

THE INFLUENCE OF THE SOPHISTS ON FIFTH CENTURY THOUGHT

WITH PARTICULAR REFERENCE TO

HERODOTUS AND THUCYDIDES

by

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ABSTRACT

Up to the Fifth Century the consequences of an action in the form of censure or disaster proved it wrong. The main aim of any activity was to avoid such consequences, resulting in a high degree of conformity to traditional practices and of superstitious fears, which was attacked in the Fifth Century by the Sophists as being a barrier to progress. Rules are not an end in themselves, but serve a purpose sometimes better attained by breaking them, and it is the ability to achieve that purpose by the use of intelligence which promotes success. This was not an attack upon the purpose behind the rules, but a licence to violate the letter of the rule to fulfill its spirit. But this opened the way to a complete repudiation of law and social commitment in the interests of self, which resulted in a counter-attack on intelligence as being subversive. It is however not intelligence itself which is at fault, but the integrity of the individual, and by questioning the sufficiency of traditional practices as guides to action the Sophists laid responsibility for doing what was right upon the individual, which required a developed social conscience. Because with few exceptions self-promotion was encouraged by traditional values, and traditional practices were followed through fear of sanctions, there was, except in Socrates' case, no sense of social commitment. In theory therefore the attack of the Sophists on tradition was subversive, because it abolished the only factor which regulated conduct, but in practice, because traditional values were not easily set aside and the fear of censure and disaster ensured obedience to traditional practices, it had little detrimental effect on standards of behaviour, and this was far outweighed by the more liberal

attitude to and deeper insight into human affairs which it fostered.

PREFACE

In this thesis an attempt is made to gauge the impact of the Sophists on Greek thought, especially as it is revealed in Herodotus and Thucydides. This has entailed a preliminary survey of the pre-Sophistic conception of right and wrong upon which the traditional practices of Greek society were built. This does not pretend to be exhaustive, and is based on the detailed study of Greek values by Dr. A.W.H. Adkins to whose guidance I am particularly indebted. The survey reveals that the average Greek conformed to a set of rules, laws or customs through fear of sanctions. Because this pattern of behaviour is based on prohibitions, it results in a negative and inflexible approach to affairs, and the second part of the thesis contrasts this inflexibility with the new and more liberal approach of those Sophists who saw tradition as only a means to a wider end, namely the well-being of the society, and so to be dispensed with when it became outdated or insufficient and failed to serve its purpose. This was not an attack upon the values of society or society itself, but upon blind conformity to a fossilised set of rules, and it is in the light of this that the reactions to the attack on tradition and the problems which it posed are discussed in the third part of the thesis. Since those who used the licence to break tradition had to explain themselves to a society which still judged according to traditional practices, such explanations, particularly because they were easily abused, came to be regarded as subterfuges to escape the consequences of an action.

Moreover tradition was not only attacked by those who had the interests of society at heart, but by others of the Sophists who saw tradition as a barrier to self-promotion. All this resulted in a strong reactionary defence of tradition against the supposedly subversive influence of intelligence and liberalism. But it is suggested that this reaction mistook the enemy in that in breaking down tradition the Sophists were making the individual decide what was right or wrong, so that it was not his intelligence but his integrity which mattered. It was his possession or lack of a sense of social commitment which determined whether he acted subversively or not, and the thesis ends with a detailed study of the degree to which the Greeks of the time possessed this sense of social commitment or moral obligation.

My thanks are also due to Professor Stevens, Professor Kerford and Mr. Luce for their help and advice. As well as the particular scholars mentioned in the course of the thesis, I am also indebted to others whose works, mentioned in the bibliography, have been consulted and have influenced the general argument.

Unless otherwise specified, texts are taken from the Oxford Classical Texts or, where they are lacking, the Teubner Texts.

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PART I

Right and Wrong in Greek Society up to the Fifth Century

A. Homer

ἄνδρ'
ἄγριον, οὔτε δίκας εὔ εἰδότα οὔτε θέμιστας.

τοῖσιν δ' οὔτ' ἀγοραὶ βουλευφόροι οὔτε θέμιστες,
ἀλλ' οἷ γ' ὑψηλῶν ὀρέων ναίουσι κάρηνα
ἐν σπέσσι γλαφυροῖσι, θεμιστεῦει δὲ ἕκαστος
παίδων ἢ δ' ἀλόχων, οὐδ' ἀλλήλων ἀλέγουσι.

These passages^a describe the Cyclops, a race considered by the Homeric Greeks to differ from their own in that they did not live in a community but as independent units. Since they did not form a society, they lacked what is essential to any society, namely ἀγοραὶ βουλευφόροι and θέμιστες. For as distinct from the Cyclops who are self-sufficient, in that they disregard and act independently of the others of their kind, οὐδ' ἀλλήλων ἀλέγουσι, members of a society by belonging to that society are agreeing to take common counsel to achieve their aims. But since it is a co-operative and not an independent effort, there must be also some means of controlling the diverse wills of the members, so as to make it possible for them to act together. Rules and regulations which limit the extent to which any individual can do his will and which make some form of compromise possible are essential, and are the normal condition of membership of a society or community of any nature. Thus even the Cyclops have θέμιστες within the family,

a. Od. ix. 214f., 112ff.

θεμιστεύει δὲ ἕκαστος
παίδων ἢ δ' ἀλόχων.

For any community to deserve its name and to function at all, there must be common objectives or values and some rules or regulations governing the action of its members.

In the case of Homeric society it is clear that, as is the case in all primitive societies, the main aim and purpose of a community was to preserve its existence as an independent body, to withstand attempts to kill its members or deprive them of their property and means of livelihood. The quality in its members most needed by the community was therefore that of the good soldier, namely courage and ability to fight and win. Since it was upon such a quality that the community depended to achieve its aims, it is, as Dr. Adkins has shown both in his book Merit and Responsibility and particularly in an article on τιμή,^a evident that the basis of a man's standing in Homeric society, that is the regard and esteem in which he was held by its members, was his ability to preserve himself, his property and dependents from the attack of others.^b He had to be able to prevent those others from taking what he claimed to be his own, so that what he possessed in the way of life, goods and dependents was what he had the power to protect, and it was this, namely possession indicating the power to possess, that constituted his τιμή or his standing in society. The smaller a man's possessions the weaker he was shown to be, and, as such, he was little regarded by society, was κακός. The larger his possessions however, the more powerful and able to protect them and

a. 'Honour' and 'Punishment' in the Homeric Poems', BICS VII 1960.

b. M. and R., p.32,35.

prevent others getting them he was shown to be, and as such was much regarded by society, was ἀγαθός . If a man wished to maintain his standing and reputation, he had to be prepared to stand up and fight for his possessions including his own life. For if he lost them he not only lost material possessions, but because these indicated his power to possess, he lost standing and came down in the estimation of others. Thus Achilles is so angered by the loss of Briseis because it means not only material loss but loss of face, so that he is on a level with, has the same τιμὴ as, the have-nots, the κακοί .^a

ἐν δὲ ἰῆ τιμῆ ἡμὲν κακὸς ἡδὲ καὶ ἐσθλός.

It is failure to preserve and protect one's life, property and dependents which incurs loss of standing, that is the strongest disapproval and criticism of the other members of society.

Homeric society therefore frowned on those who had few possessions, or lost what they had, because this showed that they were too weak to possess or preserve them, and so useless to a society in need of protection. Those however who owned most showed that they could protect it, and so were the best, the most useful and valuable, the ἄριστοι . It is these who, because they can best help the society achieve its purpose of self-preservation, are found as leaders, chieftains, βασιλεῖς , and are entrusted with making the plans and giving the commands, θέμιστες , which will ensure the safety and well-being of the community as a whole. Thus Agamemnon, the ruler of many men, is, as Nestor points out, endowed by Zeus with supreme authority and the power to make rules for the express

a. Il.IX.319.

purpose of taking decisions for his subjects, that is in their interests.^a

'Ατρείδη κύδιστε, ἄναξ ἀνδρῶν Ἀγαμεμνον,
ἐν σοὶ μὲν λήξω, σέο δ' ἄρξομαι, οὐνεκα πολλῶν
λαῶν ἔσσι ἄναξ καὶ τοι Ζεὺς ἐγγυάλιξε
σκηπτρόν τ' ἠδὲ θέμιστας, ἵνα σφίσι βουλευήσῃθα.

The ἄριστοι are ἄριστοι, the most esteemed and valued members of society, and are acknowledged as leaders, because they are the wealthiest and therefore the most powerful and able to protect the society from attack.^b To retain their position and esteem therefore they must be successful in protecting that society. If they fail to do so, then because they are no longer fulfilling its requirements and doing what is expected of them, they come down in its estimation and get a bad reputation. Thus Agamemnon knows that if he is forced to return home having lost a large part of the fighting force which is essential for a community's survival and with nothing to compensate for it, then he can only expect the condemnation of that community, and the loss of his reputation as leader of men.^c

(Ζεὺς) με κελεύει
δυσκλέα Ἄργος ἰκέσθαι, ἐπεὶ πολλὸν ὤλεσα λαόν.

So too Hector knows that his failure in strategy will be the talking point of the town.^d

νῦν δ' ἐπεὶ ὤλεσα λαὸν ἀτασθαλίῃσιν ἐμῆσιν,
αἰδέομαι Τρῶας καὶ Τρωάδας ἐλκεσιπέπλους.

To deserve their title to the highest esteem the ἄριστοι had to be ready to go out and fight for their community and not turn tail before the enemy's attack. Thus Hector will not listen to the plea of Andromache to

a. IX.96ff.

b. M. and R.p.35.

c. IX.21f.

d. XXII.104f.

stay away from battle, because he knows that to do so will be to earn public censure, to be like one of the *κακοί*, who cannot or will not put up a fight. He however is not *κακός*, but professes to be *έσθλός*, a term denoting much the same as *άγαθός*,^a namely one who fights among the foremost.^b

αἰδέομαι Τρωῶας καὶ Τρωάδας ἔλκεσιπέπλους,
αἴ κε κακὸς ὥς νόσφιν ἄλυσκάζω πολέμοιο·
οὐδέ με θυμὸς ἄνωγεν, ἐπεὶ μάθον ἔμμεναι ἔσθλός
αἰεὶ καὶ πρότοισι μετὰ Τρώεσσι μάχεσθαι.

So too he chides Paris for shrinking from battle, because this brings him into bad repute with the Trojans, who are suffering harm because of him, so that what they say is not to his credit but to his shame, is *αἰσχρόν*.^c

ἀλλὰ ἐκὼν μεθιεῖς τε καὶ οὐκ ἐθέλεις· τὸ δ' ἐμὸν κῆρ
ἄχνηται ἐν θυμῷ, ὅθ' ὑπὲρ σέθεν αἴσχε' ἀκούω
πρὸς Τρώων, οἳ ἔχουσι πολὺν πόνον εἴνεκα σεῖο.

The *άγαθοί* or *ἄριστοι*, to merit their standing and claim to *ἀρετή*, have to be able and willing to withstand attack and protect themselves and those in their keeping. To be *ἄριστος* therefore, to act as champion and commander, is to be able to do so, and so, as in the case of private possessions, it is those who possess or command the greatest number of men who are most esteemed, because the very fact that they do so shows that they are the strongest, the most able to command and protect others. Thus it is that Nestor in comparing the relative position of Achilles and Agamemnon points out that Achilles cannot claim equal standing, *τιμῆ*, with Agamemnon, because although he may have a goddess for a mother, Agamemnon

a. M. and R. p. 32.

b. VI. 442ff.

c. VI. 523ff.

rules more subjects, and so is by that very fact more powerful.^a

οὐ ποθ' ὁμοίης τιμῆς
σκηπτοῦχος βασιλευς, ᾧ τε Ζεὺς κῦδος ἔδωκεν.
εἰ δὲ σὺ καρτερός ἐσσι, θεὰ δέ σε γείνατο μήτηρ,
ἀλλ' ὅ γε φέρτερός ἐστίν, ἐπεὶ πλεόνεσσιν ἀνασσει.

The extent of a man's domain over goods or subjects determines, indeed constitutes his τιμή, his standing in society, so that any increase or decrease in it results in a corresponding rise or fall in his reputation. The more a man can gain at the expense of others, and the more he can impose his will on them, the more powerful he shows himself to be, the more he can lay claim to ἀρετή, to the respect of others. When therefore one man does something to another or imposes his will on him, then, because it proves that he is able to do so, this act far from being considered shameful, is considered to his credit.^b For it is the one who fails to withstand attack who loses standing, whereas the attacker gains. As long as a man is successful in his undertaking, he is only proving his ability to do his will and to withstand opposition. As such therefore, since these are the qualities most valued by society, he is highly regarded, and, because all that happens to a man is thought to be the will of the gods, he is recognised as being beloved of them.^c

θυμὸς δὲ μέγας ἐστὶ διοτρεφέων βασιλῆων,
τιμὴ δ' ἐκ Διὸς ἐστὶ, φιλεῖ δέ ἐ μητίετα Ζεὺς.

Because of the needs of society therefore the men most valued in it were those who as a result of their prowess, wealth and birth were best

a. I.278ff.

b. M.and R.p.50.

c. II.196f.

able to defend and govern that society. To maintain that standing the ἀγαθοί had to be prepared and able to protect themselves, their property and their community, and it was failure to do this which was 'wrong', because it resulted in the greatest censure, that is was αἰσχρόν, shameful. To gain property on the other hand, because far from showing failure to defend oneself it only proved one's prowess, met with no such censure, and so was not 'wrong', was not αἰσχρόν. Since therefore the values of society did nothing to discourage acquisition and self-promotion but even encouraged it, it may well be wondered if there was anything to prevent life in Homeric society being a complete free for all, with its members at each others throats. But though it was true that the more powerful one was the more one was able to override the weak, as was particularly true in the case of the βασιλεύς, who as the strongest with no one within the community able to thwart him could do as he willed,^a other members of the community did not have such complete freedom of will, but were restricted for instance by the specific θέμιστες of the βασιλεύς and of the heads of the smaller groups within the community such as the clan or family. Thus Agamemnon promises Achilles a kingdom whose subjects will honour him like a god and ὑπὸ σκῆπτρῳ λιπαρὰς τελέουσι θέμιστας.^b Moreover apart from such specific limitations which it was impossible or disastrous to overstep, since no one would lightly attack or get in the way of those as strong or stronger than himself and thus risk losing what possessions and standing he had as a result of their reprisals,^c

χαλεπὸν δέ κεν εἴη
πρεσβύτατον καὶ ἄριστον ἀτιμίσιν ἰάλλειν,

a. iv.690f.

b. IX.156.

c. xiii.141f.

the members of the society, especially the more powerful ones, acted as a check upon each other. For none of them, when their own possessions, livelihood and standing were at stake, would allow another to deprive them of them without some attempt at reprisal, if necessary enlisting the aid of family and friends. Generally speaking therefore within any community peaceful co-existence was maintained by a sort of balance of power, each member being aware of the limits of his power and not risking to go beyond them.

