

A New Interpretation of Slaves' *Isēgoria*

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Abstract: The precise meaning of *isēgoria* within an Athenian context is disputed. The traditional account is that it refers to the right to speak in the assembly, yet slaves and metics are also said to have *isēgoria*. This article offers the interpretation that the *-ēgoria* element refers not to speech as such but to general activity in the *agora*: slaves doing business, either independently—paying a fee to their owner—or as their owners' business agents. The *isēgoria* is therefore, in a sense, that of the owners.

Key words: *isēgoria*; freedom of speech; The Old Oligarch; slaves; agora; assembly.

IN DISCUSSIONS OF FREEDOM of speech in antiquity, the Greek term *isēgoria* is usually brought up. The word, analysed as a compound of *iso-* 'equal' and either *agoraomai* or *agoreuō* 'to speak, proclaim' is usually taken as referring to the equal right to address the assembly.¹ However, the assumption is problematic. It was noted already by J.D. Lewis that there are no passages in which *isēgoria* "unequivocally refers to the 'right of every citizen to address the assembly'."² Besides, in an early attestation of the term—*The Old Oligarch* 1.12—*isēgoria* is ascribed to slaves and metics, who did not have the right to address the assembly.³ To account for this discrepancy, the most common move is to assume that the Old Oligarch uses *isēgoria* in a broader sense. Lewis—who, despite his observation, did not question the traditional interpretation—argues that *isēgoria* sometimes refers to social matters rather than political.⁴ Nakategawa appears to offer a similar interpretation: "social freedom and equality seem to have considerably permeated through all inhabitants over barriers of status owing to *isegoria*."⁵

This explanation is a bit inelegant: although words can have multiple meanings, we should first exhaust the possibility that there is indeed a single meaning that can account for all attestations. Once we remember that there are no attestations

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¹ E.g., Griffith, 1966; Woodhead 1967; Nakategawa 1988. The etymology *ison agorasthai* is offered in, e.g., Frisk, Chantraine, and Beekes. However, most nouns in *-ēgoria* have a corresponding verb compounded with *-agoreuō*, for example *katēgoria* : *katagoreuō* (besides denominative *katēgoreō*).

² Lewis 1971, 129.

³ [Xen.] *Ath. pol.* 1.12. In this article, I refer to this text as "the Old Oligarch."

⁴ Lewis 1971, 129

⁵ Nakategawa 1988, 275.

of *isēgoria* referring to speech in the assembly, part of the problem disappears, but a new one arises: what does *isēgoria* refer to if it is not to speech in the assembly?

More recently, scholars have attempted novel explanations. J.A. Schlosser has noted that *isēgoria* is connected to the *agora*, “where the Athenians transact their daily business”⁶—thus making the concept a matter of culture rather than one of formalized institutions. Alex Gottesman builds on Schlosser’s analysis, arguing that *isēgoria* “is best understood as expressing a ‘language ideology’, a native conception of speech that characterizes the particular bearing or style of the free, full citizen among his peers.”⁷ It is this spirit that has spread to the slaves: “It is not slaves’ right to speak in the assembly that [the Old Oligarch] finds offensive, but their bearing.”⁸

Although this is a clear improvement over the traditional account, there are points at which the analysis could be complemented. One thing in the sources that does not align with Gottesman’s hypothesis is the fact that *isēgoria* is described as wilfully introduced or created. Demosthenes’ *Funeral Oration* (28) credits Theseus for “having instituted” (*katastēsamenon*) *isēgoria*. In *On the Liberty of the Rhodians* (18), Demosthenes speaks of “those who have chosen to live with *isēgoria*” (*tois met’ isēgorias zēn hēirēmenoīs*). The Old Oligarch (1.12) says that the Athenians “have made” (*epoiēsamen*) *isēgoria* for the slaves. The notion that *isēgoria* was wilfully created should be taken seriously. But this raises the question: how did this wilful creation happen? I do not mean which institution took the decision, but rather the contents of the speech act—the proclamation—that created *isēgoria* for slaves. One could put it thus: if *isēgoria* were introduced by a law or a decree, what would the actual legal text say?

