*e.g.* Pythius, human sacrifice 7.114), burning temples, scorning unfavorable omens, ignoring his "wise advisors" Artabanus and Demaratus—the list is long.

divine intervention: the apparition to Epizelus at Marathon (6.117), the winds at Artemisium, the sacred host marching from Eleusis, the simultaneity of Plataea and Mycale, the heroes Phylacus and Autonos defending Delphi (8.38–39), Poseidon punishing impious Persians (8.129), Demeter protecting her shrines at Salamis, Plataea, and Mycale (8.65, 9.62, 9.65, 9.100–101) are some of the indications for Herodotus that the Greek victories cannot be explained as wholly human affairs.²¹ He detects divine punishment in innumerable other events and phenomena: the Trojan War (2.120.5), disease (1.19, 1.22, 1.105, 4.205), blindness (1.174), madness and suicide (3.30, 6.75, 6.84), suspiciously timed deaths (3.126.1, 3.128.5), family histories (6.86, 7.137.2), dethronement and exile (6.72), wounds (3.64) all become instances of the gods' retribution for sacrilege or crime. Such examples serve to justify Herodotus' generalization that "when great wrongs are done, surely the gods will inflict great punishments on them. This is my view at least" (2.120.5; *cf.* 4.205).²²

This conviction of the reality of divine justice lends considerable complexity to Herodotus' historical vision and challenges his audience to view the past from a detached, even trans-temporal standpoint. Though a Gibbon might define history as "little more than the register of the crimes, follies, and misfortunes of mankind,"²³ for Herodotus this register is complicated by the additional justice of the gods, which acts over

²¹ On the background role that Demeter plays throughout the *Histories* see Boedeker (*supra* n.2) 46.

²² The attempts by Lateiner and others to present Herodotus as a religious skeptic have been rightly criticized. For balanced discussions of the divine in Herodotus' world-view, see for instance S. Hornblower, *Greek Historiography* (Oxford 1996) ch. 3; Harrison (*supra* n.6) ch. 3; and Mikalson (*supra* n.19), esp. 188–189, 223–224.

²³ *Decline and Fall of the Roman Empire* ch. 3. Even more pessimistic and univocal than Gibbon is C. Wilson, *A Criminal History of Mankind* (London 1984) 4: "the history of mankind from about 2500 B.C. is little more than a non-stop record of murder, bloodshed and violence."

time, unpredictably, even cruelly. Herodotean history, then, is not simply a record of temporal triumphs and tragedies; human passions of hatred, jealousy, violence, and revenge are all too real, and yet not ultimate. It is such a meditative note that Herodotus adopts for his conclusion.

The Histories' conclusion

The concluding stories of 9.108–122 present in quick succession a series of four punishments, a higher concentration than anywhere else in the work: Amestris (Xerxes' wife) punishing Masistes' wife, the sacrifice of Oeobazus, the execution of Artayctes and his son, and the implied divine punishment of imperial Persia, personified in Artembares. Herodotus is characteristically brief and clinical in describing these punishments, leaving his audience to ponder their brutality and significance. "Cutting off the breasts of Masistes' wife, Amestris threw them to dogs, and after cutting out her nose, ears, lips, and tongue, she sent her back to her house, mutilated" (9.112). In reply, Masistes tried to raise a rebellion but was caught by Xerxes and killed. Herodotus draws no conclusions here, but like other punishments, the incident has a many-sided importance: the shock-value and "wonder" of a vicious death is compelling reading (or listening); the mutilation recalls other excesses typical of Persians and tyrants' courts, but also possible in the rest of the Greek world;²⁴ the punishment is itself criminal, and via Masistes' rebellion, threatens to open a new chapter in Persian history.