On occasion however someone would try to do something and become aware that he could not, that the opposition offered by another was too strong for him to withstand, so that if he did not wish to court complete disaster, he had to stand down and acknowledge that he could not or was not strong enough to impose his will on that other person. In this case, because he has not succeeded in doing his will and proving his power but has failed, he has shown that he attempted more than he was able for, has overstepped his limitations, and so is guilty of ὑβρις, of not having been sufficiently δίκαιος. Thus Agamemnon angered by having to give up Chryseis forces Achilles to give him Briseis. As has been seen Agamemnon is the strongest, the most powerful of the βασιλεῖς, so that in imposing his will on Achilles he is only proving that he is the strongest, and so is doing nothing worthy of the strongest censure. For when Nestor suggests that he should not take her, he suggests that he do this even though he is ἀγαθός,^a whereas he warns Achilles not to go above his station and cross swords with one stronger than himself.^b At this stage it is Achilles who

a. I.275.cf.M.andR.p.37.

b. I.277ff.

comes in for criticism and admonition, for as Agamemnon is not slow to point out, he is attempting to usurp his position as C.-in-C., as the one who being strongest has no limit to his power.^a

ἀλλ' ὅδ' ἄνῆρ ἐθέλει περὶ πάντων ἔμμεναι ἄλλων,
πάντων μὲν κρατέειν ἐθέλει, πάντεσσι δ' ἀνάσσειν,
πᾶσι δὲ σημαίνειν.

So far Agamemnon's action in taking Briseis is quite in order and is only evidence of his ἀρετή . Gradually however it is borne in on him that since he relies on Achilles' help in the attack on Troy, his refusal to fight will cost him the success of the whole expedition. Such a failure would result in a disastrous loss of face,^b and so to avoid that disaster he has to climb down, to acknowledge that he made a mistake and miscalculated the power of Achilles to thwart him. It is he who must yield, Πηλεΐδῃ ἐγὼν ἐνδείξομαι^c, and must recognise that he cannot have his way in this particular instance. But had he been successful in taking Briseis without endangering the expedition, he would have incurred no censure, or at any rate not the strongest, and Achilles' accusation of ὕβρις^d would have remained unfounded because Agamemnon would not have been overstepping his limitations.^e As it is however, since he has had to retire, he is shown to have overreached himself, so that Achilles' charge turns out to have been justified, and he is proved not to have been sufficiently δίκαιος.^f

'Ατρεΐδῃ, σὺ δ' ἔπειτα δίκαιότερος καὶ ἐπ' ἄλλῳ
ἔσσειαι.

It must therefore be emphasised that, as Latte points out,^g an action is considered right or wrong not in itself, but only in the light

a. I.287ff.

b. IX.21f.

c. XIX.83.

d. I.203

e. cf. below p.133 f. XIX.181f.

g. 'Der Rechtsgedanke im archaischen
Griechentum', Antike und Abendland, 1946

of its consequences. It is not because the taking of Briseis is wrong in itself that Odysseus considers Agamemnon not sufficiently δίκαιος, but only because he faces disaster, because he has gone beyond his limitations. The idea behind the use of such words and their cognates as ὕβρις and δίκαιος is not that of what is right and wrong in principle, but of what one can and cannot do with impunity. When one says that a man is guilty of ὕβρις and of not being sufficiently δίκαιος, one is saying that he has done what he cannot hope to get away with, and so has overstepped the mark and gone beyond his rights. For it is what a man can do that he has a right to do, in that no one can turn him aside or stop him. Thus for instance to treat men as they like is considered the way of, or the right of, kings.^a

οὔτε τινα ῥέξας ἐξαίσιον οὔτε τι εἰπὼν
ἐν δήμῳ· ἢ τ' ἐστὶ δίκη θεῶν βασιλῆων·
ἄλλον κ' ἐχθαίρησι βροτῶν, ἄλλον κε φιλοῖη.

This is what they do unthwarted, therefore this is what they have the right to do. If however someone does stop them in the way that Achilles stops or thwarts Agamemnon, then they are shown not to be within their rights, not to be able to have their way, but to have been thrown off course and to have landed in the ditch as it were.

Each man therefore is within his rights in going ahead as far as he can, but beyond that he can only expect disaster, so that when Odysseus tells Agamemnon to be more δίκαιος he is not telling him not to attack others at all, but only to go more carefully and circumspectly, and to be

a. iv.690ff.

more conscious of how far he can go without meeting disaster. For whereas he can do as he likes to most men without opposition, no βασιλεύς particularly Achilles, is going to allow himself to be ridden over roughshod.^a

οὐ μὲν γὰρ τι νεμεσσητὸν βασιλῆα
ἄνδρ' ἀπαρέσσασθαι, ὅτε τις πρότερος χαλεπήνη.

So too when Achilles accuses him of ὕβρις, he is not accusing him of doing something wrong in principle, but of going beyond his limits, of doing more than he is able for, and so courting disaster. It remains an accusation however until Agamemnon is proved guilty by meeting that disaster, so that such an accusation amounts to a threat, to his saying, 'You cannot do that to me. You are not strong enough, and will pay for it with your life,' as is clearly brought out in his remarks to Athena.^b

τίπτ' αὖτ', αἰγιόχοιο Διὸς τέκος, εἰλήλουθας;
ἢ ἵνα ὕβριν ἴδῃ Ἀγαμέμνωνος Ἀτρείδαο;
ἀλλ' ἔκ τοι ἔρέω, τὸ δὲ καὶ τελέεσθαι ὄλω.
ἦς ὑπεροπλήσει τάχ' ἄν ποτε θυμὸν ὀλέσση.

So too when the suitors throughout the Odyssey are described in terms of ὕβρις, ὕβριστής etc., this means that they are being threatened with courting the disaster which they eventually meet. Had they not met it the threats would have been empty, for they would not have been ὕβρισταί but within their rights δίκαιοι, because there would have been no Odysseus to stop them, to turn them aside.

Agamemnon is therefore guilty of ὕβρις and of not being sufficiently δίκαιος because and only because he faces disaster, and so

a. XIX.182f.

b. I.202ff.

has failed to do what he set out to do. It is to this failure therefore, this mistake that Agamemnon admits. He thought to be able to take Briseis and incur Achilles' wrath without risking the success of the expedition,^a and had this happened he would of course have gone straight ahead and heard no more about it. But it was Achilles who held his course and Agamemnon who had to yield right of way, so that it was Achilles who had Zeus on his side,^b

ἀντί νυ πολλῶν
λαῶν ἔστιν ἀνὴρ ὃν τε Ζεὺς κῆρι φιλήσῃ,
ὥς νῦν τοῦτον ἔτεισε, δάμασσε δὲ λαὸν Ἀχαιῶν,

and Agamemnon who instead of winning his favour as he expected,^c was led astray by him.^d

Ζεὺς με μέγα Κρονίδης ἄτη ἐνέδησε βαρείη.

In any situation it is the one who forges ahead who has the right of way, and it is not until, and only because, he meets opposition and is turned aside, that he is considered and acknowledges himself to be in the wrong, that is guilty of ὕβρις, of not being sufficiently δίκαιος.

Since therefore the values of society and public opinion did not censure acquisition or aggression, the only thing which stopped a man doing his will was the opposition of someone as strong as or stronger than himself. Such opposition proved that one had met one's match or one's superior, and so in attempting an action against his will had been going beyond one's power, overstepping one's limitations, that is not being sufficiently δίκαιος. Whereas therefore what makes an action αἰσχρόν is the censure of public opinion, what makes a man not sufficiently

a. I.173ff.

b. IX.116ff.

c. I.174f.

d. IX.18., XIX.86ff.

δίκαιος is the disaster resulting from the thwarting of his will by someone stronger. But though it is known which actions incur public censure, such as refusing battle, and are therefore αἰσχρά, it is only disaster which makes any other action wrong, so that it is not until and only when he runs into opposition that a man is shown to be guilty of ὕβρις and of not being sufficiently δίκαιος. He can of course know beforehand with whom it is best not to cross swords, as for instance Nestor warned Achilles, but he can always take the chance that he will win, and it is not until he runs into a brick wall that he is proved, and not merely expected to be guilty of ὕβρις and of not being sufficiently δίκαιος, that is keeping within his limitations or prudent.

It can be seen therefore that it is merely superior power which will prevent a man doing his will, so that the weak would have little or no resistance to offer to the stronger members of society. But though this may have been the case, at any rate within a community the weak could usually rely on the support of relatives and friends, so that by and large a balance of power resulted in peaceful co-existence. Some classes of persons were however particularly vulnerable, such as beggars or strangers who coming from outside the community and being naturally friendless would have no means of defence against attack. But not even these were completely at the mercy of the stronger in that such classes were considered under the protection of the gods,^a so that anyone who attacked them met the opposition of the gods and the disaster which that entailed. To harm such persons, however κακοί, possessionless, weak

a. Adkins, 'Honour' and 'Punishment', BICS 1960, p.25.

defenceless and therefore despicable they were, was, because it incurred the anger of the gods, οὐ θέμις, as Eumaeus points out.^a

Ξεῖν', οὐ μοι θέμις ἔσσι, οὐδ' εἰ κακίων σέθεν ἔλθοι,
ξεῖνον ἀτιμῆσαι· πρὸς γὰρ Διὸς εἶσιν ἅπαντες
ξεῖνοί τε πτωχοί τε.

In the same way those who stand to lose if an oath is foresworn have the god in whose name it was sworn on their side,^b and also the more vulnerable members of the family, such as the mother, are considered to have vengeance taken for them by the furies. Though therefore one might have the power to harm a weaker person, in these particular cases to do so is to face divine sanctions, to oppose the will of those far stronger and more powerful than any human being, in short to do something which is οὐ θέμις.

B. After Homer

In Homeric society therefore certain limits were set to a man's actions, and it was the sanctions accompanying those limits which deterred men from overstepping them, and which made an action wrong, that is unprofitable. Thus because of society's censure of failure to protect oneself and one's dependents, no man could shirk battle without ignominy, so that to do so was αἰσχρόν. So too because a stronger person could harm one, to attempt to cross him was to court disaster, so that to do so was to be guilty of ὕβρις and of being not sufficiently δίκαιος. Again because the gods could harm one, to offend them was to court disaster, so that to do so was οὐ θέμις. Actions are considered 'wrong' not in themselves but because of the unpleasant consequences if one does them,

a. xiv.56ff.

b. IV.160ff., M. and R. p.66.

so that one is in the 'wrong', or has done 'wrong', if one's acts result in such consequences.

Of these acts which result in unpleasant consequences however it can be seen that only some are already known beforehand to be likely or even certain to incur them. These would be those frowned on by society, such as shirking battle, and those offending the gods, such as harming beggars and suppliants. Of these acts therefore it can always be said that they are αἰσχρά or οὐ θέμις, that is that they will meet with the disapproval of society or the gods. With regard to all other acts however it is not known whether they amount to ὕβρις and whether the agent has not been sufficiently δίκαιος until some check or disaster occurs. Of such acts therefore it can never be said that to do them is always to be guilty of ὕβρις or of not being sufficiently δίκαιος. This means that whereas to shirk battle is wrong because society automatically disapproves, and to harm a suppliant is wrong because the gods automatically disapprove, to harm another person is not wrong until check or disaster occurs. Thus though Paris in shirking battle is doing something automatically classed as αἰσχρόν, and Eumaeus if he had harmed Odysseus would have done something automatically classed as οὐ θέμις, Agamemnon in taking Briseis from Achilles is not doing something which automatically classes his act as ὕβρις and himself as not being sufficiently δίκαιος. It is only when it is discovered that he cannot persevere in harming Achilles without incurring disaster that he becomes guilty of ὕβρις and of not being sufficiently δίκαιος.

No one therefore who harms another is automatically guilty of ὕβρις or, in post-Homeric terminology, ἀδικία, a point which is of immense importance for an understanding of the post-Homeric role of the gods as the avengers of ὕβρις and ἀδικία. For in Homer the check or disaster which befell those who, like Agamemnon, went beyond their limitations was considered, as was everything else, simply the will of the gods, which was unconnected with and uninfluenced by the act of aggression which resulted in that disaster. Thus Agamemnon attributes the bad turn things are taking after Achilles has gone on strike to the will of Zeus, a will which he had hoped to keep in his favour not by refraining from aggression, but by due sacrifice. Far therefore from feeling that the bad luck Zeus is sending him is due reward for what he has done, he complains that his fate is undeserved because he never failed to sacrifice to him,^a and clearly does not connect his bad luck with having taken Briseis. Gradually however it came to be considered that the check or disaster was not only the will of the gods, but a result of their displeasure with the act of aggression. This means that the disaster which shows one to have been guilty of ὕβρις and ἀδικία is now considered as divine punishment for that ὕβρις and ἀδικία, because the gods disapprove of ὕβρις and ἀδικία. Thus already in a late passage in the Odyssey it is said that,^b

καί τε θεοὶ ξείνοισιν εἰκότεες ἄλλοδαποῖσι,
παντοῖσι τελέθοντες, ἐπιστροφῶσι πόληας,
ἀνθρώπων ὕβριν τε καὶ εὐνομίην ἐφορῶντες.

a. VIII.283ff.

b. xvii.485ff.

That the gods punish ὕβρις and ἀδικία however makes no difference to the fact that an action is not ὕβρις or ἀδικία until it meets disaster. For it is only by sending disaster that the gods can show their displeasure or inflict punishment, so that it is still only when disaster occurs that one is shown to have committed ὕβρις or ἀδικία. The gods therefore do not avenge any and every act of aggression. They only avenge ἀδικία and ὕβρις, which are those acts of aggression which meet with disaster, because as was emphasised no act of aggression can be automatically classed as ὕβρις and ἀδικία. Of course anyone, and particularly a victim, may call any man or any action ἀδικος-ον or accuse him of committing ὕβρις and ἀδικία, thus threatening him with disaster,^a but it is only when he meets that disaster that his action is in fact ὕβρις and ἀδικία. The ὕβρις and ἀδικία which the gods are thought to punish is still therefore that committed by those who over-reach themselves, who aim too high, so that in Herodotus Zeus can be likened to the lightning which strikes the highest points.^b ὄρᾳς τὰ ὑπερέχοντα ζῶα ὡς κεραυνοῖ ὁ θεὸς οὐδὲ ἐᾷ φαντάζεσθαι, τὰ δὲ σμικρὰ οὐδέν μιν κνίζει. ὄρᾳς δὲ ὡς ἐς οἰκήματα τὰ μέγιστα αἰεὶ καὶ δένδρεα τὰ τοιαῦτα ἀποσκήπτει τὰ βέλεα. φιλέει γὰρ ὁ θεὸς τὰ ὑπερέχοντα πάντα κολούειν. The role of the gods is that of restoring the balance upset by those attempting to go beyond their limits, just as in the case of the 'cosmic' justice described by Anaximander.^c ἀρχὴν... τῶν ὄντων τὸ ἄπειρον... ἐξ ὧν δὲ ἡ γένεσις ἐστὶ τοῖς ὄνσι, καὶ τὴν φθορὰν εἰς ταῦτα γίνεσθαι κατὰ τὸ χρεῶν. διδόναι γὰρ αὐτὰ δίκην καὶ τίσειν

a. above p.16.

b. Hd.t.VII.10.ε

c. D.K.12.B.1.

ἀλλήλοις τῆς ἀδικίας κατὰ τὴν τοῦ χρόνου τάξιν.

It is therefore still disaster which proves one in the wrong, only now one is considered to have been thwarted not only by someone stronger than oneself, but also by the gods who are jealous of those who go too far. The belief that the gods disapprove of ὕβρις and ἀδικία makes no difference to the fact that it is not until one is stopped or thwarted that one is in the wrong. What has happened is that now when one harms or attacks another, one is in danger of being worsted not only by human beings, but by gods. For whereas before only such persons as beggars were under divine protection, now anyone may be, so that just as one would not lightly attack those who were stronger than oneself, so now one would not lightly attack those who might possibly have the gods on their side. The introduction of the gods as punishers of ὕβρις and ἀδικία only serves as a stronger deterrent against aggression, since before one invited only human reprisals by attacking another, but now one invites divine ones as well. Whereas before therefore if one got away with an act of aggression that was the end of the matter, now there was always the fear that gods might strike one down in their own time, and indeed the vengeance of the gods was thought to be so great as to extend even unto one's children's children.^a

τοιαυτῆ Ζηνὸς πέλειται τίσις, οὐδ' ἐφ' ἐκάστῳ
ὥσπερ θνητὸς ἀνὴρ γίγνεται ὀξύχολος·
αἰεὶ δ' οὐ ἔλέληθε διαμπερές ὅστις ἀλιτρὸν
θυμὸν ἔχει, πάντως δ' ἔς τέλος ἐξεφάνη
ἀλλ' ὁ μὲν αὐτίκ' ἔτεισεν, ὁ δ' ὕστερον· οἱ δὲ φύγωσιν

a. Solon, ed. Linforth, fr.XL.25ff.