Let us set Demosthenes aside for a moment—mythological accounts are always problematic—and focus on the Old Oligarch. One could argue that he uses *poieō* broadly, which entails that one cannot ascribe any idea of wilfully created *isēgoria* to him. However, this is in principle like saying that he uses *isēgoria* broadly: it may be true, but our starting point should be that he means what he says. One could inveigh that *poieō* is used about *isēgoria* in a different sense in *Cyropaedia* 1.3.10, where Cyrus comments on his royal grandfather’s drunken banter with his friends that “I then realized for the first time that this thing you were doing was that *isēgoria*” (*tote gar dē egōge kai prōton katemathōn tout’ ar ēn hē isēgoria ho humeis tot’ epoiēite*). The crucial difference here is the imperfective aspect and the lack of a *dativus commodi*: They were “acting out *isēgoria*,” not “making *isēgoria* for someone.” Another line of argument could be that the Old Oligarch does not have the facts straight: that he thinks

⁶ Schlosser 2020, 78.

⁷ Gottesman 2021, 197.

⁸ Gottesman 2021, 192.

isēgoria was a legal (vel sim.) measure when it in fact was not. This is certainly possible but unprovable, leading to the same conclusion as before: we should attempt to take him seriously. Besides, even if he is simply incorrect, the statement must have an understandable synchronic meaning: it must be possible to construe *isēgoria* as somehow “made” on behalf of someone else, not simply as something that happens and is allowed or tolerated.

Posing such a question—about the possible contents of a legal text or decree—it becomes clear that the answer cannot be the language ideology described by Gottesman: how would one decree that slaves should take on a certain bearing, except for this happening as a byproduct of some other legal provision? Of course, this difficulty does not improve the case for anything assembly-related: though a legal provision introducing freedom of speech in the assembly can be imagined, the problem of slaves and metics remains. One would have to imagine a causal chain: introducing *isēgoria* in the assembly > free men act in a certain way > slaves and metics mimic the freemen and act “isēgorically” > slaves and metics (appear to) have *isēgoria*. But to express this with the phrase *isēgorian tois doulois...epoiēsamen* is too elliptic to be an acceptable interpretation.

Gottesman finds some support for his hypothesis in Eleanor Dickey’s studies of Greek forms of address. Dickey notes that Athenian slaves address freemen other than their masters much like the freemen would address each other.⁹ Gottesman offers that *isēgoria* “might very well be the term that expresses the ideology behind this phenomenon.”¹⁰ Though I am not aware of any Greek legal measures pertaining to forms of address, it is in principle something that could be enforced by law. But it seems unlikely for other reasons: if we are to trust Dickey, Athenian slaves were not the only slaves to address freemen liberally: so did Spartan ones.¹¹ Given that Athens is contrasted with Sparta in the passage on *isēgoria* in the Old Oligarch, this poses a problem.

A pathway opens if we go one step further than Gottesman and others in questioning the fundamental assumptions about *isēgoria*. As said above, *isēgoria* is usually considered a compound of *iso-* and *agoraomai/agoreuō*. But one could instead, like Schlosser, emphasize the connection with *agora*—something Gottesman noted but did not draw the full conclusions from; though compounds in *-ēgoria* usually refer to speech—the exception being *panagoria* ‘national assembly’—it may, formally speaking, be seen as potentially formed from *agora* rather than *agoraomai* or *agoreuō*.

⁹ Dickey 1996, 240.

¹⁰ Gottesman 2021, 180.

¹¹ Dickey 1996, 240.

In fact, if one were to form a compound noun referring to *agora* (as opposed to any derived verbs), a compound ending in *-agoria/-ēgoria* would be the only option.

And the *agora* was not a place for speech in some abstract sense: it was the place for socializing, buying, and selling. Edward Harris considers the business function as the most important, offering that “when [an Athenian] set foot in the *agora*, the main thing he thought about was *kerdos*, that is, getting a bargain.”¹² This should be kept in mind, because the passage in the Old Oligarch (1.10–12) deals precisely with economic activity:

