

Nomos and Replaceability in the Story of Intaphrenes and His Wife*

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The wife of Intaphrenes is best known for her remarks on the value of her brother over her husband and children: ἀνὴρ μὲν μοι ἂν ἄλλος γένοιτο, εἰ δαίμων ἐθέλοι, καὶ τέκνα ἄλλα, εἰ ταῦτα ἀποβάλοιμι· πατὴρ δὲ καὶ μητὴρ οὐκέτι μεν ζώντων ἀδελφεὸς ἂν ἄλλος οὐδενὶ τρόπῳ γένοιτο (“There would be another husband, if the god were willing, and other children, if I should lose these. But since my mother and father are no longer alive, there is no way that another brother could come into being,” 3.119.6). This is the same argument Sophocles’ Antigone puts forward for her actions (909–12), and our view of the Herodotus passage has almost exclusively been seen through the lens of the Sophoclean lines. It is my intent here to determine the significance of the anecdote within its Herodotean context.

For a long time this particular argument of Antigone has been felt to be problematic, whether it is defended or condemned.¹ One strategy for explaining it has been to note its origin in the Herodotean passage, and in turn the origin of the Herodotean passage in Indian folklore; a century ago Pischel called it “vielleicht das älteste Beispiel eines indischen Gedanken in griechischen Gewande.”²

Herodotean readers similarly have been interested in locating the source of the lines, although without agreement as to their nationality. While Aly asserted that they were “ungriechisch, uneuropäisch,” How and Wells called them “more likely a piece of Greek cleverness.” Even very recently, R. S. P. Beekes has defended the notion that the story is of Indian origin, while Donald Lateiner has suggested that it “perhaps provided a model for traditional Iranian female

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¹Critical discomfort with the lines is sketched by Kakridis 152–53; more recently see Murnaghan and Neuburg.

²Pischel 468.

behaviour before it was appropriated by Herodotus,” and K. H. Waters parenthetically labels the reasoning “sophistic.”³

In fact, it seems reasonably certain that the motif of the choice of natal family over spouse or child on the basis of irreplaceability is geographically widespread. J. Kakridis found the motif in modern Greek folksong in addition to the Indian parallels already discovered by Pischel. Beekes notes the presence of the motif in Turkish and Chinese stories.⁴ Stith Thompson’s *Motif Index* lists Persian, Phillipine, and Spanish sources for the story (P. 253.1, etc.). Herodotus himself gives an instance of a comparable anecdote located in Africa: when a contingent of soldiers in revolt from Psammetichus are exhorted to return in the names of their wives and children, one points to his penis and says that wherever that is, there will be wives and children (2.30.4). Here again, the fact that spouses and children can be replaced mitigates the value of the individuals in question.⁵

Rather than asking where the story is from, I would like to ask how it functions in its own context. While Antigone’s use of the lines has been convincingly defended as appropriate for her situation,⁶ little attention has yet been paid to their significance in Herodotus.⁷

The manifest activity of Herodotus in structuring his work and guiding his audience’s response to it has been the subject of increasing attention in recent years. Scholars such as Carolyn Dewald and Rosaria Munson, drawing on the work of Barthes, have attuned our ears more and more to the voice of the narrator, or, to use Munson’s terms, to the “level of discourse (how the story is told)” in combination with the “level of functions (the story itself).”⁸

³Aly 255; How and Wells ad loc.; Beekes 233; Lateiner 1989: 136; Waters 1985: 43. Lateiner seems to be paraphrasing and simplifying the more elaborated argument of Sancisi-Weerdenburg 30–31.

⁴Kakridis 152–64; Beekes 232–33.

⁵Even Kakridis, who is arguing against the notion that the lines are only Eastern in origin, asserts that the preference for the brother is “natural to the primitive mind” (158). Cf. Bowra, who also uses the term “primitive” (95). Where the lines are not assumed to be distant in space, then, they are made to be distant in time.