αὐτοὶ μηδὲ θεῶν μοῖρ' ἐπιούσα κίχη,
ἤλυθε πάντως αὖτις· ἀναίτιοι ἔργα τίνουσιν
ἢ παῖδες τούτων ἢ γένος ἐξοπίσω.

The result of this belief in the gods avenging all ὕβρις and ἀδικία in their own time is that though before one was proved wrong only by a disaster directly caused by an act of aggression, now any disaster which befalls a man, his family or descendents can be and is construed as divine vengeance for an act of ὕβρις or ἀδικία committed at any previous point of time. Thus when Croesus is taken prisoner, the answer to his indignant question as to why he should meet such disaster, for like Agamemnon he had made all due sacrifice,^a is that,^b Κροῖσος δὲ πέμπτου γονέος ἀμαρτίαδα ἐξέπλησε, ὅς ἐὼν δορυφόρος Ἑρακλειδέων δόλω γυναικῆϊ ἐπισπόμενος ἐφόνευσε τὸν δεσπότηα καὶ ἔσχε τὴν ἐκείνου τιμὴν οὐδέν οἱ προσήκουσαν. One of his ancestors had killed his master and took his position, but, though he himself escaped scot free, the fact that his descendent has been overthrown shows that he was in the wrong, that he had usurped a position which was not his by right, because he or his descendents could not keep it. His action has thus been shown to have been a mistake, ἀμαρτίαδα, and Croesus' overthrow divine retribution for it. If, however, it must be emphasised, Croesus had not been overthrown, then the continuing good fortune of the dynasty would show that no ἀμαρτίαδα had been committed, and that the gods were not offended.

It is still therefore success or disaster which proves whether a man was right or wrong to do a certain action. The fact however that this

a. HdI.I.90.2.

b. I.91.1.

success or failure is now deemed to be divine reward or punishment for that right or wrong action results in events being seen not simply, as in Homer, as the result of the will of gods who are personally pleased or angered by an action directly affecting them, but as a process of inevitable retribution on the part of gods who are pleased or offended en masse as it were by right or wrong actions. Instead of the highly individualised gods of Olympus planning and plotting events which then 'happen' in the human sphere, the gods are now as it were an abstraction of 'justice', the power to which the success or failure of those who are in the right or the wrong is attributed. The outcome of any action is viewed as a divine judgment on the agent, so that historical events come to be recounted very much in the form of cautionary or moral tales, and this of course is particularly true of Herodotus' history. If anyone meets misfortune then obviously he, or if necessary his ancestors, must have overreached themselves at some stage, have overstepped the mark and committed some act of ὑβρις for which the disaster is the merited punishment sent by the gods. If however a man does not get himself into trouble, then obviously he knows or has learnt by experience not to go too far, and so is wise, prudent, favoured by the gods and so δίκαιος.

It can be seen therefore that this interpretation of events leads easily to a sharp division between the 'bad' men on the one hand who meet a fate their wickedness has merited, and the 'good' who reap the reward of prudence. This results in a strong tendency which Pearson discusses^a for the characters of tyrants and wise men in

a. L. Pearson, 'Real and Conventional Personalities in Greek History', Journal of History of Ideas, 1954.

particular to be described in conventional terms, and to have uniform types of action and thought attributed to them. For around men whose fate has been particularly notable, especially those whose previous good fortune has been most remarkably reversed, there collect stories and tales illustrating the excesses or wisdom of their lives, tales which, though at times highly incongruous with the true facts, are accepted and handed down as history. Thus, to take only two examples of the many folk-tales on the ὕβρις theme to be found in Herodotus, because Croesus loses his throne and his son, he has clearly offended the gods in some way. His previous life must therefore show evidence of ὕβρις and so he is described as the proverbial proud tyrant expecting to be called the most blessed of men by Solon, the proverbial wise man, in a meeting which can never have taken place historically.^a His downfall can then be seen as an example of Solon's truth,^b σκοπέειν δὲ χρὴ παντὸς χρήματος τὴν τελευτὴν κῆ ἀποβήσεται. πολλοῖσι γὰρ δὴ ὑποδέξας ὄλβον ὁ θεὸς προορίζουσιν ἀνέτρεψε, and the loss of his son as a punishment for his presumption.^c μετὰ δὲ Σόλωνα οἰχόμενον ἔλαβε ἐκ θεοῦ νέμεσις μεγάλη Κροῖσον, ὡς εἰκάσαι, ὅτι ἐνόμισε ἑαυτὸν εἶναι ἀνθρώπων ἀπάντων ὀλβιώτατον. Polycrates likewise came to a bad end, so that it is only natural to find him described as being more successful than is good for him, as is symbolised by his finding a ring he had deliberately thrown away.^d Amasis is therefore represented as breaking off the treaty with him because he is clearly a doomed man.^e ἔμοι δὲ αἰσαὶ μεγάλαι εὐτυχίαι οὐκ ἀρέσκουσι, τὸ θεῖον ἐπισταμένῳ ὡς ἔστι

a. Hdt.I.29ff.

b. 32.9.

c. 34.1.

d. III.41f.

e.40.2.

φθονερόν . That doom eventually befalls him, and so the whole story makes a nice cautionary tale on the theme μηδὲν ἄγαν . Polycrates had, it is true, an alliance with Amasis, but in fact it was Polycrates himself who broke it off when Egypt was attacked by Cambyses.^a It would seem however to have been given out that it was Amasis who broke off the alliance, and this version became not only the accepted one, but was invested with even more credibility by the reason supplied for Amasis' action, namely the uncanny and ominous success of Polycrates in finding the ring. Such a story, which in fact appears in various forms in other civilisations,^b fitting in as it did with the conventional idea of the proud tyrant doomed to disaster, would easily be accepted as true, and so find its way into Herodotus' work as historical fact.^d

Nor is this interpretation of events as a judgment on the agent limited to the folk-tales which make up a large part of the earlier portion of Herodotus' work, but extends into the reporting of what may by comparison be called the historical side of his work. That Herodotus agrees with this interpretation is evidenced by, for example, his comment on the Trojan expedition, which he thinks shows divine justice at work.^c τοῦ δαιμονίου παρασκευάζοντος ὅπως πανωλεθρίῃ ἀπολόμενοι καταφανέες τοῦτο τοῖσι ἀνθρώποισι ποιήσωσι, ὡς τῶν μεγάλων ἀδικημάτων μεγάλαί εἰσι καὶ αἱ τιμωραὶ παρὰ τῶν θεῶν. When therefore he comes to the ill-fated Persian expeditions, and particularly that of Xerxes, he readily sees in this story yet another example of the punishment of ὕβρις at the hands of the gods, and this evaluation, as in the case of the folk-tales described above, is then read back into the account of

a. Hdt.III.44.1.
c. Hdt.II.120.5.

b. Clouston,W.A.,Popular Tales and Fictions,I.398ff.
d. How and Wells,Herodotus,I.266f.

the expedition, and allowed to colour the events and speeches there recorded.

The Greeks had won and the Persians lost, so that the whole story easily becomes a cautionary tale illustrating the wisdom of the Greeks and their ways, and the ὕβρις of the Persians and theirs. Thus in the conversation recorded between Demaratus and Xerxes,^a the Greeks are represented as upholding ideals of independence,^b ἀρετὴ δὲ ἑπακτός ἐστι, ἀπό τε σοφίης κατεργασμένη καὶ νόμου ἰσχυροῦ· τῇ διαχρεωμένη ἢ Ἑλλὰς τὴν τε πενήτην ἀπαμύνεται καὶ τὴν δεσποσύνην, and of freedom tempered by law,^c ἐλεύθεροι γὰρ ἐόντες οὐ πάντα ἐλεύθεροί εἰσι· ἔπεστι γάρ σφι δεσπότης νόμος, τὸν ὑποδειμαίνουσι πολλῶ ἔτι μᾶλλον ἢ οἱ σοὶ σέ. So too when the Athenians refuse to join the Persians, the reasons they are recorded as using are based on ideas of national unity and patriotism.^d πολλά τε γὰρ καὶ μεγάλα ἐστὶ τὰ διακωλύοντα ταῦτα μὴ ποιέειν μηδ' ἦν ἐθέλωμεν. πρῶτα μὲν... αὐτίς δὲ τὸ Ἑλληνικόν, ἐὸν ὄμαιμόν τε καὶ ὁμόγλωσσον, καὶ θεῶν ἰδρύματα τε κοινὰ καὶ θυσίαι ἡθεῖα τε ὁμότροπα, τῶν προδότας γενέσθαι Ἀθηναίους οὐκ ἂν εὖ ἔχοι. On the other side Xerxes is the proud tyrant doomed to failure. In the same conversation with Demaratus he is shown as failing to understand the Greek ideals because he can conceive only of autocratic monarchy and force as means of compulsion.^e ὑπὸ μὲν γὰρ ἑνὸς ἀρχόμενοι... γενοίαι ἂν δειμαίνοντες τοῦτον καὶ παρὰ τὴν ἑωυτῶν φύσιν ἀμείνονες καὶ ἴοιεν ἀναγκαζόμενοι μάστιγι ἐς πλεῦνας ἐλάσσονες ἐόντες· ἀνειμένοι δὲ ἐς τὸ ἐλεύθερον οὐκ ἂν ποιέοιεν τούτων οὐδέτερα. He receives Demaratus' warnings with

a. VII.101ff.

b. 102.1.

c. 104.4.

d. VIII.144.2.

e. VII.103.4.

pitying amusement,^a and thus conforms to the pattern of the doomed man and the unavailing advice of his moderate companion, a pattern which, as Lattimore points out,^b is common throughout Herodotus' work. So too the lashing of the Hellespont is so obviously the act of a tyrant that it does not occur to Herodotus that this and the later offering, interpreted as an act of appeasement, could be connected with Persian rites. When his defeat comes therefore it is easily seen to be the merited punishment not only for his initial ὑβρις in undertaking such an expedition, but of his whole 'hybristic' way of life. The storm off Euboea is seen as a divine intervention to bring the forces of the Persians on a level with the Greeks,^c ἐποιέετό τε πᾶν ὑπὸ τοῦ θεοῦ ὅπως ἂν ἐξισωθεῖη τῷ Ἑλληνικῷ τὸ Περσικὸν μηδὲ πολλῶ πλέον εἶη, and after Xerxes' final defeat the speech of Themistocles gives full expression to the interpretation which has coloured the previous account.^d τάδε γὰρ οὐκ ἡμεῖς κατεργασάμεθα, ἀλλὰ θεοί τε καὶ ἥρωες, οἳ ἐφθόνησαν ἄνδρα ἓνα τῆς τε Ἀσίας καὶ τῆς Εὐρώπης βασιλεῦσαι, ἐδόντα ἀνδρσιδὸν τε καὶ ἀτάσθαλον.

It could be that those were in fact the words or at any rate the ideas of Themistocles' speech at that time, since by then the outcome of the expedition was clear. Since however it was only that outcome, namely Xerxes' defeat, which showed he was guilty of ὑβρις, had offended the gods, this interpretation is bound to be a post eventum one, since if he had succeeded in his undertaking, then he would have been proved not to have overstepped his limitations, to have the gods on his side,

a. VII.105.1.

c. VIII.13.

b. 'The Wise Adviser in Herodotus', C.P.1939.

d. 109.3.

to have been δίκαιος. It is only when and not until Xerxes meets disaster that his actions are proved to have been those of an of one who aimed too high. The description of Xerxes as the overweening tyrant and of the Greeks in contrast as fighting for abstract ideals of democracy and pan-Hellenism at the actual time of the conflict is therefore highly anachronistic, and reflects not the thoughts of the Greeks at the time, but what the conflict was seen to mean in retrospect. For just as Xerxes was only proved in the wrong by meeting disaster, so too it was only after their success that the Greeks could point the finger at him and say of themselves what a good way of life theirs was and what a good thing co-operation on a national scale was. Few wars are fought for purely ideological reasons, and as Athens' first reason for not going over to the Persian side indicates,^a the primary consideration is that of survival and revenge. It was only when, as emerges from Larsen's discussion of confederacy and alliance in Greece,^b collective action and co-operation had proved effective that any move was made to make it permanent.

The belief in the gods as the punishers of ὕβρις and ἀδικία therefore results in the outcome of events being deemed a divine judgment on the agent, a judgment which is then allowed to colour those past events, so that they are seen to justify and merit that outcome. He is right and his action right who meets no disaster and so has the gods on his side; he is wrong and his action wrong who comes to grief and so has the gods against him, an attitude which, with its comfortable and certain division into black and white, gives to a work like that of

a. VIII.144.2.

b. 'Federation for Peace in Ancient Greece', C.P. 1944.

Herodotus an air of a self-righteous homily on moderation.

PART II

The Attack on Convention and Superstition

A. Introduction

It has been seen in Part I that in order to avoid loss of standing and disaster, it was prudent to avoid doing what might offend society as a whole, those who were stronger and in authority, and most of all the gods. The fear of these various sanctions then constituted a pressure to conform to certain practices, a pressure which over a period of time can result in a pattern of behaviour which becomes so habitual as to be followed almost unconsciously. While however tradition and habit are invaluable as a means to an ordered and stable society, the very fact that certain patterns of behaviour are habitual implies that they are followed without thought, without question. Though therefore they may originally have answered certain needs, the time may come when they no longer serve any useful purpose. Such is the force of tradition and habit however that those patterns continue to be followed none the less, because they are so much a part of normal life that few stop to think why they act in that way, and of those still fewer are prepared to face the consequences of breaking them. Tradition can thus become a bar to progress and enlightened action by obviating the need to think for oneself, so that one slips comfortably into a way of life where no awkward questions are asked, and one's mind is pleasantly dulled.