[10] Τῶν δούλων δ' αὐ καὶ τῶν μετοίκων πλείστη ἐστὶν Ἀθήνησιν ἀκολασία, καὶ οὔτε πατάξαι ἔξεστιν αὐτόθι οὔτε ὑπεκστήσεται σοι ὁ δοῦλος. οὐ δ' ἐνεκὲν ἐστί τοῦτο ἐπιχώριον ἐγὼ φράσω. εἰ νόμος ἦν τὸν δούλον ὑπὸ τοῦ ἐλευθέρου τύπτεσθαι ἢ τὸν μέτοικον ἢ τὸν ἀπελεύθερον, πολλάκις ἂν οἰηθεὶς εἶναι τὸν Ἀθηναῖον δούλον ἐπάταξεν ἄν· ἐσθιῆτά τε γὰρ οὐδὲν βελτίων ὁ δῆμος αὐτόθι ἢ οἱ δοῦλοι καὶ οἱ μέτοικοι καὶ τὰ εἶδη οὐδὲν βελτίους εἰσὶν. [11] εἰ δέ τις καὶ τοῦτο θαυμάζει, ὅτι ἑῷσι τοὺς δούλους τρυφᾷν αὐτόθι καὶ μεγαλοπρεπῶς διατῆσθαι ἐνίοις, καὶ τοῦτο γνῶμη φανεῖν ἂν ποιοῦντες. ὅπου γὰρ ναυτικὴ δύναμις ἐστίν, ἀπὸ χρημάτων ἀνάγκη τοῖς ἀνδραπόδοις δουλεῦναι, ἵνα λαμβάνωμεν <ὦν> πρᾶττη τὰς ἀποφοράς, καὶ ἐλευθέρους ἀφιέναι. ὅπου δ' εἰσὶ πλούσιοι δούλοι, οὐκέτι ἐνταῦθα λυσιτελεῖ τὸν ἑμὸν δούλον σὲ δεδιέναι· ἐν δὲ τῇ Λακεδαιμονίᾳ ὁ ἐμὸς δούλος σ' ἔδεδόκει· ἐὰν δὲ δεδίῃ ὁ σὸς δούλος ἐμέ, κινδυνεύσει καὶ τὰ χρήματα διδόναι τὰ ἑαυτοῦ ὥστε μὴ κινδυνεύειν περὶ ἑαυτοῦ. [12] διὰ τοῦτ' οὖν ἰσηγορίαν καὶ τοῖς δούλοις πρὸς τοὺς ἐλευθέρους ἐποιήσαμεν—καὶ τοῖς μετοίκους πρὸς τοὺς ἀστούς, διότι δεῖται ἢ πόλις μετοίκων διὰ τε τὸ πλῆθος τῶν τεχνῶν καὶ διὰ τὸ ναυτικόν· διὰ τοῦτο οὖν καὶ τοῖς μετοίκους εἰκότως τὴν ἰσηγορίαν ἐποιήσαμεν.

[10] The slaves and the metics in Athens are unbridled to the highest degree. It is neither allowed to strike a slave here, nor will he go out of your way. I will tell you why that is the custom here. If it were legal that a slave or metic or freedman be beaten by a free man, one would often take Athenian for a slave and beat him up: the people do not dress better here than slaves or metics, and they are not better looking. [11] And if anyone wonders why they allow slaves—some of them—to live magnificently in luxury, it should be obvious that they do this for a reason. Wherever the fleet is the source of power, it is necessary out of considerations of money to serve the slaves,¹³ in order that one should get the taxes they bring in—and let them go free. And wherever slaves are rich, it is no longer of any use for my slave to fear you. In Lacedaemon, my slave would have feared you: but if your slave fears me, he will probably try to give his own money so that he does not run any risks for his person. [12] Therefore they have made *isēgoria* even for the slaves vis-à-vis¹⁴ the free, and for the metics vis-à-vis the citizens because the city needs the metics because of their many skills and because of the navy. Therefore they have reasonably made *isēgoria* also for the metics.¹⁵

¹² Harris 2001, 76.

¹³ Or perhaps: “it is necessary for slaves to work for money.”

¹⁴ This is the standard translation. Better translations, given the argument of this article, would be ‘like’ or ‘in the manner of’, which are possible interpretations of *pros* with the accusative case.