⁶Murnaghan and Neuburg are the most convincing of recent justifications.

⁷Reference to Intaphrenes’ wife tends to show up more in catalogues of women or lists of examples than as the object of detailed analysis on its own. See, e.g., Dewald 1981: 120–23; Lateiner 1989: 135–40; Immerwahr 1957: 316; Tourraix 385.

⁸Dewald 1987; Munson 1993: 41.

As a way into the “level of discourse,” the narrator’s close of the story is useful: τῶν μὲν δὴ ἑπτὰ εἰς αὐτίκα τρόπῳ τῷ εἰρημένῳ ἀπολώλεε (“One of the seven therefore died straightway in the manner just mentioned,” 3.119.7). This remark in turn corresponds to his earlier introduction: τῶν δὲ τῷ Μάγῳ ἐπαναστάντων ἑπτὰ ἀνδρῶν ἓνα [αὐτῶν] Ἰνταφρένεα κατέλαβε ὑβρίσαντα τάδε ἀποθανεῖν αὐτίκα μετὰ τὴν ἐπανάστασιν (“It happened that Intaphrenes, one of the seven who revolted from the Magus, after behaving outrageously in the following manner died straightway after the revolt,” 3.118.1). The account of Intaphrenes’ wife’s remark is in no way separated from the account of her husband’s crime: there is no break nor further comment from the narrator between chapters 118 and 119. The wife’s speech must be taken together with the husband’s actions.⁹

On a larger scale, the story of Intaphrenes and his wife occupies an emphatic position at the end of the account of Darius’ irregular accession to the throne.¹⁰ The structure of this long section of narrative is discernible from its position between two sections of text which deal with the history of Samos. Given this placement of the story, we might expect it to reflect in some manner themes important to the larger narrative.

Immerwahr’s analysis of this section of Book 3 claims that the narrative between the reigns of Cambyses and Darius is unbroken to allow a coherent set of *logoi* “describing the dangers of royal succession and the successful reestablishment of power in Persia.”¹¹ Succession is certainly a point of

⁹The story of Intaphrenes is generally discussed in relation to Darius: Evans 1982: 61 sees the significance of the incident as illustrating the fact that, although the seven had planned the coup together, Darius is now unquestionably the monarch. Flory 136 emphasizes the dangers attending such access to an absolute ruler; Lateiner 1989: 172 and Evans 1991: 60 emphasize the tyrannical aspects of Darius’ treatment of Intaphrenes. Gould suggestively connects the act of violence to the immediately preceding story of the “death of the river Aces” (107). Nowhere, however, is a connection drawn between Intaphrenes’ actions and those of his wife.

¹⁰Evans 1982: 60–61: “The tale of Intaphrenes is an integral part of the succession story.” Previous scholars of Herodotean structure have varied in their positioning of this story. Immerwahr 1966: 103 places it in a section entitled “The Five Anecdotes (3.117–38)” which he says effect the transition between the accession and subsequent campaigns, while Myres places it in the middle of a section (3.61–158) which he calls “The Magian Revolt and Accession of Darius” (120).

¹¹Immerwahr 1957: 316. Discussing the “Samian stories,” he claims that the Periander story is important because “it reaffirms the idea that uncertainty of succession is a basic difficulty of absolute rule,” and lists as supporting this theme the stories of Intaphrenes’ wife, Polycrates’ daughter (3.124), and the mating habits of the winged snakes (3.109). Elsewhere (1966: 167–69) he discusses the “dynastic motif” prevalent in Book 3 and cites the following

weakness in a monarchy and is of interest to the narrator at this point in his work. In fact, systems of government in general have become important to Herodotus at this point in Book 3. The constitutional debate for the first time explicitly raises issues introduced earlier but not yet fully explored,¹² such as Athenian weakness under tyranny as contrasted with the Spartans' strength under their εὐνομία, previously described at 1.56–68.