Such then was the state of affairs in the fifth century, for until

that time the authority of public opinion, the laws and the gods had gone largely unquestioned. During that century however there becomes evident a spirit of criticism, of re-appraisal, of impatience with the old order, a Zeitgeist which was particularly associated with and given expression to by the Sophists. These men travelled around Greece and claimed to teach πολιτικὴ ἀρετή, that is, as Protagoras explains in the Platonic dialogue, to teach men how to manage the affairs of their own households and those of the state,^a τὸ δὲ μάθημά ἐστιν εὐβουλία περί τε τῶν οἰκείων, ὅπως ἂν ἄριστα τὴν αὐτοῦ οἰκίαν διοικοῖ, καὶ περὶ τῶν τῆς πόλεως, ὅπως τὰ τῆς πόλεως δυνατώτατος ἂν εἴη καὶ πράττειν καὶ λέγειν, and in particular, as Gorgias explains, since the management of state affairs especially requires ability to speak in public, how to win over an audience, that is rhetoric.^b Τὸ πείθειν...οἷον τ'εἶναι τοῖς λόγοις καὶ ἐν δικαστηρίῳ δικαστὰς καὶ ἐν βουλευτηρίῳ βουλευτὰς καὶ ἐν ἐκκλησίᾳ ἐκκλησιαστὰς καὶ ἐν ἄλλῳ συλλόγῳ παντί, ὅστις ἂν πολιτικὸς ἐύλογος γίγνηται. Their teaching was thus essentially practical, and, aimed as it was at the improvement of administration, was bound to call into question some or all of the established practices. They could only but be dissatisfied with outdated ideas, for as Corinth points out to Sparta, no state can afford to remain behind the times, to be hide-bound by tradition.^c ἀνάγκη δὲ ὥσπερ τέχνης αἰεὶ τὰ ἐπι- γιγνόμενα κρατεῖν. What is needed is an alertness to the needs of the moment, which is not dulled by habit, but allows one to be sufficiently free of it to be able to take the particular circumstances into consideration before embarking on some action. For those circumstances may be such as to call

a. Plato, Prot. 318e

b. Gorg. 452.e

c. Thuc. I. 71.3.

into question the whole point of doing something which it is customary to do, and it is just such a liberal approach to νόμος which is taken by those praised in the Epitaphios attributed to Gorgias.^a πολλὰ δὲ νόμου ἀκριβείας λόγων ὀρθότητα (προκρίνοντες), τοῦτον νομίζοντες θεϊότατον καὶ κοινότατον νόμον, τὸ δέον ἐν τῷ δέοντι καὶ λέγειν καὶ σιγᾶν καὶ ποιεῖν καὶ εἶναι .

Strict conformity to tradition, by ruling out the exercise of thought and imagination and by killing initiative, can only hinder instead of further the aims of society and its members, and it is the realisation of this danger and the efforts to overcome it which become apparent in the discussion of community affairs at this time.

B. Self-Defence

i. Pre-Sophist

It was seen in Part One that because the basis of one's standing in Homeric society was power, failure to defend one's life, dependents and property led not only to material loss, but to loss of face. To give up the fight, however great the odds, was therefore out of the question, if one was not to concede the opponent's superiority. How one defended oneself however was largely a matter for the individual warrior. The simplest method of doing so was to fight and go on fighting until the issue was decided, and indeed the main criteria of the Homeric hero were strength and bravery. The methods of waging war with a few well-armed warriors and a mass of light-armed infantry were not likely to lead to elaborate and subtle

a. D.K.82.B.6.

tactics. It was largely a question of how many of the enemy could be killed, which called for physical rather than intellectual qualities. But not even in Homeric society were the latter completely overlooked. Sheer obstinate fighting was not always the best means of attaining victory. A little thought could achieve what no amount of brute force would accomplish, and the best fighter was not always the best thinker, as Polydamus points out to Hector when seeking to restrain him from a course that led to disaster.^a

οὐνεκά τοι περὶ δῶκε θεὸς πολεμήϊα ἔργα,
τοῦνεκα καὶ βουλῆ ἐθέλεις περιιόμεναι ἄλλων·
ἀλλ' οὐ πως ἅμα πάντα δυνήσεαι αὐτὸς ἐλέσθαι.

Men have different talents and both fighters and thinkers have their part to play, particularly in such a tricky situation as they now are.^b

ἄλλω μὲν γὰρ δῶκε θεὸς πολεμήϊα ἔργα, . . .
ἄλλω δ' ἐν στήθεσσι τιθεῖ νόον εὐρύσοπα Ζεὺς
ἔσθλόν, τοῦ δέ τε πολλοὶ ἐπαυρίσκοντ' ἄνθρωποι,
καὶ τε πολέας ἐσάωσε, μάλιστα δὲ καὐτὸς ἀνέγνω.

What is needed is not to fight on without thought, but a careful weighing of the pros and cons to decide whether it would be better to pursue the attack or retire with flags flying.^c Hector refuses to take his advice, but when the refusal has proved disastrous, he knows that the Trojans will not hesitate to lay the blame where it belongs.^d

Ἐκτωρ ἤφι βίηφι πιθήσας ὤλεσε λαόν.

In undertaking any task therefore a man may be the sort to plunge straight in regardless, to do what is usually done without stopping to think whether in the particular circumstances that action will achieve its purpose, and

a. Il.XIII.726ff.

b. ibid.730ff.

c. ibid. 740ff.

d. Il.XXII.107.

thus tends to be what may be termed orthodox. He may on the other hand be the kind to go round a difficulty instead of into it, realising that the circumstances require something other than what one would normally do, and thus inclining to be unorthodox. Perhaps one of the best illustrations of this distinction is to be found in Herodotus' description of the building of the Athos canal. The various contingents are detailed to dig the canal, and the majority of them dig in the way that first comes into their heads, namely straight down. The Phoenicians on the other hand think beyond the immediate action of digging to the purpose it is supposed to serve, and the result is a slant-edged canal which prevents the earth from caving in on them. As Herodotus remarks,^a οἱ δὲ Φοίνικες σοφίην ἔν τε τοῖσι ἄλλοισι ἔργοισι ἀποδείκνυνται καὶ δὴ καὶ ἐν ἐκείνῳ.

While therefore in Homeric society some warriors such as Hector are renowned for their valour, others are renowned for their resourcefulness, and such an one is of course Odysseus. It is this element in his character which, Stanford in his book The Ulysses Theme suggests, distinguishes him from the majority of the heroes at Troy, makes him inclined to unorthodox practices and eventually earns him in later tradition a reputation for deceit and trickery. In the Homeric poems he is described as ὄς περὶ μὲν νόον ἐστὶ βροτῶν,^b so that it is he who is chosen by Diomedes to accompany him on a dangerous mission as the 'brains' of the party^c; he whose plan resulted in the fall of Troy when mere force had failed^d; he whose guile rescued him and his remaining comrades from the Cyclops' cave^e, and he who is regarded by Athene as her counterpart among men.^f

a. VII.23.3. b. i.66. c. X.242ff. d. xxii.230. e. xii.211.
f. xiii.296ff.

ἀλλ' ἄγε, μηκέτι ταῦτα λεγόμεθα, εἰδότες ἄμφω
κέρδε', ἐπεὶ σὺ μὲν ἔσσι βροτῶν ὄχ' ἄριστος ἀπάντων
βουλῆ καὶ μύθοισιν, ἐγὼ δ' ἐν πᾶσι θεοῖσι
μήτι τε κλέομαι καὶ κέρδεσιν.

It is their intelligence which enables them to make the most of opportunities which arise, to penetrate to the heart of a problem, in short κέρδεα εἰδέναι.

ii. The Sophists.

Even in Homeric society therefore although conditions were such that bravery and strength were the most important qualities, intelligence had its part to play. With the advance of new techniques in warfare on land and sea however this need for intelligence and general 'know-how' is naturally increased, because now, though two sides may be evenly balanced and be equally courageous, lack of experience and initiative in the increasingly complex art of war may cost one the victory, as the Persians discovered even at Plataea.^a λήματι μὲν νυν καὶ ῥώμῃ οὐκ ἤσσονες ἦσαν οἱ Πέρσαι, ἄνοπλοι δὲ ἔδοντες καὶ πρὸς ἀνεπιστήμονες ἦσαν καὶ οὐκ ὅμοιοι τοῖσι ἐναντίοισι σοφίην. The old methods of warfare whereby the two armies faced each other and fought until something happened were merely trials of strength and displayed little subtlety. With the development of more complicated strategy however and the fact that the Peloponnesian war was fought over such a wide area that it could not be decided by one pitched battle, the conventional practices became out-dated, and it was now more than ever the quick alert general with his eyes on the main chance who was most likely to succeed, as Brasidas points out.^b ὅστις δὲ τὰς τοιαύτας

a. Hd. IX.62.3.

b. Thuc.V.9.4.

ἀμαρτίας τῶν ἐναντίων κάλλιστα ἰδὼν καὶ ἅμα πρὸς τὴν ἑαυτοῦ δύναμιν τὴν ἐπιχείρησιν ποιεῖται μὴ ἀπὸ τοῦ προφανοῦς μᾶλλον καὶ ἀντιπαραταχθέντος ἢ ἐκ τοῦ πρὸς τὸ παρὸν ξυμφέροντος, πλεῖστοι ἂν ὀρθοῖτο. Thus on this particular occasion, for instance, being aware that a pitched battle would be unfavourable to him, he lulls Cleon into a false sense of security before launching his unexpected attack. Similarly he is sent to win over various states to the Spartans, because he is considered^a ἄνδρα ἕν τε τῇ Σπάρτῃ δοκοῦντα δραστήριον εἶναι ἐς τὰ πάντα. καὶ He is the versatile, Odyssean type of man, who relies less on force than on diplomacy,^b and so earns himself a lasting reputation for his ἀρετὴ καὶ ξύνεσις.^c

It is this ability therefore to sum up the situation, to think round a problem and make the most of the resources available which especially distinguishes the ξυνετός, and it is such men and such states who stand to gain, as Corinth does not hesitate to point out to Sparta. Traditional practices may suffice up to a point, but when, particularly in time of war, success depends on initiative and resourcefulness, it is essential to keep abreast of the times.^d ἀνάγκη δὲ ὡσπερ τέχνης αἰεὶ τὰ ἐπιγιγνόμενα κρατεῖν. For at Sparta so strong was the resolution never to give up the fight that it had become something in the nature of a law that no warrior should surrender, but fight on to the bitter end. It is thus described by Herodotus as fulfilling the same function as that of Xerxes' personal tyranny and force in making men stay their ground, but in quite a different way.^e ἔπεστι γάρ σφι δεσπότης νόμος, τὸν ὑποδειμαίνουσι πολλῶ ἔτι μᾶλλον ἢ οἱ σοὶ σέ. ποιεῦσι γῶν τὰ ἂν ἐκεῖνος ἀνώγη· ἀνώγει δὲ τώυτὸ αἰεὶ,

a. Thuc.IV.81.1. b. 81.2. c. 81.2. d. I.71.3. e. Hdt.VII.104.4.

οὐκ ἔων φεύγειν οὐδὲν πλῆθος ἀνθρώπων ἐκ μάχης, ἀλλὰ μένοντας ἐν τῇ τάξει ἐπικρατέειν ἢ ἀπόλλυσθαι. Thus it was too that the surrender of the Spartan force on Sphacteria was viewed with such amazement by the rest of Greece.^a

While however the purpose of such a regulation is obvious, it can, like all regulations come to have a deadening effect on those who obey it, with the result that though men do obey it, they incline to think that this is sufficient, and thus fail to look beyond it. It is then just because such an attitude strangles initiative and innovation, the very qualities which Corinth finds in Athens but conspicuously lacking in Sparta,^b οἱ μὲν γενεωτεροποιοὶ καὶ ἐπινοῆσαι ὄξεϊς καὶ ἐπιτελέσαι ἔργα ἃ ἄν γινῶσιν· ὑμεῖς δὲ τὰ ὑπάρχοντά τε σώζειν καὶ ἐπιγινῶναι μηδὲν καὶ ἔργω οὐδὲ τὰναγκαῖα ἐξικέσθαι, it is just because of this that she advises Sparta to shake her ideas up, or she will find herself outmanoeuvred.^c

This then is a plea to Sparta to think, to use her intelligence and see whether in fact her attitude and approach to war is necessarily the best, and if not to change it. On occasion however something even more radical is needed than resourcefulness. For though to put up a defence against attack and not give up the battle until forced to is essential to the continued independent existence of the society in ninety-nine cases out of a hundred, in the hundredth it may prevent the achievement of just that purpose for which it was formed. It is therefore a mark of a great statesman or general that he is able to recognise that occasion and to know when it is strategic not to counter an attack, that is to refuse battle. Just such a statesman was Pericles who, as he is described by Thucydides,

a. Thuc.IV.40.1-2.

b. I.70.2.

c. 71.4.

was endowed with that ability to assess the situation which is designated by the word $\xi\acute{\omicron}\nu\epsilon\sigma\iota\varsigma$.^a It is this faculty which prompts him to make for Athens a policy which ran counter to the fundamental concepts of Greek warfare. For as Grundy points out^b no Greek state could normally afford to allow the enemy to destroy its crops, because its citizens would starve before the next harvest. It was therefore essential for the survival of the state that any attack at harvest time should be repulsed before or when the enemy reached the plains. At the beginning of the Peloponnesian war however it is well known that Pericles persuaded the Athenians to abandon the plains and make no attempt to counter the Spartan incursions. He had the foresight to see that in the circumstances the normal practice was not the best means to the desired end, namely the survival of Athens as an independent state. Because she was no longer dependent upon the harvest alone for her existence, because she commanded the seas and an empire, she could afford to conserve her resources for what he realised would be a long struggle, and not be obliged to fritter away her man-power in minor engagements.^c Despite the fact then that when the invasion actually occurs they are naturally unwilling to sit by and let it happen,^d and after the second invasion and the plague are ready to give up the struggle,^e he convinces them that the policy is in the best long-term interests of the state.^f

There are occasions therefore when the normal practice of defending one's property is a hindrance and not a help, when it is politic to sacrifice a pawn to win the game. It has been seen however that besides material loss, failure to defend oneself or one's property or indeed any retreat or

a. II.65.5ff.

b. Thuc. and the History of his Age, I.p.248 c. Thuc.I.143.5.

d. II.21.2-3.

e. 59.1-2.

f. 60.2ff.

withdrawal from a position incurred loss of face. Though therefore one may be aware that such a withdrawal may in the long run be more in one's interests, the fear of humiliation may override these considerations. Thus it was part of Pericles' policy for Athens that she make no attempt to acquire new possessions. A chance arises however for her to gain an important foothold in Sicily at little or no risk or cost, and she takes the opportunity. The expeditionary force finds however that the money which the Egestians had promised is not forthcoming. The Greeks therefore hold a council of war to decide what to do and Nicias suggests that they show themselves willing to fulfil their promise to their allies, and if the latter or any other Sicilian or Italian state cannot pay for it, then they should return home, and ^a τῆ πόλει δαπανῶντας τὰ οἰκεῖα μὴ κινδυνεύειν. He is thus concerned to keep the expedition in perspective, and recognises that if the circumstances which made the expedition attractive are now altered for the worse, then they should not hesitate to pull out with their flags flying. They must not waste time, energy and money on a risky venture, and allow the capture of Syracuse, which was not the official reason for the expedition and was only considered worth attempting under circumstances no longer obtaining, to become so much a matter of prestige that it obscures the true interests of Athens. He therefore is alive to the proper aim and purpose of their actions, namely the survival of the state, but it is abundantly clear that for Alcibiades it has become a matter of prestige. ^b Ἀλκιβιάδης δὲ οὐκ ἔφη χρῆναι τοσαύτη δυνάμει ἐκπεύσαντας αἰσχροῦς καὶ ἀπράκτους ἀπελθεῖν. He is therefore more concerned with the immediate public reaction

a. VI.47.

b. 48.

to the retreat than with the practical issues. He fails to recognise that by ignoring the change in the circumstances he is in fact urging the other commanders to undertake the conquest of Syracuse tout court, an undertaking which, had it been proposed to the Athenian assembly in this form, would possibly not have been approved as being beyond their power. Regard for prestige therefore leads Alcibiades to propose a course of action which involved more risks than Athens could afford to take, and it was his view which prevailed to Athens' cost.