While the Persian royal house disintegrates in civil war, Greek forces are completing the liberation of Europe. After the siege of Sestos, Oeobazus, Artayctes, Artayctes' son, and other Per-

²⁴ Cutting off the criminal's nose, lips, and ears was a Persian form of punishment. Zosimus' self-mutilation mimicked this punishment in order to deceive the Babylonians into believing him to be an escaped traitor (3.160). The Greek Pheretima treated her enemies in similar fashion (4.202).

sians are caught and executed. Oeobazus and his men were captured by the Thracians and sacrificed to the local god Pleistorus, “according to the custom of the place” (9.119). Herodotus is brief and does not describe this sacrifice/punishment in detail. The Scythian *logos*, however, had already offered accounts of human sacrifice: of attendants and followers of the Scythian kings, of shipwrecked sailors to the Taurian Iphigenia, of the appointed “messenger” to Zalmoxis among the Getae (4.71–72, 4.103, 4.94). Macan proposes that Pleistorus was “perhaps the Thracian Ares of 5.7.”²⁵ Whether or not Pleistorus was a cruel god, Herodotus does not say; the name occurs only here in extant literature. But given the Thracians’ reputation for savagery,²⁶ and their proximity to the cruel Scythians, Greek audiences must have suspected the worst for Oeobazus’ party. This sacrifice to Pleistorus may therefore represent an oblique form of divine justice: one group of Persian transgressors is punished, and an equilibrium of sorts thereby restored.²⁷

Concerning the details and significance of Artayctes’ fate, Herodotus is more forthcoming. When Artayctes, his son, and his soldiers were being kept prisoner at Sestos, some salted fish began to jump and dance, as if newly caught. According to Artayctes’ interpretation of the portent, the dancing fish reveal the power of Protesilaus, extending from beyond the grave to punish the living²⁸—an unexpected inversion of previous

²⁵R. W. Macan, *Herodotus: the Seventh, Eight and Ninth Books* (London 1908) ad 9.19.

²⁶For a full discussion see D. Asheri, “Herodotus on Thracian Society and History,” in G. Nenci and O. Reverdin, edd., *Hérodote et les peuples non grecs* (Entr.Hardt 35 [Vandoeuvres-Geneva 1990]) 131–169.

²⁷On the concept of equilibrium see D. Lateiner, “Limit, Propriety and Transgression in the Histories of Herodotus,” in *The Greek Historians: Literature and History. Papers Presented to A. E. Raubitschek* (Saratoga 1985) 87–100; cf. Boedeker (*supra* n.2) 42–43, 47–48.

²⁸9.120.2, ἐμοὶ σημαίνει ὁ ἐν Ἐλαιοῦντι Πρωτεσίλεως ὅτι καὶ τεθνεὸς καὶ τάριχος ἐὼν δύναμιν πρὸς θεῶν ἔχει τὸν ἀδικέοντα τίνεσθαι.

autocrats' attempts to punish the dead. To avert the god's wrath and atone for the wealth that he had stolen from Protesilaus' shrine, Artayctes promised to pay a fine of one hundred talents to the hero; to the Athenians, he offered two hundred talents in exchange for his life. But for the Elaeans and Xanthippus (father of Pericles), a monetary ἄποινα was not sufficient. As if sacrilege could only be righted by the taking of life, "they led Artayctes to the promontory towards which Xerxes had built his bridge—or, as some say, to the hill above the city of Madytus; after fixing him to a board, they hung him there, and stoned his son before his father's eyes" (9.119.4).

Herodotus offers obvious hints as to the symbolism of the place and circumstances of these punishments. Artayctes is killed on the same peninsula where Xerxes first landed in Europe: during the building of the bridge, the "Dog's Tale" had been noted carefully as the place where Artayctes would die (7.33).²⁹ As with the punishments of Candaules and Cambyses, justice is best served when it is administered on the spot of the original crime. The execution of Artayctes on this highly significant shore of the Hellespont becomes retribution for Xerxes' initial crime.³⁰ Similarly, the image of dancing dead fish immediately recalls Cyrus' parable to the newly conquered Ionian cities (1.141), though now it is the Persian who is being warned. Finally, the role of Protesilaus in Artayctes' punishment recalls the largest patterns that inform Herodotus' understanding of Greek-Asian history. Protesilaus was the first Greek to die at Priam's Troy, and the first in Europe to be plundered by Xerxes'

²⁹Herodotus' wording in 9.119.4 seems to indicate his preference for Cynosoura. The promontory figures also in Bacis' oracle (8.77). For a fuller discussion see E. Vandiver, *Heroes in Herodotus: The Interaction of Myth and History* (Frankfurt 1991) 223–228, and Flower/Marincola (*supra* n.3) 302–303.