In the constitutional debate Otanes characterizes tyranny in direct opposition to popular government, which he claims has the “most beautiful name of all, *isonomia*.” In opposition to this state of “equality before the law,”¹³ the worst abuses of tyranny involve the violation of *nomos*: τὰ δὲ δὴ μέγιστα ἔρχομαι ἐρέων νόμοιά τε κινέει πάτρια καὶ βιάται γυναῖκας κτείνει τε ἀκρίτους (“And I go on to say the greatest: he disturbs ancestral customs and rapes women and kills men without trial,” 3.80.5). These last two abuses of the tyrant (the rape of women and killing without trial) are specific instances of the first, more general, accusation that he will disrupt settled customs. The power of *nomos* and the implications of transgressing it concern Herodotus throughout his work, and the violation of *nomos* occurs often in the context of tyranny.¹⁴ It has been repeatedly observed that Herodotus' portraits of autocrats are frequently in accord with Otanes' description, and Cambyses' violation of *nomaia* in particular has been singled out by the narrator for remark (3.39).¹⁵ The violation of custom or law, as a typical feature of tyranny, provides a useful lens through which to view the anecdote of Intaphrenes and his wife.

stories as having an “emphasis on family and children”: 3.1.1; 3.3.1; 3.11.2; 3.13.2 and 4; 3.19.2; 3.32; 3.35; 3.36.1.

¹²Immerwahr 1957 suggests that the importance of Samos in the narrative here is in part explained by the proposal of *isonomia* there (3.142.3). Raaflaub 1987: 236 suggests that “common political concerns” of Herodotus' audience would have been addressed by his work.

¹³The meaning of the term *isonomia*, and particularly how it is related to the meaning of *nomos*, is the object of a great deal of scholarly debate. Humphries gives an informative critique of Ostwald's position on *nomos* and cites some of the relevant literature; her contention that *isonomos* refers “to the kind of rules which, in archaic Greek cities not ruled by tyrants, ensured that power was shared and office rotated” (214) is the definition under which I am working. See also Lateiner 1989: 185–86. For my purposes it is enough that all four occurrences of the term in Herodotus (3.80; 3.83; 3.142; 5.37) contrast *isonomia* explicitly with tyranny.

¹⁴Lateiner 1989: 140–44. Lateiner also catalogues instances of tyrants “disturbing ancestral law and custom” (179) in his useful chart of “The Characteristics of Autocrats and Their Illustration in the *Histories* of Herodotus.”

¹⁵Lateiner 1989: 163–86 (a reworking of Lateiner 1984); Gammie 185; Munson 1991; *contra* Waters 1971 and Flory 131–32.

Intaphrenes' crime is explicitly described by Herodotus as the transgression of a *nomos*. Directly after they determined that Persia should be ruled by a monarch, the conspirators had agreed that each of them should have access to the king without announcement except when he was having sex (3.84.2). As he tells us the story of Intaphrenes, Herodotus reminds us of this agreement, calling it a *nomos* (3.118.1). Intaphrenes wants to see the king, but when the guards claim that Darius is having sex with a woman he refuses to respect the agreement; he believes they are lying and mutilates them.¹⁶ He is, then, acting in violation of what had been settled among the seven as *nomos*.

Particularly significant here is the fact that Darius instantly concludes that Intaphrenes is plotting a revolt. His violation of *nomos* inevitably implies that he has ambitions for tyranny. Herodotus' labeling of his action as *hubris* supports this reading; Otanes had claimed that *hubris* was an inevitable characteristic of a tyrant (3.80.3), and Darius seems, particularly at the outset of his rule, eager to punish any acts of *hubris*.¹⁷

The specific manner in which Intaphrenes transgresses bears further examination, however. In a discussion of a set of stories in Book 1, David Konstan argues that the violation of *nomos* can be seen as "a failure to observe the context, a misapplication of codes...to act in one sphere according to the rules that govern another; in a word,...it is an abuse of boundaries" (4). In the opening story of the work, Kandaules is guilty of just such a boundary violation when he introduces his bodyguard Gyges into his bedroom to look at the beauty of his naked wife. The king is, in essence, making public what should remain private, and the action is called *anomos* first by Gyges and then by Kandaules' wife.