¹⁵ My translation. This passage is famously confusing, especially (11). John Marr (1996) argues that (11) is a dialogue between the Athenian author and a Spartan. The Spartan essentially says, “but in Sparta, my slave would have feared you”. The Athenian replies: “Then he could have paid you for pro-

Gottesman connects the unbridledness, the *akolasia*, to *isēgoria*.¹⁶ But as can be seen, there is some textual distance between them, which means we may ask ourselves what the scopes of *isēgoria* and *akolasia* are. The discourse particles introducing (12), *dia tout'oun*, connects (12) to something said previously. But at (11), it is possible to take the Oligarch as introducing a new point which certainly deals with slaves and metics but is separate from (10). (10) and (11) each have a passage foreshadowing an explanation of the things mentioned, which strengthens the case for their being separate points—otherwise they would be covered by the same explanation. If we thus imagine a paragraph break there, the Old Oligarch intimates that slaves and metics are *akolastoi* because you cannot beat them up, and that is that: their impudence is unrelated to their *isēgoria*. Then we move on to (11): some—not all—slaves live in luxury, and this is because the owners of slaves benefit from the economic activity of the slaves. It is necessary that the slaves—and metics—be allowed to do business, because then you can tax the extra wealth they produce—possibly because they now have larger incentives—and supply the navy, which is the source of power for the city. For this reason the slaves and metics have *isēgoria*.

Metics, of course, were famous for being a kind of merchant/craftsman class. We do know from various sources that slaves, too, engaged in economic activity, and not merely as performers of menial tasks. Most slaves that lived in Athens in the late fifth century were probably skilled artisans.¹⁷ They could act as business representatives of their masters: “if a wealthy man needed someone to represent him in his business dealings, he could order his slave to carry out his instructions and conclude agreements on his behalf.”¹⁸ Apart from doing that, they could be allowed to run their own business and have a great deal of liberty in doing so.¹⁹ For this they would provide their owners with part of their income.²⁰ Whether acting as a legal representative of their master or having been tasked with setting up his own shop, the slave would have to be able to negotiate, haggle, dispute, amend and underwrite

tection. But in Athens, it does not benefit the owner if the slave has to pay protection money to avoid being beaten.”

¹⁶ As does, apparently, Vivienne J. Gray (2007, 194) in her commentary on the Old Oligarch: “Here, [*isēgoria*] refers to the equality of appearance, the possession of wealth and the absence of fear and beatings.”

¹⁷ Hammond 1959, 524.

¹⁸ Harris 2001, 83.

¹⁹ Vlassopoulos 2009, 357.

²⁰ See the use of *cheirotechnai* in Xen. *Mem.* 3.11.5

matters. Though the owner would ultimately be legally responsible for whatever the slave did,²¹ the slaves would act very similarly to free men.

Is it possible, then, that this is what *isēgoria* refers to? It certainly cannot be exclusively so: had this been the case, an **isagorasia* would have signified a specific economic meaning; besides, we would have to explain why connotations of free speech evolved secondarily. For our purposes, this would be going one step forward and two steps back. But perhaps the *agora* element of *isēgoria* is “ecumenical,” as it were: to be taken simply as ‘the equal right to act in the *agora*’. This could, depending on the context, entail the right to speak, *or* the right to engage in economic activity, or both. One could also imagine that it refers to speaking with some kind of public quality, such as entering into contracts. Kostas Vlassopoulos appears to assume that the socioeconomic situation of the slaves is what prompted the introduction of *isēgoria*.²² Gottesman has similarly offered that “peculiar structure of Athenian economy and society [contributed to] the free and frank bearing”²³ of the slaves. I would turn this on its head: *isēgoria* is not the effect of, but the cause of and, in some sense, a constituent of these social arrangements.

Under this interpretation, we need not bring in the assembly and can account for the *isēgoria* of metics and slaves text-internally without positing extended meanings. Moreover, it is easy to imagine a speech act which allows for *isēgoria* in this sense. We can either imagine a single decision in the assembly providing this opportunity for the foreseeable future (“slaves shall henceforth be allowed to act as legal representatives for their masters”; “slaves shall be allowed to keep shops” vel sim.), and/or multiple individual decisions taken by masters (“I hereby grant X the right to do business in the *agora*”). “We have granted *isēgoria* to slaves” thus would not refer to slaves in general—only citizens had *isēgoria* categorically—but to those specific slaves leading conspicuously non-slavish lives that one could meet in the *agora*, some of whom had become rich. They had *isēgoria*, but it was not their own: it was on lease from their masters.

²¹ Harris 2013, 112.

²² Vlassopoulos 2009, 357.

²³ Gottesman 2021, 193.

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