³⁰See 1.11.5 for how the Lydian queen had her revenge upon Candaules in the same part of the room in which he had displayed her to Gyges; in 3.64.3, Cambyses was fatally wounded in the same part of the thigh where he had stabbed the Apis bull (*cf.* 3.29).

Persians; Artayctes defended his sacrilege as just punishment of Greek aggression (9.116, *cf.* 7.33). The audience is thus brought back to the abduction of Helen, Menelaus' στόλος, and the Trojan War (1.3–4), which represented in Herodotus' judgment an ominous escalation of the Greece-Asia conflict.³¹ With Artayctes' death, then, one episode in this conflict is ending: it is not only Artayctes the individual who is being punished here, but Artayctes the subject of Xerxes and agent of Cyrus' imperial project. The wrongs committed by Cyrus, Darius, and Xerxes are symbolically righted in the punishment of Artayctes and his son. The bridge-cables are cut, Asia and Greece separated once more, and a divinely sanctioned equilibrium restored.

Yet this equilibrium threatens to be an unstable one, and the war may continue into a new phase, for the severity of Artayctes' death seems disproportionate to his crimes. Older translations and commentators interpreted Artayctes' punishment as an early form of crucifixion (9.120): σανίδι προσπασσαλεύειν was (and is often still) rendered as "to *nail* to a plank." Nailing, however, was more properly a Roman innovation, and not always used even by them. More recent commentators, therefore, link Artayctes' death with the specifically Athenian practice of ἀποτυμπανισμός—fastening the criminal to a board by means of an iron collar and fetters.³² But Herodotus does not in fact use this technical term, and he well knew that impaling (ἀνασκολοπίζειν, ἀνασταυροῦν) was a Persian punishment: Astyages the Mede impaled erring advisors (1.128.2); Darius intended thus to punish his Egyptian doctors (3.132.2), and did actually impale three thousand Babylonian rebel-leaders (3.159.1); this too was the fate of Polycrates (3.125.3), of

³¹ See Boedeker (*supra* n.2), esp. 42–45, for more on the connection between Herodotus' prologue and Protesilaus.

³² See P. A. Stadter *A Commentary on Plutarch's Pericles* (Chapel Hill 1989) 258ff; D. S. Allen, *The World of Prometheus: The Politics of Punishing in Democratic Athens* (Princeton 2000) 200–201, 389 n.19; Flower/Marincola (*supra* n.3) 309.

Histiaeus of Miletus (6.30.1), and of the already dead Leonidas (7.238.1, 9.78).³³ Herodotus does not use ἀνασκολοπίζειν or ἀνασταυροῦν of Artayctes' death, although he uses forms of ἀνακρεμάννυμι in describing the executions of both Polycrates (3.125.4) and Artayctes. One cannot dogmatically attribute the Persian form of punishment to Xanthippus, but the resemblances are extremely compelling, and one suspects that Herodotus intended the ambiguity. An Athenian audience might be reminded of the ἀποτυμπανισμός (but would Herodotus' non-Athenian audiences?), or Herodotus may well be deliberately calling to mind previous tyrants' use of impaling. Even in the former case, the ἀποτυμπανισμός, as Aristotle implies, was a brutal punishment, which rendered any survivors callous and fearless (*Rh.* 2.5.14, 1383a5).

Furthermore, Xanthippus' punishment is particularly cruel for being a double one. The crimes of the father are visited on the son. Nor is physical pain enough: the criminal suffers further in watching his child suffer. The inherent horror of the events at Cynosoura recalls the many other father-son punishments in the *Histories*—Astyages tricking Harpagus into eating his son, the Greek mercenaries ceremoniously eating Phanes' sons before battle (3.11), Cambyses' treatment of Psammenitus' children (3.14–15), Darius executing Intaphernes and his kin (3.118–119), Darius taking Oeobazus' sons (4.84), Xerxes punishing Pythius by sacrificing his eldest son (7.39), or Hermotimus avenging himself on Panionius and his four sons. The stories of Phanes and Hermotimus, in particular, highlight the ubiquity of evil: Greeks and barbarians alike are capable of atrocities, and for all their high-minded heroism at Marathon or Thermopylae, the Greeks did not always act nobly. To punish the rebellious Corcyraeans and to send a “gift” to Alyattes the Lydian, Peri-