Intaphrenes' crime is located in a similar conflation of the public and private realms. The *nomos* he violates is one specifically designed to protect the boundary between bedroom and stateroom; when he insists on "conducting business" with Darius without being announced, he obliterates that boundary.

¹⁶Sancisi-Weerdenburg (29) discusses this type of mutilation in the context of the story of Amestris, and suggests that it is one used by the King to punish rebels; she points to the Behistun Inscription for evidence that Darius himself used this practice. If this is the case, it further supports the argument that Intaphrenes' actions would have clearly signaled aspirations to tyranny.

¹⁷Compare 3.127.3, Darius' next recorded act after the punishment of Intaphrenes, where he seeks to punish Oroetes (the murderer of Polycrates) because of his insupportable *hubris* (ὑβριν ἀνασχετὸν φαίνων), and 3.137.3, where the Krotonians are warned that Darius will not lightly be treated with *hubris* (περιυβρίσθαι).

When his wife chooses to save the life of her brother, she is involved in a similar, if more subtle, confusion of contexts.

Darius is initially surprised by her choice because he takes it for granted that the mother's bond to her child especially should outweigh any other relationships, and this seems to be a prevalent view. In the account given a short while earlier of the gold-gathering practices of the Indians, the dangerous work is accomplished by a camel "who has but just dropped her young" (3.102), since, while the male camels begin to tire, "the females recollect the young they have left behind and never give way or flag" (3.105).¹⁸ In the realm of nature as Herodotus has described it for us the choice of Intaphrenes' wife is a peculiar and unexpected one, and thus Darius sends to ask how she has reached her decision (τίνα ἔχουσα γνώμην, 3.119.5).

It is, after all, her method of reasoning more than her choice *per se* that gives the anecdote its curiosity value. Darius, expressing surprise at her choice, calls her brother less part of her household, ἄλλοτριώτερος, than her children, and less dear, ἥσσον κεχαρισμένος, than her husband; he expects the woman to make her decision based on criteria that are both private (pertaining to the household) and personal (pertaining to the emotions). The justification she gives for the choice, however, focuses not on family members dear to her as wife and mother, but rather on the abstract roles of husband, child, and brother, which may or may not admit of being fulfilled by other, presumably interchangeable, individuals.

This perspective is essentially a public rather than a private one, and it has several interesting parallels in the *Histories*. Consider Herodotus' account of the crack Persian contingent known as the Immortals: if one man is sick or dies, another is chosen, so that the number remains always constant (7.83.1). The troops are called "Immortal," then, not because of any intrinsic excellence of their fighting abilities as individual soldiers, but because the resources of the Persian Empire allow them to be infinitely replaceable. Just as Intaphrenes' wife can always find another husband or other children (ἀνὴρ μὲν ἂν μοι ἄλλος γένοιτο....καὶ τέκνα ἄλλα, 3.119.6), the Immortals can always choose another fighter (ἄλλος ἀνὴρ ἀραίρητο).

Perhaps more interesting, in the political context of Book 3, is a parallel not to Persian soldiers but to Greek citizens; for the way in which Intaphrenes'

¹⁸Compare the Egyptian cats, who tolerate the approach of the males only because they want to have kittens: φιλότεκνον γὰρ τὸ θηρίον, 2.66.2.

wife claims to see her household is precisely the way in which Otanes has argued that *isonomia* sees its citizens.