On one occasion however an Athenian commander did succeed in putting his views across. The fleet had approached Miletus, and while there reinforcements came to the aid of Miletus such that it was no longer advisable to stay there. To retreat was to lose face and climb down, so that according to all the codes of honour the Athenians should have stood their ground, and indeed it was the intention of all but one of the commanders to fight it out.^a Phrynichos however opposes this view in words worth quoting at length.^b ὅπου γὰρ ἐν ὑστέρω σαφῶς εἰδόμενος πρὸς ὀπίσθας τε ναῦς πολεμίας καὶ ὅσας πρὸς αὐτὰς ταῖς σφετέραις ἰκανῶς καὶ καθ' ἡσυχίαν παρασκευασαμένοις ἔσται ἀγωνίσασθαι, οὐδέποτε τῷ αἰσχροῦ ὀνειδέει εἴξας ἀλόγως διακινδυνεύσειν. οὐ γὰρ αἰσχρὸν εἶναι Ἀθηναίους ναυτικῶ μετὰ καιροῦ ὑποχωρῆσαι, ἀλλὰ καὶ μετὰ ὀττοῦν τρόπου ἀσχιον συμβῆσθαι ἢ ἡσσηθῶσιν. It could not be more clearly stated that to allow one's fear of temporary loss of prestige to jeopardise one's chances of eventual survival, on which after all that prestige ultimately rests, is sheer folly. Phrynichos not only thinks for himself and realises that retreat on this occasion is justified, but has the courage to face the immediate censure which a break with tradition incurs.

a. VIII.27.2.

b. 27.2f.

C. Administration of State and Empire

i. Pre-Sophist

The necessity for a society to be able to defend itself against attack had in Homeric times resulted in those men who could thus protect it being most valued, and in the strongest censure being attached to failure to put up a fight. These values resulted in the tradition or rule of never giving up a fight, a tradition which, if too rigidly observed could and did result in the opposite of the purpose of that tradition, namely the preservation of the society. What was needed was a more flexible and intelligent approach to defence, and it was this which the Sophists were encouraging. So too in administration the same situation is found, for as was seen in Part II this same necessity for a society to be able to defend itself against attack resulted in Homeric times in the strongest and wealthiest exercising supreme command, because they were the most valuable men in that society, the ones upon whom it depends for existence. It is they therefore who have the god-given power to make such rules as they think fit in the interests of that society.^a Just as however it was up to the individual warrior how he went about defending himself and his property, so too it was largely up to the individual βασιλεύς how he ruled his people. For the qualities demanded of him by society in its need for protection, namely good birth, wealth and courage, were precisely those which enabled him to

a. above p.10f.

impose his will on that society, so that his power was practically absolute. The treatment he accorded his subjects depended almost entirely on his own character,^a since as long as he was the most successful in defending the community, they could not afford to depose him even if they could. But again as in the case of self-defence, though the main characteristics of the Homeric βασιλεύς were the power and prowess on which his claim to kingship ultimately rested, it was recognised that force was not the only requirement of a good ruler. The βασιλεύς may be the most valued man because of his power, but he is a wise man if he accepts the advice of those who, though less powerful, have more understanding than he, as Nestor points out to Agamemnon.^b

τῷ σε χρὴ πέρι μὲν φάσθαι ἔπος ἢ δ' ἐπακοῦσαι,
κρηῆναι δὲ καὶ ἄλλω, ὅτ' ἄν τινα θυμὸς ἀνώγη
εἶπεῖν εἰς ἀγαθόν.
αὐτὰρ ἐγὼν ἐρέω ὧς μοι δοκεῖ εἶναι ἄριστα.
οὐ γάρ τις νόον ἄλλος ἀμείνονα τοῦδε νοήσει,
οἷον ἐγὼ νοέω.

The existence of a council of Elders indicates that the value of advice was recognised, and Lattimore has drawn attention to the large role played later in Herodotus' work by the 'Wise Adviser', particularly in those stories connected with tyrants such as Xerxes.^c The importance attached to good counsel is well illustrated by the words of Artabanus.^d

ἴσον ἐκεῖνο, ὃ βασιλεῦ, παρ' ἐμοὶ κέκριται, φρονέειν τε εὔ καὶ τῷ
λέγοντι χρηστὰ ἐθέλειν πείθεσθαι. The fact that the adviser can only give advice and depends especially in Homeric times for its execution

a. above p.14

b. Il.IX.100ff.

c. Lattimore, P. 'The Wise

d. Hdt.VII.16.a.1.

Adviser in Herodotus', C.P.1939.

on the likes of Agamemnon,^a is but a sign of his relative weakness. It does not mean that his talent is useless, but that at this time, because of the needs of society, the power of an Agamemnon is more valuable to that society than the intellectual qualities of a Nestor.

Apart moreover from the prudence of the king accepting advice before he initiates his will, it is also recognised that force is not always the best or the only means of executing that will. When a situation is particularly delicate, tact and diplomacy may achieve what no amount of force will. Hence it is not surprising to find Odysseus, the supreme diplomat, chosen for the difficult task of inducing Achilles to return to the fighting.^b The gentle art of persuasion is by no means without value in Homeric society, and rhetoric is already one of the subjects which Phoenix taught Achilles.^c

τοῦνεκα με προέηκε διδασκέμεναι τάδε πάντα,
μύθων τε ῥητῆρ' ἔμεναι πρηκτῆρα τε ἔργων.

Though however the authority of the βασιλεύς rested in the last resort on his power, and the character of his rule reflected his own personality, nevertheless there is little indication that he normally exercised his power thus absolutely. Though he might make and enforce individual rules and regulations, it would seem that not only the form of government, as indicated by the existence of the Council of Elders and the Assembly of the People however weak in power, but also a large portion of the normal practices of the society were prescribed by

a. Il.IX.101f.

b. 179ff.

c. 442f.

tradition and custom. Since this body of traditional practices had grown up over a long period of time and had gained an objective validity as 'already existing' independent of the present ruler, it would have been difficult and dangerous for him to go against them, so that he would tend to work according to them rather than formulate them. Thus it comes about that in a late passage in the Iliad men can be accused of using force to alter the θέμιστες, to overthrow the established order which, considered now to have the backing of the gods, has become a standard from which all variation is deemed wrong.^a

Ζεὺς, ὅτε δὴ ῥ' ἄνδρεςσι κοτεσσάμενος χαλεπήνῃ,
οἷ βίῃ εἶν ἄρορῆ σκολιᾶς κρίνωσι θέμιστας,
ἔκ δὲ δίκην ἐλάσωσι, θεῶν ὅπιν οὐκ ἀλέγοντες.

Over a period of time therefore the practices followed by a society in answer to its needs harden into an established order, or 'constitution', as for instance in the Homeric society the necessity for self-defence resulted in government by war-lords or βασιλεῖς and the ἄριστοι. Changing circumstances and needs however exert a pressure on society resulting eventually in a new order, and the history of Greece and of Athens in particular shows that with the change in methods of warfare, the growth of trade and the city-state came a change in the balance of power within the community. The increasing value of the ordinary citizen led to the setting up of democracies where though the most important officers were still the στρατηγοί,

a. Il.XVI.386ff.

they were now chosen by and responsible to the δῆμος who took any policy decisions which had to be made. While however this shift of power, by removing the danger of autocratic rule inherent in monarchy, ensured that government was by the people for the people, the annual nature of the offices and the uncertainty and mobility of popular opinion robbed society of the stability and continuity provided by a firmly established sole ruler. It is not surprising therefore that in the democracies more and more importance becomes attached to tradition, to the constitution, to the laws and in short to the status quo, as providing that necessary stability and continuity. Whereas therefore in Homeric times tradition and custom tended to temper the otherwise absolute power of the king, they now compensate for the innate fluxion in democracy, and become the guarantors of a stable society.

ii. The Sophists

It has been suggested however that changing needs and circumstances exert pressure on a society to which it must yield if it is to survive. Though therefore pure democracy may have been suited to the small and semi-isolated city-state, the increasing complexities of internal and external relationships, and for Athens in particular the acquisition of an empire,

posed new problems of administration. It has been seen that in the absence of the continuity provided by a sole ruler, great importance was attached to the sanctity of the νόμοι, and clearly no society can be successful the rules and decisions of which are being constantly revoked or waived, so that nothing is ever actually done. Some degree of permanency of laws passed and decisions made is therefore essential, and it would seem that at Athens at any rate there was a rule forbidding a second debate and vote on a matter newly decided. This rule was designed no doubt to prevent both the assembly responding like a weather-vane to each fresh stimulus, and those whose views had not prevailed from trying to force them upon the assembly by continually reintroducing the motion, and thereby obstructing and delaying the execution of the assembly's decision.

However important the preservation of laws and decisions there are occasions nevertheless when in the interests of society it is desirable for there to be some change in or exception to those νόμοι. Again as in the case of self-defence,^a it takes both intelligence and courage to know when that is necessary, and to face the consequences. Thus when the Athenians heard of the revolt of the Mytileneans, their first reaction was to order their total annihilation. On mature consideration however this decision seemed barbaric and a second assembly was called to discuss a proposal to reverse it. Such a second vote however seems, as has just been mentioned, to have been contrary to procedural laws, but as Diodotus points out the first decision had been taken under stress of emotion,^b and it was clearly the majority opinion that it was in the true interests of the state to reverse it.

a. above p 44.

b. Thuc. III.42.1.

For, as Diodotus emphasises at the beginning of his speech, the decision is not one to be taken as the result of immediate emotion or without careful consideration, so that in this case a second discussion, considering the conditions under which the first decision was taken, is very much in the state's interests.^a οὔτε τοὺς προθέντας τὴν διαγνώμην αὔθις περὶ Μυτιληναίων αἰτιῶμαι, οὔτε τοὺς μεμφομένους μὴ πολλάκις περὶ τῶν μεγίστων βουλευέσθαι ἐπαινῶ, νομίζω δὲ δύο τὰ ἐναντιώτατα εὐβουλία εἶναι, τάχος τε καὶ ὀργήν, ὧν τὸ μὲν μετὰ ἀνοίας φιλεῖ γίγνεσθαι, τὸ δὲ μετὰ ἀπαιδευσίας καὶ βραχύτητος γνώμης. It is these interests which are important, not a particular regulation, and these are served not by the blind, thoughtless action which obedience to that regulation would involve, but by good counsel.^b ὅστις γὰρ εὖ βουλευέται πρὸς τοὺς ἐναντίους κρείσσων ἐστὶν ἢ μετ' ἔργων ἰσχύος ἀνοία ἐπιών.

As has been seen however it requires not only thought but courage to break the rules or traditions of society. Thus when Nicias feels that the decision to send a force to Sicily is the wrong one, he tries to persuade the Athenians to change their minds, because like Diodotus he considers that decision to have been too hasty.^c In his opinion therefore this is another of those occasions when it is in the true interests of Athens to break the rules rather than enforce them. He ends his speech therefore with an appeal to the president to have the courage to put it to a second vote for reasons worth quoting in full.^d καὶ σύ, ὦ πρότασι, ταῦτα, εἴπερ ἡγεῖ σοι προσήκειν κήδεσθαί τε τῆς πόλεως καὶ βούλει γενέσθαι πολίτης ἀγαθός, ἐπιψήφισε καὶ γνώμας προτίθει αὔθις Ἀθηναίοις, νομίσας, εἰ ὀρρωδεῖς τὸ ἀναψηφίσαι, τὸ μὲν λύειν τοὺς νόμους μὴ μετὰ τοσῶνδ' ἂν μαρτύρων αἰτίαν σχεῖν, τῆς δὲ

a. III.42.1.

b. 48.2.

c. VI.9.1.

d. 14.

πόλεως κακῶς βουλευσαμένης ἰατρὸς ἂν γενέσθαι, καὶ τὸ καλῶς ἄρξαι τοῦτ' εἶναι, ὅς ἂν τὴν πατρίδα ὠφελήσῃ ὡς πλεῖστα ἢ ἐκῶν εἶναι μηδὲν βλάβῃ.

Rules then are not an end in themselves, but only serve a purpose which is sometimes better served by disregarding them. Thus though normally the meeting of the assembly is essential for democratic government, Pericles has the good sense to realise that on one particular occasion to have called an assembly would have been ruinous to the state, and so has the courage not to call it, whatever impression that may have on a people very alive to the danger of despotism.^a πιστεῦων δὲ ὀρθῶς γιγνώσκειν περὶ τοῦ μὴ ἐπεξιέναι, ἐκκλησίαν τε οὐκ ἐποίει αὐτῶν οὐδὲ ξύλλογον οὐδένα, τοῦ μὴ ὀργῆ τι μᾶλλον ἢ γνώμῃ ξυνελθόντας ἔξαμαρτεῖν.

However important the preservation of rules and regulations therefore particularly in a democracy, it can if made an end in itself, constitute a barrier to the thought and intelligence on which a society depends for its welfare. It is not however only an inflexible approach to individual decisions and laws which may stifle initiative, since the whole constitution or form of government may be equally inflexible. For it has been suggested that a society must adapt itself to changing circumstances, and that while pure democracy may have suited the small city-state, the increasing complexity of international affairs posed new problems of administration, especially in the case of Athens as the result of her acquisition of an empire, as Cleon readily points out.^b πολλάκις μὲν ἤδη ἔγωγε καὶ ἄλλοτε ἔγνων δημοκρασίαν ὅτι ἀδύνατόν ἐστιν ἐτέρων ἄρχειν. It has been seen that the increasing

a. II.22.1.

b. III.37.

importance of the ordinary citizen led to the setting up of democracies, the main enemy of which was the autocratic rule of one man. Sinclair has shown that the rallying cry of the time was *ἰσονομία*,^a and the pages of Herodotus' history give ample evidence of the abhorrence with which tyranny was viewed. At Athens in particular the dread of despotism found expression in the practice of ostracising any individual who was considered to threaten the existence of the democracy. Though however the suspicion with which exceptional men were regarded acted as a safeguard of the constitution, it could deprive the society of just such men as were needed to deal with the increasingly difficult problems of government. This at any rate is the opinion of Thucydides in the case of Alcibiades.^b φοβηθέντες γὰρ αὐτοῦ οἱ πολλοὶ τὸ μέγεθος... τῆς διανοίας ὧν καθ' ἕνα ἕκαστον ἐν ὅτῳ γίγνοιτο ἔπρασσαν, ὡς τυραννίδος ἐπιθυμοῦντι πολέμιοι καθέστασαν, καὶ δημοσίᾳ κράτιστα διαθέντι τὰ τοῦ πολέμου ἰδίᾳ ἕκαστοι τοῖς ἐπιτηδεύμασιν αὐτοῦ ἀχθεσθέντες... οὐ διὰ μακροῦ ἔσφηλαν τὴν πόλιν. His achievements show him to be a man of unusual talent, but such is the blind traditional distrust of extravagance thought to go hand in hand with tyranny, that he falls foul of the people, an unpopularity which in the extreme form of democracy practised by the Athenians is extremely serious. For the highest officers were elected by the people as a whole, subject as they were to the emotional reaction of which the dismissal and re-election of Pericles, and the circumstances of the arrangements for the Sicilian expedition are but two examples, as Thucydides does not hesitate to point out.^c

Though therefore the head of an empire needed trained, able and go-

a. A History of Greek Political Thought, p. 33ff.

b. VI.15.4.

c. II.65.3-4., IV.28.3.

ahead men to govern it, men by reason of those virtues fitted to rule, there was no guarantee that they would be elected. It is therefore not surprising that the men behind the oligarchic revolt were men like Antiphon who, though talented, were on that very account viewed with suspicion and thus prevented from taking part in public affairs.^a ὁ μέντοι ἔπαν τὸ πρᾶγμα ξυνθεῖς.... Ἀντιφῶν ἦν ἀνὴρ Ἀθηναίων τῶν καθ' ἑαυτὸν ἀρετῆ τε οὐδενὸς ὕστερος καὶ κράτιστος ἐνθυμηθῆναι γενόμενος καὶ ἃ γνοίη εἰπεῖν, καὶ ἐς μὲν δῆμον οὐ παριῶν οὐδ' ἐς ἄλλον ἀγῶνα ἐκούσιος οὐδένα, ἀλλ' ὑπόπτως τῷ πλήθει διὰ δόξαν δεινότητος διακεείμενος. It would seem that at least in origin their idea was to abolish or reduce the assembly as a factor in the government of the city, aiming instead at some sort of representative government. In the event however power corrupted, a danger which will be discussed more fully later,^b and at the instigation of those of more democratic sympathies in Samos the Four Hundred gave way. Even so they were succeeded only by the Five Thousand. There was no return to the extreme form of democracy and it is significant that Thucydides remarks of this period,^c καὶ οὐχ ἥκιστα δὴ τὸν πρῶτον χρόνον ἐπὶ γε ἐμοῦ Ἀθηναῖοι φαίνονται εἴ πολιτεύσαντες.

