emphasis on the societal and cultural factors of warfare. In a terrific paper that will deeply trouble many readers of Herodotus, Dwora Gilula reveals several places where modern emendations of his text have led editors seriously astray. This will be must reading for everyone. Finally, José Miguel Alonso-Núñez examines how Herodotus prefigures later universal historians, and Angelos Matthaiou discusses Herodotus' account of Marathon and the topography of the site, bringing to this problematic issue important and (in some cases) new epigraphic evidence.

The quality of all the papers in this volume is very high. The warmth, informality and even humor found in many of them are refreshing, and bespeak the obvious affection with which the contributors hold the memory of their late mentor and friend.

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RELIGION IN HERODOTUS

J. D. MIKALSON: *Herodotus and Religion in the Persian Wars*. Pp. xiv + 269, maps. Chapel Hill and London: The University of North Carolina Press, 2003. Cased, £33.50. ISBN: 0-8078-2798-3.

Herodotus, Mikalson plausibly claims, is our richest and most varied single source for Greek religion, and for no period of Greek history is the record of vows, sacrifices, epiphanies, cult foundations, and so on so abundant as it is for the Persian wars. *Herodotus and Religion in the Persian Wars* seeks to bring in that double harvest. Thomas Harrison's *Divinity and History: The Religion of Herodotus* (Oxford, 2000) appeared when a draft of M.'s book was complete, and with commendable self-sacrifice M. re-shaped his own work to reduce overlap to a minimum. In their broad approach M. and Harrison converge (see esp p. 198 n. 5, where M. politely rejects the rationalized Herodotus of Lateiner and Shimron); it is a pity that timing prevented M. from reacting to Rosalind Thomas's *Herodotus in Context* (Cambridge, 2000), a work which, though seldom in formal disagreement with him and Harrison, yet places its emphases very differently.

Most of M.'s slim book consists of 'A Religious Account of the Persian Invasions', a weaving together into a single narrative of the religious elements found in Herodotus and other sources (chiefly epigrams, Plutarch and Pausanias); a further chapter re-sorts the data with reference to the particular gods, heroes, and broader principles ('the divine') supposedly involved. The abundance of this material is indeed impressive, and to have it brought together in one package is interesting and useful. M. rightly observes that in this area the 'wie es eigentlich gewesen' is seldom attainable, but in many ways is not relevant: 'the precious thing which Herodotus offers us is a representation of the religious dimension of the Persian wars that was credible in the fifth century'. It is also true that 'the accounts of Plutarch, Pausanias, and Diodorus have their value in recording how these events were 'remembered' many centuries afterward'. But we still need to sift as best we can the many strata of 'remembering', to distinguish the representations of the fifth century B.C. from those of the second century A.D. and intermediate periods. And here it may be objected that M. has given the reader less assistance than is needed. Plutarch's *Aristides*, for instance, is full of vivid detail about matters of cult which scholars have found hard to believe go back to the fifth century. Some of their objections M. registers rather *sotto voce*, some not at

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all. It is as if the fascination of constructing his novel 'Religious Account' has made him unwilling to reject alluring detail.

Chapter 3, 'Some Religious Beliefs and Attitudes of Herodotus', offers a clear overview which students should find useful. But ever since his *Athenian Popular Religion* M. has been concerned to distinguish between 'popular' and 'literary' religion, and the chapter contains a thesis of this type too. Herodotus' presentation of religion has, he argues, two strands: a cultic strand, relating to such things as prayers, vows, sacrifices, dedications, omens, and oracles; and a poetic strand, relating to ideas of 'what had to happen', reversal of fortune, and divine *phthonos*. Herodotus had to tap both sources because 'Greeks in practiced religion seem reluctant to assign responsibility for evil and misfortune to individual gods' (p. 151). For the causes of evil, therefore, Herodotus had to turn away from the gods of cult. But there is a short-circuit in the argument here; for even if, 'in practiced religion', the Greeks did not blame individual gods for evils, it does not follow that they did not try to explain evils at all, nor therefore that Herodotus in seeking to do so was necessarily entering a 'poetic' theological stratosphere. M. himself in *Athenian Popular Religion* showed that in common parlance Athenians very often spoke of 'the gods' rather than of individual powers with names. 'Real religion' was not a succession of cult acts addressed to identifiable gods and nothing more; it was also a congeries of ideas, of very diverse types, in the minds of worshippers.

A substantial and interesting appendix treats 'Herodotus on the Origins of Greek Religion'. It inevitably overlaps with topics discussed by Harrison and Thomas, but looks more fully at Herodotus' treatment of individual deities. Like Thomas, M. stresses the breadth and radicalism of the 'Father of History of Religion' (as Burckhardt in effect dubs him, as quoted with others on p. 238). He might have emphasized the point (Harrison, pp. 88–9) that, while Hecataeus traced back his ancestry to a god in the sixteenth generation, no human in Herodotus has an accredited divine ancestor (if we except a careless expression in 7.61.3, and treat the siring of Demaratus by a hero as a different case). This is a radical departure not just from poetic tradition but from earlier Ionian *historie*: in mythological tradition sexual union was a main point of contact between the worlds of gods and men, and for Herodotus no such contact had ever occurred.

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THE SOPHISTS AND LEGAL PHILOSOPHY

S. KIRSTE, K. WAECHTER, M. WALTHER (edd.): *Die Sophistik. Entstehung, Gestalt und Folgeprobleme des Gegensatzes von Naturrecht und positivem Recht.* Pp. 175. Stuttgart: Franz Steiner Verlag, 2002. Paper, €36. ISBN: 3-515-08194-1.

We learn from the introduction that this volume contains the proceedings of the inaugural meeting of an 'Arbeitskreis Ideengeschichte der Rechtsphilosophie'. No further information about this group or its membership is given, but it is clear from the contents that its members share interests in modern legal philosophy and its historical antecedents, the predominance varying in individual cases. The aim of the discussions is 'to investigate tendencies which have been forgotten or given less

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