Democracy chiefly differs from monarchy in that it does not concentrate the power in one individual likely to violate nomos, but rather views everyone as equally subject to the law (*isonomos*). Power is held not by one individual, but dispersed by lot among offices, any one of which numerous individuals will hold over time.¹⁹ Thus on both counts (under *isonomia* as well as sortition of magistracies) citizens are viewed by the polis, as the soldiers were viewed by their company, as functionally equivalent to each other.

Again, this is precisely the manner of thinking underlying the justification that Intaphrenes' wife makes for her choice: she sees not a man she has lived with nor children she has borne and raised but rather the "offices" of husband and children, which admit of being filled by other individuals.²⁰ Her use in this private context of a usually public perspective thus reenacts her husband's attempt to bring public business into the bedroom of the king. She, too, is conflating the realms of public and private: "acting in one sphere according to the rules that govern another, abusing boundaries."²¹

It is this very confusion of contexts, I would suggest, that accounts for the feeling of "otherness" that has been generated by the speech of Intaphrenes' wife. Her reasoning has a peculiar feel to it not because it comes from a different culture, but because it uses a public and political perspective in what seems to be a private and emotional context.²² In the mouth of a woman in a position of powerlessness, this confusion of contexts is simply a curiosity, pleasing enough to the monarch to spur him to an act of pity. In the actions of

¹⁹πάλαρ μὲν ἀρχὰς ἄρχει, ὑπεύθυνον δὲ ἀρχὴν ἔχει, 3.80.6.

²⁰Murnaghan 1986: 199f. argues that the view of marriage expressed in Antigone's speech is the "institutional" aspect, which aligns it with the *polis*. She discusses in this context the peculiar section of the Funeral Oration (Th. 2.44.3) in which Pericles suggests that parents should comfort themselves for the loss of their sons *by having more sons*, a remark that makes less emotional (or biological) than political sense. Beekes 225, without interpretive comment, also discusses the remark of Pericles as a parallel to that of Intaphrenes' wife.

²¹Konstan suggests that "violations in one domain are generally answered by violations in others" (11). Here Intaphrenes' violation may be seen to trigger his wife's, which is in turn responsible for his death.

²²A Greek audience may have found the choice itself less odd than the reasoning that leads to it. The Athenian institution of the epiklerate reflects the same ranking of priorities made by Intaphrenes' wife, since marriage must be sacrificed for the preservation of an epikleros' natal household. In the next story Herodotus tells, the daughter of the Greek tyrant Polycrates asserts that she would rather remain without a husband than lose her father (3.124.2).

her husband the same confusion of contexts was a serious threat to Darius' power as absolute ruler.

The conflation of public and private, operating first in the crime of Intaphrenes and then repeated in the reasoning of his wife, can be seen then as one type of boundary violation, or disturbance of *nomia*, presumably characteristic of autocratic contexts. The unique Spartan constitution, which combines hereditary monarchy and constitutional government, provides an anecdote in some ways comparable to the story of Intaphrenes' wife, and shows some of the more serious implications of her speech. The Spartan king Anaxandrides is advised by the ephors to take another wife (5.39.2) since his first is childless. They give this advice reminding him of his (public) duty to the Spartans; they say that they must take responsibility, if he will not, for the continuation of his line. In their eyes, then, "wife" is indeed a public function or role that can be filled by interchangeable women. Anaxandrides, however, responds that they are wrong to advise him to take another since the first is blameless toward him. As we might have expected in the story of Intaphrenes' wife, he responds from a personal perspective, thinking of an individual woman whom he loves (5.39.1) and who has done him no wrong. In the end, since Anaxandrides will not divorce his first wife, he is persuaded to take another wife in addition, thus going against Spartan custom (ποιέων οὐδαμῶς Σπαρτιητικά, 5.40.2). The result is two sets of sons and the consequent resentment of Dorieus over the rule of Cleomenes. Here it is the King's insistence on a private perspective in what should be a public context that causes successional problems for the Euristhenid line.