D. Relationships with others

a. Specific prohibitions

i. Pre-Sophist

In the sphere of self-defence and administration the hardening of

a. VIII.68.1.

b. below p.107.

c. VIII.97.2.

practices necessary for the well-being of society into a hard and fast tradition resulted in an inflexibility detrimental to the true interests of the state, and it was this inflexibility which the Sophists were trying to break down. So too in the sphere of personal relationships, the belief that the gods were offended by such specific acts as breaking oaths or harming guests resulted over a long period of time in it being accepted that if one wanted to escape disaster one conformed to what was pleasing to the gods. To avoid doing what was known to offend them was to avoid crossing swords with those stronger than oneself, to keep within one's limitations and so to be δίκαιος, and on the right side of the gods, that is ὅσιος, εὐσεβής. In the same way as the state laws governing the conduct of citizens became more numerous,^a if one wanted to avoid their sanctions one refrained from doing what they forbade, so that again those who conformed kept within their limitations and were δίκαιοι. The more law-abiding and god-fearing one was, the more δίκαιος was one shown to be, and such of course was Glaucus until temptation proved too strong for him.^b τοῦτον τὸν ἄνδρα φημὲν...ἀκούειν ἄριστα δικαιοσύνης πέρι.

ii. The Sophists

By and large therefore the pressure exerted by the fear of divine sanctions resulted in a certain pattern of behaviour being followed, which ensured at least a degree of harmony and peaceful co-existence among the members of society. It can be seen however that since it was followed as a result of expediency, that is to avoid disaster, the conception of what was right or δίκαιον to do was entirely negative, as being that which is not

a. below p. 191f.

b. Hdt. VI.86.a.2.

wrong, does not get one into trouble. One obeys the laws or rules, human and divine, because if one does not one will pay for it, a situation which clearly encourages playing for safety and hence a high degree of conventionalism. Now such conventionalism can it is true ensure a reasonably stable society, but it can also result in a thoughtless, habitual following of practices which may or may not be suited to the prevailing circumstances. Thus at the beginning of the Republic Plato introduces Cephalus, a man of means and well advanced in years, who on being asked by Socrates to name the main advantages of wealth, replies that it enables a man to live in a manner which brings peace of mind, namely *δικαίως καὶ ὀσίως*.^a He then gives as examples of this way of life the following list.^b τὸ γὰρ μηδὲ ἄκοντᾶ τινα ἔξαπατῆσαι ἢ ψεύσασθαι, μηδ' αὖ ὀφείλοντα ἢ θεῶν θυσίας τινὰς ἢ ἀνθρώπων χρήματα ἔπειτα ἐκεῖσε ἀπιέναι δεδιότα, μέγα μέρος εἰς τοῦτο ἢ τῶν χρημάτων κτήσις συμβάλλεται. These are the sort of rules the *δίκαιος καὶ ὀσιος ἀνὴρ* would obey, but as Socrates¹ points out, these rules, though valid in the majority of situations, are not the whole story.^c If for instance the person from whom one has borrowed weapons loses his reason, it would not be necessary or right to give them back or tell him the truth. This would be one of those occasions when one would do more harm by obeying the rules than by breaking them.

Such injunctions as these are not sufficient in themselves.^d οὐκ ἄρα οὗτος ὅρος ἐστὶ δικαιοσύνης, ἀληθῆ τε λέγειν καὶ ἃ ἂν λάβῃ τις ἀποδιδόναι. Something more is required than blind obedience. One must know why one takes the action in question and be quite clear as to its aim

a. 331 a

b. 331 b

c. 331 c

d. 331 d

so as to justify taking it in any particular circumstances, and it is upon just this knowledge and awareness which Socrates insists in his discussions. Thus to take one example as it is recorded in the Minor Dialogues of Plato, in the Euthyphro Socrates is concerned with the action being taken by Euthyphro against his own father. If he is prepared to take such a drastic step, he must surely know what he is about,^a and Euthyphro is quite convinced he does.^b Socrates asks him therefore in all innocence as it seems, to say what he thinks τὸ ὅσιον is. As usual in these discussions when asked this question the victim gives not a definition, but an example or examples.^c So too here Euthyphro says,^d λέγω τοίνυν ὅτι τὸ μὲν ὅσιόν ἐστιν ὅπερ ἐγὼ νῦν ποιῶ, τῷ ἀδικοῦντι ἢ περὶ φόνους ἢ περὶ ἱερῶν κλοπᾶς ἢ τι ἄλλο τῶν τοιούτων ἐξαμαρτάνοντι ἐπεξιέναι. It is therefore in terms of the sort of rules or injunctions mentioned above that the average Greek thought. Though however these may be valid in generality, to know if they are valid in the particular circumstances one is in, one must think beyond them to their aim or purpose. Thus as Socrates points out to Euthyphro, to say that to indict another for some crime against the gods is ὅσιον is not enough. One has to be able to say why it is ὅσιον, that is to have some idea of what τὸ ὅσιον entails in order to judge whether a particular action in any particular circumstances is ὅσιον or not.^e ταύτην τοίνυν με αὐτὴν δίδαξον τὴν ἰδέαν τίς ποτέ ἐστιν, κ.τ.λ. It is however of course precisely this knowledge which Socrates finds lacking in his victims, and Euthyphro has clearly never thought about the meaning of τὸ ὅσιον beyond a vague undefined notion that it is what is pleasing to the gods. He can therefore have no idea whether

a. 4e4.

b. 4.e.9.

c. see below p.268,270. d. 5 d 8

e. 6 e 2

indicting his father is ὄσιον or not, though since he has indicted him, one would assume, as Socrates sarcastically remarks, that he did know.^a

b. General prohibitions

i. Pre-Sophist

Beside however the specific actions which were disapproved of by the gods, it was shown that gradually it came to be believed that all ἀδικία and ὕβρις offended them. Now therefore it becomes expedient not only to offer the required rites and sacrifices and not to break the specific rules, but also to avoid doing anything which they might consider excessive and so incur their anger. Thus Agamemnon in the Oresteia is afraid to step on the red carpet of success, because he feels he may be overstepping the mark, and thus inviting divine vengeance.^b

μηδ' εἴμασι στρώσασ' ἐπιφθονον πόρον
τίθει· θεοῦς τοι τοῖσδε τιμαλφεῖν χρεῶν·
ἐν ποικίλοις δὲ θνητὸν ὄντα κάλλεσιν
βαίνειν ἐμοὶ μὲν οὐδαμῶς ἄνευ φόβου.

Similarly Polycrates is afraid that his excessive good fortune will make him one of the high points which are struck by lightning, and so tries to turn that fortune by his own doing.^c To keep on the right side of the gods then and avoid disaster one had to refrain from excess of any sort, and so it is those who play safe and always keep within their limitations who, because they do not offend the gods, that is do not meet disaster, are δίκαιοι, as was for instance Cadmus, who did not run the risk of meeting a fate such as that of Polycrates, but handed over power to the people.^d ὁ δὲ Κάδμος...

a. 15 d 1-9.

b. Ag. 921ff.

c. Hdt. III. 40ff.

d. Hdt. VII. 164.1.

παραδεξάμενος παρὰ πατρὸς τυραννίδα Κῶν εὖ βεβηκυῖαν, ἐκὼν τε εἶναι καὶ δεινοῦ ἐπιόντος οὐδενὸς ἀλλ' ὑπὸ δικαιοσύνης ἐς μέσον Κῶοισι καταθεῖς τὴν ἀρχὴν οἴχετο ἐς Σικελίην.

ii. The Sophists

Fear of divine retribution for any ἀδικία or ὕβρις results in there being some restraint on the wills of the more powerful, in that they can never be sure that even if they get away with something for the moment, they will not be struck down by the gods at some stage or other. But it is also evident that the conception of the gods as ready to pounce on the initiator of any action they think excessive, could engender a degree of superstitious fear sufficient to stifle any initiative, and make a man so afraid of taking a false step as to render him incapable of any effective action.^a οὐ γὰρ ἐᾷ φρονέειν μέγα ὁ θεὸς ἄλλον ἢ ἑωυτόν. ἐπειχθῆναι μὲν νυν πᾶν πρῆγμα τίκτει σφάλματα, ἐκ τῶν ζημίαι μεγάλαι φιλέουσι γίγνεσθαι. ἐν δὲ τῷ ἐπισχεῖν ἔνεστι ἀγαθά, εἰ μὴ παραυτίκα δοκέοντα εἶναι, ἀλλ' ἀνὰ χρόνον ἐξεύροι τις ἄν.

Whereas therefore while the gods are not yet the avengers of ὕβρις the Homeric hero is remarkably free of superstitious fears of jealous gods and is full of self-confidence, Nicias, of whom Thucydides gives so full a character study, is diffident and superstitious to an extreme. The gods avenge excess, so that that is right which does not involve one in disaster. This negative approach, already remarked on above, is particularly evident in the reasons for which he is said to have wanted peace with the Spartans.^b

a. Hdt.VII.10.ε.

b. Thuc.V.16.1.

βουλόμενος, ἐν ᾧ ἀπαθῆς ἦν καὶ ἤξιούτο, διασώσασθαι τὴν εὐτυχίαν... καὶ τῷ μέλλοντι χρόνῳ καταλιπεῖν ὄνομα ὡς οὐδὲν σφήλας τὴν πόλιν διεγένετο, νομίζων ἐκ τοῦ ἀκινδύνου τοῦτο ξυμβαίνειν καὶ ὅστις ἐλάχιστα τύχη αὐτον παραδίδωσι, τὸ δὲ ἀκίνδυνον τὴν εἰρήνην παρέχειν. Here the ideal state, τὸ ἀκίνδυνον is clearly stated, and the consequent fear of meeting disaster is shown to be so powerful that it results in complete inactivity. He is unwilling to take the slightest risk, and later attacks the proposed expedition to Sicily for the same reason, namely an unwillingness to expose himself to danger.^a εἰδὼς πολλὰ μὲν ἡμᾶς δέον εὔβουλεύσασθαι, ἔτι δὲ πλείω εὐτυχῆσαι (χαλεπὸν δὲ ἀνθρώπους ὄντας), ὅτι ἐλάχιστα τῇ τύχῃ παραδοὺς ἑμαυτὸν βούλομαι ἐκπεῖν, παρασκευῆ δὲ ἀπὸ τῶν εἰκότων ἀσφαλῆς ἐκπεῦσαι. For Nicias therefore fear of disaster is the overriding consideration, and it becomes clear during the expedition that this fear of disaster is the result of a belief in the gods and their power over events which makes him tend toward superstition.^b ἦν γάρ τι καὶ ἄγαν θειασμῶ τε καὶ τῷ τοιούτῳ προσκειόμενος. Thus despite the fact that as he himself acknowledged it was essential for the Athenians to cut their losses and retire while it was still possible,^c his superstitious fear of the gods makes him delay that retreat because of an eclipse of the moon, which he considers to be a sign of divine anger.^d When as a result the Athenians are forced to fight a battle for which they are ill-prepared, he says in his exhortation,^e μνήσθητε τῶν ἐν τοῖς πολέμοις παραλόγων, καὶ τὸ τῆς τύχης κἂν μεθ' ἡμῶν ἐλπίσαντες στήναι... παρασκευάζεσθε. The future for him is clearly governed by forces which may be either for or against one, and when eventually all is lost

a. VI. 23.3.

b. VII.50.4.

c. 50.3.

d. 50.4.

e. 61.3.

his speech to his men clearly shows the meaning he attaches to the disaster.^a κάγω... οὐτ' εὐτυχίᾳ δοκῶν που ὕστερός του εἶναι... νῦν ἐν τῷ αὐτῷ κινδύνῳ τοῖς φαυλοτάτοις αἰωροῦμαι· καίτοι πολλὰ μὲν ἐς θεοὺς νόμιμα δεδιήτημαι, πολλὰ δὲ ἐς ἀνθρώπους δίκαια καὶ ἀνεπίφθονα. ἀνθ' ὧν ἡ μὲν ἐλπὶς ὅμως θρασεῖα τοῦ μέλλοντος, αἱ δὲ ξυμφοραὶ οὐ κατ' ἀξίαν δὴ φοβοῦσιν. τάχα δὲ ἂν καὶ λωφῆσειαν· ἱκανὰ γὰρ τοῖς τε πολεμίοις ἠτύχηται, καὶ εἴ τῳ θεῶν ἐπίφθονοι ἐστρατεύσαμεν, ἀπο χρώντως ἤδη τετιμωρήμεθα. Misfortune is a punishment sent by the gods for ὕβρις, a sign of the displeasure which he failed to avert. For like Croesus,^b he believes the gods are open to persuasion, and thus expects some return (ἀνθ' ὧν) not now as in the story of Croesus for rich offerings, but because the gods are the guardians of justice, for his piety and irreproachable behaviour to others.

Though therefore, as Thucydides suggests, his fate may not have been deserved in view of his piety,^c it can be seen that in view of his position as a general, this piety and superstition and consequent diffidence was a serious impediment. His fear of divine anger was allowed to override his judgment and stifle any initiative. This is not to say that his superstition was the only cause of his failure, since that superstition was only a symptom of a fundamental lack of self-confidence in his character. He would probably not have made a first class general had he merely not been superstitious. But if not the only cause of failure, it was an important one in that such superstitious fears have a hold over the mind as is seen particularly in the case of the Spartans during the Peloponnesian war.^d ἐν γὰρ τῷ προτέρῳ πολέμῳ σφέτερον τὸ παρανόμημα μᾶλλον γενέσθαι.... καὶ διὰ τοῦτο εἰκότως

a. 77.2-3.

b. above p.26.

c. VII.86.5.

d. VII.18.2.

δυστυχεῖν τε ἐνόμιζον, καὶ ἐνεθυμοῦντο τὴν τε περὶ Πύλον ξυμφορὰν καὶ εἴ τις ἄλλη αὐτοῖς ἐγένετο.

The belief in the gods as the punishers of ἀδίκη and ὕβρις could then result in a superstitious fear sufficient to stifle the very initiative and enterprise which was essential to progress. For such men as Nicias, the future was in the hands of the gods, and thus beyond one's control and comprehension. Each action initiated was to abandon oneself to τύχη, to take a step into the unknown and unknowable, which was likely to end in disaster, and so best not taken at all. Such an attitude however while it may avoid disaster does not achieve success, and in contrast to it stands that of men like Themistocles and Pericles, to whom Athens was most indebted for her success and prosperity. As is clear from Thucydides' descriptions they were men not afraid to use their minds and take the initiative. Thus of Themistocles in particular it is said,^a οἰκεία γὰρ ξυνέσει καὶ οὔτε προμαθὼν ἐς αὐτὴν οὐδὲν οὔτε ἐπιμαθὼν, τῶν τε παραχρῆμα δι' ἐλαχίστης βουλῆς κράτιστος γνώμων καὶ τῶν μελλόντων ἐπὶ πλεῖστον τοῦ γενησομένου ἄριστος εἰκαστής... τό τε ἄμεινον ἢ χεῖρον ἐν τῷ ἀφανεῖ ἔτι προεώρα μάλιστα. The future for such men lay not on the knees of the gods, but in their own hands to make of it what they could. Success and failure are not the will of some outside power, some unknown force, but the result of a man's ability or inability to control the circumstances in which he finds himself. For it is not simply by pious hopes that one achieves success, but by using one's mind to take into account all the possibilities, to take advantage of all the opportunities and to eliminate as far as possible the element of chance.

a. Thuc. I.138.3.