³³ Cf. Ctes. *FGrHist* 688 F 9.6; How/Wells (*supra* n.6) 74, citing the Behistun Inscription.

ander tyrant of Corinth would have castrated 300 aristocratic boys (3.48–49); here, as in the story of Hermotimus and Panionius, Greeks and barbarians are equally capable of cruelty. If such parallels with other punishments of the young are intentional, then Xanthippus' actions are indeed ambiguous. The Greek military triumph is clear, but the moral consequences of victory remain uncertain. The butchery of Artayctes may darkly remind Periclean Athens, *polis tyrannos*, that it too can become like an Astyages or Xerxes.³⁴

In 9.121 there is a short interlude. Xanthippus and his men sail back to Greece and dedicate spoils and Xerxes' bridge-cables. Herodotus ends the paragraph with the Thucydidean sentence, "And this was all that took place that year." He then moves on rapidly in 9.122 to return to Artayctes and his predecessors. When the Persians revolted against Astyages, thus winning their freedom and gaining the first of many stunning victories, Artayctes' grandfather, Artembares, encouraged Cyrus to lead his people out of their poor homeland to some richer country. Beyond the material benefits, this would bring honor and glory to the Persian nation. Who would not use power for their own good? In reply, Cyrus advised them to do so, if they wanted to relinquish power: "soft countries give birth to soft men and the same land cannot produce both extraordinary fruit (καρπὸν θωμαστόν) and men who excel in war" (9.122.3). Persuaded by this unexpected insight, the Persians remained in their hard land, rulers and masters of others.

Far from being a "pendant" hung awkwardly on the Artayctes-*logos*,³⁵ or an interlude that seems to demand further

³⁴That the story contains a "warning" to the Athenians, see Moles (*supra* n.3). Cf. Macan (*supra* n.25) *ad* 9.122. None to my knowledge have noted the implied contrast between Xanthippus' use of, and Pausanias' angry rejection of, Persian impaling (9.78–79): Herodotus' admiration of Athens is not unqualified, and he is not a denigrator of Sparta.

³⁵The term is Dewald's (*supra* n.2: 67). On the other hand, neither Immerwahr (*supra* n.2: 145) nor Pelling (*supra* n.4) detects any anomaly in Herodotus ending his *Histories* with an anecdote.

narration, 9.122 has intimate connections with 9.121 and with the *Histories* as a whole, making it, as a number of commentators have also judged, a “brilliant” conclusion. The theme of punishment at the center of the narratives of Masistes, Oeobazus, and Artayctes is continued here: the delayed punishment of Artembares’ family suggests that from the beginning the Persians were fated to suffer the inevitable rewards of *hubris*. For Artembares’ advice to Cyrus was that of an unreflecting imperialist: now that the Persians are powerful, let them benefit from their power. Cyrus should enrich and glorify his people. Who would not use power for self-advancement? None of the moral and religious considerations that pervade Herodotus’ historical vision disturb Artembares’ calculations. Neither (a point hardly ever noted) do such considerations influence Cyrus whose “wise advice” is to pursue power and mastery even at the cost of personal hardship. But the accounts of Persian splendor throughout Books 7–9, culminating in Pausanias’ contrast of Spartan black-broth with Mardonius’ sumptuous feast (9.82), reveal how Cyrus’ advice was being slowly forgotten. In particular, Cyrus warns Artembares that when the Persians “cultivate plains,” they will be the slaves of others. But Artayctes cultivated the plains and flat ground around Protesilaus’ shrine:³⁶ his grandfather’s advice has become reality. And so, for the imperialistic aggression that they inherited and exemplify, Artayctes and his son are executed, his men killed or enslaved. Furthermore, the glance back to the Artembares-Cyrus debate does much to sum up a work that itself parallels the ἔργα θωμαστά of Persian expansion: three generations, from Cyrus to Xerxes, or from Artembares to Artayctes, saw all the major Persian conquests, and it is around the accomplishments and failures of these generations that Herodotus composes his *Histories*. In glancing back to Artayctes’ grandfather, then, one is

³⁶9.116.3, τὸ τέμενος ἔσπειρε καὶ ἐνέμετο.

reminded of the tragic reversal that ultimately overtook the descendants of Cyrus' heroic generation. The debate and its aftermath underscores the inherent duality of human accomplishment: just as "wonders" may include selfless heroism and reprehensible acts of revenge, so too it is a cause for wonder that even with Cyrus' triumphs, Artayctes was fated to die, and Persia to be defeated.