The boundary between public and private, then, is one that is inescapably problematic in an autocratic system of government. As I mentioned earlier, the larger section of narrative closed by the story of Intaphrenes deals with the transition in power from Cambyzes, who left no heirs, to Darius. Because hereditary monarchy requires that the ruler leave a son to continue in power, the line between family and state, or private and public, is inevitably blurred. This type of *nomos*-violation, then, may be not just a moral failing of the tyrant but an unavoidable structural weakness of tyranny.

Works Cited

- Aly, W. 1921. *Volksmärchen, Sage und Novelle bei Herodot und seinen Zeitgenossen*. Göttingen.
- Beekes, R. S. P. 1986. "You Can Get New Children..." *Mnemosyne* 39: 225–39.
- Bowra, C.M. 1944. *Sophoclean Tragedy*. Oxford.
- Dewald, C. 1981. "Women and Culture in Herodotus' Histories." In Foley, ed., 91–125.
- . 1987. "Narrative Surface and Authorial Voice in Herodotus' Histories." *Arethusa* 20: 147–70.
- Evans, J. A. S. 1982. *Herodotus*. Boston.
- . 1991. *Herodotus, Explorer of the Past: Three Essays*. Princeton.
- Flory, S. 1987. *The Archaic Smile of Herodotus*. Detroit.
- Foley, H. 1981. "The Conception of Women in Athenian Drama." In Foley, ed., 127–68.
- Foley, H., ed. 1981. *Reflections of Women in Antiquity*. New York.
- Gammie, J. 1986. "Herodotus on kings and tyrants: objective historiography or conventional portraiture?" *JNES* 45: 171–95.
- Gould, J. 1989. *Herodotus*. New York.
- Humphries, S. 1987. "Law, Custom, and Culture in Herodotus." *Arethusa* 20: 212–14.
- Immerwahr, H. 1957. "Samian Stories." *CJ* 52: 312–22.
- . 1966. *Form and Thought in Herodotus*. Cleveland.
- Kakridis, J.T. 1949. *Homeric Researches*. Lund.
- Konstan, D. 1983. "The Stories in Herodotus' Histories: Book I." *Helios* 10: 1–22.
- Lateiner, D. 1984. "Herodotean Historiographical Patterning: the constitutional debate." *QS* 20: 257–84.
- . 1989. *The Historical Method of Herodotus*. Toronto.
- Munson, R. 1991. "The Madness of Cambyses." *Arethusa* 24: 43–65.
- . 1993. "Herodotus' Use of Prospective Sentences and the Story of Rhampsinitus and the Thief in the Histories." *AJP* 114: 27–44.
- Murnaghan, S. 1986. "Sophocles' Antigone 904–920 and the Institution of Marriage." *AJP* 107.2: 192–207.
- Myres, J. L. 1953. *Herodotus Father of History*. Oxford.
- Neuburg, M. 1990. "How like a woman: Antigone's 'Inconsistency.'" *CQ* 40: 54–76.
- Pischel, R. 1893. "Zu Sophokles Antigone 909–12." *Hermes* 28: 465–68.
- Pomeroy, S. 1975. *Goddesses, Whores, Wives, and Slaves: Women in Classical Antiquity*. New York.
- Raaflaub, K. 1987. "Herodotus, Political Thought, and the Meaning of History." *Arethusa* 20.1&2: 221–48.
- Sancisi-Weerdenburg, H. 1983. "Exit Atossa: Images of Women in Greek Historiography on Persia." In A. Cameron and A. Kuhrt, eds., *Images of Women in Antiquity*. London. 21–33.
- Tourraix. 1976. "La femme et le pouvoir chez Hérodote." *DHA* 2: 369–90.
- Waters, K. H. 1971. *Herodotus on Tyrants and Despots: A Study in Objectivity*. Wiesbaden.
- . 1985. *Herodotus the Historian: His Problems, Methods and Originality*. Norman, OK.