Man then is no longer something to which things happen, but who makes things happen, who determines actions, and it is of course precisely in man as a purposive, reasoning animal that the Sophists are interested. It is their claim to teach men how to manage affairs, how to use their intelligence, how to achieve their purpose, and so it is not surprising that it is among their writings that some of the first signs of psychology, of the study of man as a purposive being, are found. Thus particularly Gorgias in his Encomium of Helen and Defence of Palamedes discusses the various factors which govern and influence men's minds and decisions, a subject which would obviously touch him closely being a rhetorician, a persuader, by profession. Admittedly in the Helen for the sake of argument these factors are said to constitute a force majeure so that she cannot be held responsible for her decision, but in more serious vein in the Palamedes the factors are classified systematically into two kinds. On the one hand are the positive factors, ἔνεκα τοῦ;^a that is some gain Palamedes might have hoped to achieve, and on the other the negative factors, that is some loss or disadvantage he might have hoped to avoid.^b τὸ δὲ λοιπὸν ἐστίν, εἴ τινα φόβον ἢ πόνον ἢ κίνδυνον φεύγων ἔπραξα. For as Palamedes is made to say,^c δισσω̄ν γὰρ τούτων ἔνεκα πάντες πάντα πράττουσιν, ἢ κέρδος τι μετιόντες ἢ ζημίαν φεύγοντες. The springs of all human decision and action can thus be reduced to two main sources, hope and fear. That these springs or motives were in fact the source of action could be shown by a study of Greek literature from Homer onwards, but it is here for the first time that they are made the subject of generalisation, are analysed and classified in this

a. D.K.82.11a.13.

b. *ibid.*19.

c. *ibid.*

way, which is evidence of the new interest in man as a thinking, reasoning and purposive being.

There is then at this time a growing confidence in and interest in man as a controller of his own destiny, as the planner and initiator of action, and just as Herodotus, as was seen, in his interpretation of events reflected the belief in the gods as avengers of ἀδικία and ὕβρις, so Thucydides in his reflects the new importance attached to man and his activities. Of course it cannot be claimed that a Zeitgeist is wholly responsible for an author's outlook on life, but neither does he think in vacuo, and clearly Thucydides is very much in line with the new trends in his whole approach to History and historians. For as becomes evident at the beginning of his work, he has very definite ideas on what history is all about, and readily describes what he considers his predecessors' limitations to have been. His first point is that histories should be factually correct as earlier ones had not been, a point which need not be discussed here, but he then goes on to discuss the interpretation and presentation of those facts in the following way.^a τοιαῦτα ἄν τις νομίζων μάλιστα...οὐχ ἁμαρτάνοι, καὶ οὔτε ὡς ποιηταὶ ὑμνήκασι...οὔτε ὡς λογογράφοι ξυνέθεσαν ἐπὶ τὸ προσαγωγότερον τῆ ἀκροάσει ἢ ἀληθέστερον, ὄντα ἀνεξέλεγκτα καὶ τὰ πολλὰ ὑπὸ χρόνου αὐτῶν ἀπίστως ἐπὶ τὸ μυθῶδες ἐκνευκηνότα. He is then criticising just that tendency, described above in the case of Herodotus, for histories too take the form of sermons or cautionary tales (τὸ μυθῶδες) which distort the true picture. Such an interpretation may make pleasant hearing,^b but is not, in his opinion, the one to provide a clear understanding of events.

a. I.21.1.

b. *ibid.*

This is to be gained from an interpretation in which these events are seen as the result of human nature, a nature which because it is constant gives to that interpretation a universal and timeless significance.^a ὅσοι δὲ βουλήσονται τῶν τε γενομένων τὸ σαφὲς σκοπεῖν καὶ τῶν μελλόντων ποτὲ αὔθις κατὰ τὸ ἀνθρώπινον τοιούτων καὶ παραπλησίων ἔσεσθαι, ὠφέλιμα κρίνειν αὐτὰ ἀκρούντως ἔξει. κτῆμά τε ἐς αἰεὶ μᾶλλον ἢ ἀγώνισμα ἐς τὸ παραχρῆμα ἀκούειν ξύγκειται.

Thucydides therefore attempts to avoid the bias of writings such as those of Herodotus by describing events in relation to human nature in general and by showing how they arise from natural emotions, desires and fears, and not from extraordinary and excessive ones. Thus when he turns to the beginning of the war, he feels that the true cause of it lay far deeper than the minor grievances which were openly aired and were the immediate cause of war.^b τήν μὲν γὰρ ἀληθεστάτην πρόφασιν, ἀφανεστάτην δὲ λόγῳ, τοὺς Ἀθηναίους ἡγοῦμαι μεγάλους γιγνομένους καὶ φόβον παρέχοντας τοῖς Λακεδαιμονίοις ἀναγκάσαι ἐς τὸ πολεμεῖν. Such incidents as those of Epidamnus and Potidaea are not in themselves sufficient to cause war. Only when the situation is already explosive do they become the symbol of unexpressed antipathies, and take on a magnitude that is out of proportion to their real importance. Neither side therefore especially Sparta, who officially declared war, is to be accused of fighting over trifles. These are only the outward sign of the growing tension between them as the result of the growth of Athenian power.^c ἐφηφίσαντο δὲ οἱ Λακεδαιμόνιοι τὰς σπονδὰς λελύσθαι καὶ πολεμητέα εἶναι...φοβούμενοι τοὺς Ἀθηναίους μὴ

a. I.22.4.

b. I.23.6.

c. I.88.

ἐπὶ μεῖζον δυνηθῶσιν.

A similar study of the psychological background to events is seen in the description of the causes and results of *στάσις* such as occurred in Corcyra. Again Thucydides feels there was something far more significant here than mere violence. This was but the outward expression of the stress exerted on men by the circumstances in which they found themselves. For these were the acts not of inhuman monsters, but of ordinary men submitted to strains which, because of that nature which is common to all men, they could not withstand.^a καὶ ἐπέπεσε πολλὰ καὶ χαλεπὰ κατὰ στάσιν ταῖς πόλεσι, γιγνόμενα μὲν καὶ αἰεὶ ἐσόμενα, ἕως ἂν ἡ αὐτὴ φύσις ἀνθρώπων ᾗ...ὁ δὲ πόλεμος ὑφελὼν τὴν εὐπορίαν τοῦ καθ' ἡμέραν βίαιος διδάσκαλος.

Throughout Thucydides' work therefore emphasis is laid on motivation and just such psychological factors as those in which the Sophists had fostered an interest. He presents a new insight into human activity, and interprets events in a way which does not lead to a biased or oversimplified picture. Events are seen as the result of the kaleidoscopic combination of men's hopes and fears, and their ability or inability to control the circumstances in which they find themselves, so that there is no neat division into black and white, no one person whose *ὑβρις* is held responsible for what happens. This does not mean that Thucydides whitewashes the shortcomings of those involved in events, but that the outcome of those events is no longer considered the responsibility of one man's character alone and thus allowed to influence the assessment and description of his whole career. Cleon for example comes to an ignominious end and it is generally acknowledged that

a.. III.82.2.

Thucydides had a strong dislike for him as a statesman, perhaps also as a person, as is shown by the terms in which he is described, and the fact that the notices of him are consistently bad. There is however no hint that his failure is regarded by Thucydides as a just punishment for excess, for overstepping the mark, for ὕβρις. His career is seen as the result of the combination of his impulsive and violent nature with the circumstances at the particular moment. Thus on one occasion this combination results in the near annihilation of Mytilene.^a Κλέων ὁ Κλεαινέτου, ὅσπερ καὶ τὴν προτέραν ἐνενικήκει ὥστε ἀποκτεῖναι, ὧν καὶ ἐς τὰ ἄλλα βιαιότατος τῶν πολιτῶν τῷ τε δῆμῳ παρὰ πολὺ ἐν τῷ τότε πιθανώτατος. But that this decision was in fact due in part to the mood of the Athenians,^b is shown by the later reversal of it in Cleon's despite. Again the interaction of Cleon's temper and that of the Athenian people culminates in his being sent to Pylos, and here responsibility is specifically credited by Thucydides as much to them as to Cleon.^c οἱ δέ, οἷον ὄχλος φιλεῖ ποιεῖν, ὅσῳ μᾶλλον ὁ Κλέων ὑπέφευγε τὸν πλοῦν καὶ ἐξανεχώρει τὰ εἰρημένα, τόσῳ ἐπεκελεύοντο τῷ Νικίᾳ παραδιδόναι τὴν ἀρχὴν καὶ ἐκεῖνῳ ἐπεβόων πλεῖν. At Pylos however where the circumstances are favourable he is able to pull off a highly unexpected victory.^d καὶ τοῦ Κλέωνος καίπερ μανιώδης οὔσα ἡ ὑπόσχεσις ἀπέβη. At Amphipolis however an impatient army and a clever enemy prove too much for him, and an indiscretion costs him his life.^e Cleon's life and failure therefore are described in terms not of ὕβρις but of inability and incompetence. Being the violent man he was, he lacked that ξύνεσις with which he would have had control over the situation but without which he was at its

a. III.36.6.

b. 36.2.

c. IV.28.3.

d. 39.3.

e. V.6-11.

mercy.

Though however no individual character may be accused of ὑβρις, it may well be argued that in the description of Athens and her eventual defeat Thucydides is passing the same judgment on her as Herodotus was on Xerxes. Any historian other perhaps than a mere chronicler is bound by the manner in which he assembles and describes events to reveal his attitude to them, and the deliberate juxtaposition of the Funeral Speech and the description of the plague, the prominence given to the Melian episode and the contrast between Athenian hopes and disappointment in the Sicilian expedition have all caused considerable comment. Undoubtedly Thucydides had a purpose in writing his history, but what is less certain is that that purpose was to make of it a cautionary tale in the style of Herodotus. What emerges from the description of Athens' career is not that she alone was responsible for all that occurred, and drew upon herself the punishment she deserved, but that, as in the case of Cleon, that career was the result of the combination of many factors, and that what happened to her was the measure of her ability to deal with the circumstances in which she found herself.

It is true that as has been seen Thucydides considered the war to have been caused by Sparta's reaction to the growth of the Athenian empire, but he also points out that that growth was as much the responsibility not only of the allies who allowed their own position to become so weak,^a ὧν αὐτοὶ αἴτιοι ἐγένοντο οἱ ξύμμαχοι· διὰ γὰρ τὴν ἀπόκνησιν ταύτην τῶν στρατεῶν οἱ πλείους αὐτῶν... χρήματα ἐτάξαντο... καὶ τοῖς μὲν Ἀθηναίοις ἠὔξετο τὸ ναυτικόν... αὐτοὶ δέ, ὅποτε ἀποσταῖεν, ἀπαράσκευοι καὶ ἄπειροι ἐς τὸν

a. I.99.3. ἀποσταῖεν.

πόλεμον καθίσταντο, but also of the Spartans themselves who were reluctant to do anything about it until a major war was the only means of containing it.^a οἱ δὲ Λακεδαιμόνιοι αἰσθόμενοι οὔτε ἐκώλυον εἰ μὴ ἐπὶ βραχύ, ἡσύχαζόν τε τὸ πλεόν τοῦ χρόνου, ὄντες μὲν καὶ πρὸ τοῦ μὴ ταχεῖς ἰέναι ἐς τοὺς πολέμους, ἢν μὴ ἀναγκάζωνται. It is true that Athens' empire is described as a tyranny,^b that she is said by Thucydides to have enslaved other Greek states,^c that the Melian Dialogue shows clearly her attitude that might is right, but this need be no more than a statement of fact. It is by no means certain that Thucydides disapproved of tyranny,^d and even less certain that he intended to sermonise against it. Moreover even if Athens is shown in a bad light, it is made quite clear that for all her fine protestation of fighting for the freedom of Greece, Sparta is activated by motives no worse or no better than those of Athens. The latter is fighting as much if not more for self-preservation than greed;^e καὶ οὐκ ἀσφαλὲς ἔτι ἐδόκει εἶναι τοῖς πολλοῖς ἀπηχθημένους...ἀνέντας κινδунеύειν... πᾶσι δὲ ἀνεπίφθονον τὰ συμφέροντα τῶν μεγίστων πέρι κινδύνων εὖ τίθεσθαι. So too Sparta so far from championing the cause of others is accused of even admiring Athens' empire until herself likely to become a victim.^f She has to be roused to war by Corinth pointing out her danger to her, and the Athenians pour scorn on the Melians hopes of aid from Sparta.^g Λακεδαιμόνιοι γὰρ πρὸς σφᾶς μὲν αὐτοὺς καὶ τὰ ἐπιχώρια νόμιμα πλεῖστα ἀρετῇ χρῶνται. The outcome of that episode is a reflection as much on Sparta and the rest of Greece as on Athens.

Athens' career therefore is not described as is that of Xerxes as that

- a. I.118.2. b. II.63.2. c. I.98.4. d. II.100.2.
e. I.75.4. f. I.76.2. g. V.105.4.

of a proud tyrant riding for a fall, while his foes are a model of perfection. She is not represented as acting in isolation nor as being solely to blame. On one occasion however it is suggested that the collapse of Athens' high hopes in Sicily is a punishment for her ὕβρις in undertaking the expedition.^a εἴ τῳ θεῶν ἐπίφθονοι ἐστρατεύσαμεν, ἀποχρώντως ἤδη τετιμωρήμεθα. One can indeed imagine what an excellent illustration this episode would have made of the ὕβρις-φθόνος theme had Herodotus or any of his outlook dealt with it, and it is not unlikely, considering the superstitious fears still prevalent among the Greeks, that such a view of it was widely held. It is however, as has already been seen,^b a view which Thucydides represents as personal to Nicias, and not to himself, so that it does not, as it would in the case of Herodotus, affect the description of events preceding the failure. It is true that the Funeral Oration is followed immediately by the description of the plague, which even Pericles himself attributes to τὰ δαιμόνια,^c and eventually by the dismal failure at Syracuse, but there is nothing to suggest that Thucydides did not, but rather much to suggest that he did, think the high ideals and aims of Pericles' speech attainable by Athens had she made the proper use of her capabilities. As his praise of Pericles shows,^d he considered that had his policy been adhered to, Athens might well have succeeded. Even the disastrous Sicilian expedition is regarded by him not as a completely wild and foolish undertaking, indeed Pericles himself had hinted at wider horizons,^e but as one which could have paid off but for internal dissension.^f ἡμαρτήθη καὶ ὁ ἐς Σικελίαν πλοῦς, ὃς οὐ τοσοῦτον γνώμης ἀμάρτημα ἦν πρὸς οὐς ἐπῆσαν, ὅσον οἱ ἐκπέμφαντες...κατὰ τὰς ἰδίας

a. VII.77.3.
e. II.62.2.

b. above p.61.
f. II.65.11.

c. II.64.2.

d. II.65.6ff.