The concluding stories of 9.108–122 thus invite meditation upon the *Histories* as a whole, and in particular upon the themes related to punishment—desire, *pleonexia*, reciprocity and revenge, divine justice, the "wondrous deeds" that can be both of world-historical significance and the result of private desires. The punishments of Masistes' wife and of Artayctes are both—displays of exceptional hatred that also foreshadow the ebb of Persian power, the rise of the Athenian hegemony, a new stage in Greek-Asian relations. One should not, however, overemphasize the prospective import of the concluding stories, for they are, after all, concluding material for an already long work. Not prospective, nor simplistically retrospective, Herodotus touches upon all time periods, mingling myth (Protesilaus), archaic even legendary figures (Cyrus and Artembares), Persian-War era history (Artayctes, Xanthippus), and themes of contemporary history (Pericles, Athenian empire). Herodotus does not limit himself to strict chronological narration, but moves back and forth between generations, striving to present, as it were, a timeless presentation of the temporal. Three generations are viewed as in a single glance; their triumphs and tragedies become simultaneous, inseparable aspects of the same historical movement.

Therefore, rather than Dewald's "indeterminacy" of the concluding chapters which he links with Herodotus' suspension of judgment about the ultimate success and morality of the Athenian empire, it might be more appropriate to describe the

ending as a multivalent one that overwhelms the reader with historical resonances and quasi-philosophical considerations. These final stories offer a compressed image of Herodotean history as a whole, alluding to many of the disparate factors that make a full accounting of the past so complex. Thus, the mutilation, human sacrifice, “crucifixion,” and stoning are punishments as astonishing (θωμαστός) as any in the work; they testify to Herodotus’ abiding sensitivity to suffering, and to his ambivalent view of human nature, at once capable of high-minded virtue and heinous brutality. The punishment of Oeobazus and Artyactes provides the latest instance of the ongoing crimes and retributions that constitute Greek-Asian history. The punishments furthermore offer a final instance of Herodotus’ cosmopolitan detachment, for he recognizes that atrocities were committed on all sides: Persians are punished by Persians (Masistes’ wife), by Thracians (Oeobazus), by Athenians and Elaeans (Artayctes). In the delayed punishment of Artembares’ family, Herodotus invites reflection on the aggressive attitudes that propelled the Persians (and others) to empire and eventual defeat. Haunting the whole conclusion, as the *Histories* as a whole, is Herodotus’ awareness of time, the inconstancy of fortune and vicissitudes of national success (1.5.4). Both immanent in and transcending these vicissitudes are the gods, just but also cruel and unpredictable in their methods of punishing an Oeobazus, Artayctes, or Artembares.

Other aspects of the conclusion echo narrative motifs that contribute to the *Histories*’ unity—notably, the “wise advisor,” the link between geographical environment and *nomos*, the contrast between noble primitives and corrupt civilizations, the struggle for freedom against slavery.³⁷ But perhaps more im-

³⁷For treatment of different narrative motifs, see for instance R. Lattimore, “The Wise Advisor in Herodotus” *CP* 34 (1939) 23–35, and Immerwahr (*supra* n.2) 74–75, 306–307, on the “wise advisor”; for primitivism see J. Redfield, “Herodotus the Tourist,” *CP* 80 (1985) 97–118; J. Cobet, *Herodots Exkurse und*

portant than all these for understanding 9.108–122 is the theme of punishment, which has already played many roles in the *Histories*. In concluding with the description of four punishments, Herodotus evokes for the last time that meditative awe with which he himself approaches history: that such things were done, and will be done again, is a “wonder” not lightly to be forgotten.³⁸

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die Frage der Einheit seines Werkes (Wiesbaden 1971) 174; R. V. Munson, *Telling Wonders: Ethnographic and Political Discourse in the Work of Herodotus* (Ann Arbor 2001) 76–80; S. Flory, *The Archaic Smile of Herodotus* (Detroit 1987) 81–118; and see Thomas (*supra* n.17) 102–134 on geography and *nomos*.

³⁸I thank Victor Bers and the anonymous reader for *GRBS* for their generous comments and suggestions.