διαβολὰς... τὰ ἐν τῷ στρατοπέδῳ ἀμβλύτερα ἐποιοῦν. The very fact that Athens managed to survive for so long all these disasters only proves for Thucydides that Pericles' original assessment of Athens' power, far from being extravagant, was well attuned to the situation.^a τοσοῦτον τῷ Περικλεῖ ἐπερίσσευσε τότε ἀφ' ὧν αὐτὸς προέγνω καὶ πάνυ ἂν ῥαδίως περιγενέσθαι τὴν πόλιν Πελοποννησίων αὐτῶν τῷ πολέμῳ.

The Sicilian expedition therefore is not for Thucydides, as the Persian expedition for Herodotus, the presumptuous act of a doomed tyrant, nor Athens' failure the deserved punishment for that presumption. The expedition is the final gamble which Athens failed to pull off, and her failure the disappointment of hopes as the result of the dissipation of her power by disease and bad statesmanship. Thus it is not Athens' growth and ambitions alone which are responsible for the expedition, but the internal strife in Sicily which provided her with an opportunity of which she had every chance of making good use.^b On the other side the Spartans are shown to have been persuaded to oppose Athens not by any high ideals of freeing Sicily, or even by her own initiative, but by Alcibiades who chooses this moment to turn traitor and do Sparta the service he refused Athens.^c Likewise it is expressly stated that the allies of both sides were fighting not for justice or any other such abstract principle, but as the result of hopes or fears engendered by the circumstances of each.^d τοσοῖδε γὰρ ἑκάτεροι ἐπὶ Σικελίαν τε καὶ περὶ Σικελίας... ἐπὶ Συρακούσας ἐπολέμησαν, οὐ κατὰ δίκην τι μᾶλλον οὐδὲ κατὰ συγγένειαν μετ' ἀλλήλων σπάντες, ἀλλ' ὡς ἑκάστοις τῆς ξυντυχίας ἢ κατὰ τὸ συμφέρον ἢ ἀνάγκη ἔσχεν.

a. II.65.13.

b. VI.6.

c. VI.88.10.

d. VII.57.1.

The expedition then is the result not of the ὑβρις of one individual acting in isolation but of a combination of many factors at one particular point in time. Similarly the progress and outcome of the expedition is never represented as inevitable, as a foregone conclusion. The dramatic power of Book VII is immense, and surely this is because the reader is shown how close Athens came to victory.^b παρὰ τοσοῦτον μὲν αἱ Συράκουσαι ἦλθον κινδύνου, says Thucydides when Gylippus makes his appearance. For it is that sense of waste, of frustration, which Gomme suggests lies at the heart of all tragedy,^a which is evoked by Thucydides' description, and not that of satisfaction at the righteous punishment of sinners. For Thucydides sees in historical events and in the career of Athens in particular a lesson not on the ὑβρις of one individual and its punishment at the hands of the gods, but, as he himself says at the start of his work, on the nature of mankind in general, the flaws and weaknesses which deprive men of the realisation of their ambitions.

a. The Greek Attitude to Poetry and History, p.27.,p.46ff.

b. VII.2.4.

Notes to Part II

1. Though Socrates is not normally classed in the Histories of Philosophy as one of the Sophists, but as occupying a position all of his own, he is included in this survey as being a Sophist in thought if not in name. Plato of course was anxious to draw as sharp a distinction as possible between Socrates and 'the Sophists', and, as has been pointed out to me, there are differences between them in that Socrates did not teach for money, in fact did not profess a knowledge or skill of any kind. On the other hand it would appear from the Apology that as a σοφὸς ἄνθρωπος he was identified with the Sophists, and certainly Aristophanes' Clouds is based on this identification. Admittedly this identification is found largely in the popular mind, but I hope that from this survey it will appear to be not without foundation. For though Socrates was not concerned with public affairs and state administration as were the Sophists, but rather with personal relationships or ethics, nevertheless the similarity between their thought and his is not to be underestimated. Just as they were attacking traditionally accepted practices in state administration, so he was attacking traditionally held practices in personal relationships, and for the same reason, namely that too rigid an adherence to traditional practices is detrimental to the aim of these practices, namely the true interests of the state or person concerned.

PART III

The Aftermath of the Attack on Convention and Superstition

A. The Significance of the Attack

During the Fifth Century traditional practices in all spheres of action were being reviewed in the light of changing conditions, since tradition, however valuable as a stabilising influence in society, can when preserved for its own sake stifle initiative and impede the fundamental aims of that society. The attack on tradition and superstition therefore, as described in the foregoing section, can be considered a serious attempt by men of foresight and dynamism to encourage an intelligent re-appraisal of the means by which those aims are achieved. For as has been seen those means were thought of as norms from which all deviation was considered wrong, that is liable to censure or disaster in some form, an attitude which resulted in a largely negative and reactionary approach to affairs. What is now suggested is that the traditional methods or means are not in every case the best ones for achieving one's aims, so that it is the latter which should be of primary importance, and the former, the means, valued only in relation to them, and not as norms or ends in themselves. Men are being encouraged to think not negatively in terms of 'don'ts', but positively in terms of their aims and objectives and what ought to be done as the best way of attaining them.

To lay stress on the aims and objects of an action rather than on its means is however to attempt to alter the criteria for evaluating that action. Until now since the means of doing things was thought of as a

norm, any action taken could be judged immediately as right or wrong according as it conformed or did not conform to that norm. Thus to take an example from the previous section, it was considered 'the norm' or 'done thing' to stand one's ground once hostilities had commenced. Phrynichos' withdrawal of the fleet^a therefore because it did not conform to this rule would immediately be judged wrong. Now however because it is the aim or object of that action which is thought important, it can no longer be evaluated in itself, but only in the light of those aims and objects. That is to say that Phrynichos' withdrawal can no longer be evaluated on its own merits, but must be assessed according as it accomplishes or does not accomplish its objective, namely the survival of Athens as an independent state. Such a judgment however as compared with the immediate one based on the action per se, would have to be suspended until the full effect of that action were known, which could be almost at once, or only after some length of time. What is being suggested therefore is that if someone like Phrynichos does something which looks prima facie wrong, criticism should be reserved until events have proved it so. This is not then it must be emphasised a general condoning of any and every failure to stand one's ground, or indeed of all breaches of the traditional practices. It is an attempt to point out that since these traditional practices are only good for the most part, and themselves only a means to an end, and since it is the end which is important, the achieving of that end can justify a breach of traditional practice.

It can be seen therefore that what the Sophists are attacking when they criticise traditional practices is not the whole value system of

a. above p.44.

Greek society, but only the way in which it operates. That is to say that they are not concerned with what should or should not be the aims and objectives of society, but, given those aims, with the means of achieving them, so that their criticisms are valid whatever set of values is in operation. It does however remain true that, because actions were judged immediately as right or wrong according as they conformed or did not conform to common usage or tradition, to suggest that the end not the means is the criterion is to attempt to alter value judgments. That is to say that it was being argued that actions which had always been considered wrong could occasionally be right in the light of their aims. To put this into concrete terms and taking again the case of Phrynichos, this means that it is not the principle or 'end' of self-defence, of maintaining independence, which is being criticised, but the value judgment whereby, because it 'was not done' to retreat, he would be deemed wrong immediately he retreated, whereas it was in fact right because it achieved its purpose. In time of course his action would be, and in fact was, seen to be right because it succeeded,^a καὶ ἔδοξε οὐκ ἐν τῷ αὐτίκα μᾶλλον ἢ ὕστερον... οὐκ ἀξύνετος εἶναι, but it is the immediate (ἐν τῷ αὐτίκα) assessment based on tradition which is being criticised, because as has been seen it is such tradition-bound attitudes which can stifle initiative in all but the strongest characters.

a. VIII.27.5.

B. Repercussions of the Attack

i. λόγοι versus ἔργα.

It is argued therefore that actions should no longer be judged per se in the light of traditional practices, but according as they achieve or do not achieve their broad aims and objectives. Since however as has been seen people were accustomed to make an immediate judgment based on the action itself, if someone like Phrynichos violates traditional practice, it is clearly impossible for him to escape immediate censure without giving some explanation of his reasons for so doing, reasons which unlike actions are not obvious to all, and can only be known through the medium of words. Because moreover his reason for that violation is to further what he considers the aim and object of that traditional practice, that explanation will take the form of a definition of those aims, whether negative or positive, a definition under which his action will fall. Thus when Phrynichos explains the action he is about to take, in order to offset future criticism, he says in effect, 'My action is not wrong, because what is really wrong, what we really want to avoid, what is the real purpose behind standing one's ground, is to have to come to terms, and I am doing my best to avoid just that.'^a οὐ γὰρ αἰσχρὸν εἶναι... μετὰ καιροῦ ὑποχωρῆσαι, ἀλλὰ... αἴσχιον ξυμβῆσεσθαι. He seeks therefore to justify his action by showing that it does not fall into the category of 'wrong' actions if 'wrong', or the negated aim, is correctly defined.

The sort of justification Phrynichos uses therefore rests on the

a. VIII.27.3.

use of definitions and distinctions far more subtle than had been needed before when actions spoke for themselves. Now this kind of definition can be used by those who are genuinely and disinterestedly concerned with standards of behaviour, with what should be right and what wrong. In the situations under discussion however these definitions are clearly being used to justify what actually has, is, or is going to be done. Since therefore it is only those who are, or think they may be, accused of doing something wrong who feel the need to justify themselves, the explanations or definitions are serving as a means of defence, whether as ἀπολογία for their own action, or as casting doubt on the merits of their opponents' actions. They are in fact an attempt to convince and win over those who are going to pass judgment, and as such are little more than persuasive definitions of the type found in the mouth of Themistocles.^a γέννατον δὲ εἶναι τοὺς ὁμοίους ἀπὸ τοῦ ἴσου τιμωρεῖσθαι. Themistocles is at the mercy of an enemy, and so he defines τὸ γέννατον, that which distinguishes a gentleman, a man of Admetus' type, as a refusal to take advantage of a helpless enemy. He is then clearly hoping by using a little flattery to persuade Admetus that this is so and thus save his own skin.

Now clearly some of the definitions used are based on what may be considered genuine distinctions, as for instance when Athens accuses the Mytileneans of ἐπανάστασις rather than ἀπόστασις, because the latter applies only to those who have been subjected to force.^b Likewise Pericles suggests that there is nothing wrong in the Athenians regarding their enemy with καταφρόνησις as distinct from αὔχημα, which is mere empty boasting.^c

a. Thuc. I.136.4.

b. III.39.2.

c. II.62.4.

αὕχημα μὲν γὰρ καὶ ἀπὸ ἀμαθίας εὐτυχοῦς καὶ δειλῶ τινὶ ἐγγίγνεται, καταφρόνησις δὲ ὅς ἂν καὶ γνώμῃ πιστεῦῃ τῶν ἐναντίων προύχειν. So too Diodotus can give a definition of the ἀγαθὸς πολίτης in terms that look like those of the disinterested, standard-setting type.^a χρὴ δὲ τὸν μὲν ἀγαθὸν πολίτην ἀπὸ τοῦ ἴσου φαίνεσθαι ἄμεινον λέγοντα. In all these cases however there is an element either of self-defence or of accusation, and because these definitions thus serve a purpose and a self-interested one at that, it can in some cases become doubtful in the extreme whether even genuine distinctions and definitions are not being used only for ulterior motive. Thus Thebes is extremely sensitive to the accusation of Medising, and so attempts to play down her own action and blacken the character of Plataea by arguing that the latter's Atticism is far worse. The Plataeans have said that it was wrong to desert one's benefactors,^b and so Thebes replies with a definition genuine enough, but in the context highly loaded in her favour.^c καίτοι τὰς ὁμοίας χάριτάς μὴ ἀντιδιδόναι αἰσχρὸν μᾶλλον ἢ τὰς μετὰ δικαιοσύνης μὲν ὀφειληθείσας, ἐς ἀδικίαν δὲ ἀποδιδόμενας. Athens' answer to attacks on her fairness in dealings with her allies,^d and the Corinthian reply to Corcyrean arguments^e are of much the same type.

It is not however only genuine definitions which may be pressed into service. In some cases the argument is so specious that the element of self-interest is only too obvious. Thus when Alcibiades decides to give his services to Sparta, he has to try and overcome the natural distrust which anyone feels for a traitor, to try and justify his action in siding with Athens' enemies against Athens herself. He uses therefore the usual

a. III.42.5. b. III.63.3. c. 63.4. d. I.76.3ff.
e. I.39.1.cf. I.69.1., 69.6., III.9.2.

form of defence, definitions of who are really enemies and who really patriots.^a καὶ πολεμιώτεροι οὐχ οἱ τοὺς πολεμίους που βλάφαντες ὑμεῖς ἢ οἱ τοὺς φίλους ἀναγκάσαντες πολεμίους γενέσθαι...οὐδ' ἐπὶ πατρίδα οὔσαν ἔτι ἡγοῦμαι νῦν ἰέναι...καὶ φιλόπολις οὗτος ὀρθῶς, οὐχ ὃς ἂν τὴν ἑαυτοῦ ἀδίκως ἀπολέσας μὴ ἐπίρη, ἀλλ' ὃς ἂν ἐκ παντὸς τρόπου διὰ τὸ ἐπιθυμεῖν πειραθῆ αὐτὴν ἀναλαβεῖν. I think however it can be argued that these definitions are so arbitrary, so lacking the general principles on which the distinctions mentioned in other cases are based and so obviously tailored to fit his own requirements, that they are no more than an attempt to whitewash his own conduct and escape its consequences.

Though therefore there are cases where a breach of traditional practice is made in order to achieve its wider aim, and can therefore be justified if need be by a proper use of explanation and definition, such arguments can easily be misused especially by those who have something to cloak.^b

Εκ. τί δῆτ' ἔλεξας δοῦλος ὦν ἐμὸς τότε;
Οδ. πολλῶν λόγων εὐρήμαθ', ὥστε μὴ θανεῖν.

Since moreover as has already been suggested these arguments anyway rested on subtle and accurate distinctions, it was clearly no easy task for those not so skilled to decide which if any were genuine, and obviously the more complex and less easily intelligible the argument, the more suspicious they became that the wool was being pulled over their eyes. Detailed and subtle or 'clever' argument therefore came to be viewed with the gravest mistrust, a mistrust which is reflected in the Tetralogies of Antiphon, which, though they are not actual law-court speeches, do provide evidence of the sort of

a. VI.92.3-4.

b. Eur. Hec.249f.

arguments and attitudes current at the time. In them the defendant is found attempting to allay the suspicion which close argument is bound to raise.^a δέομαι ὑμῶν, ἐὰν ἀκριβέστερον ἢ ὡς σύνηθες ὑμῖν δόξω εἰπεῖν, μὴ ...μου τὴν ἀπολογία δόξῃ καὶ μὴ ἀληθεῖα τὴν κρίσιν ποιήσασθαι. ^{And} it is in fact on just this suspicion which his opponent is made to play.^b δέομαι ὑμῶν... μὴ ἔργα φανερὰ ὑπὸ πονηρᾶς λόγων ἀκριβείας πεισθέντας, ψευδῆ τὴν ἀλήθειαν τῶν πραχθέντων ἠγήσασθαι.

Now clearly this reaction of mistrust to the use of subtle arguments, however justified, is to be found particularly among those who stand to lose by them. For since as has been seen these arguments are used by those who are on the defensive, those who feel they have a grievance are anxious that their opponents should not be allowed to argue their way out of the consequences of their action. They regard argument therefore as a sign of guilt, and demand that the simple facts of the case, that is the actions themselves, should once again determine judgment, ἡ ἀλήθεια τῶν πραχθέντων. Thus Polynices prefaces his account of his quarrel with Eteocles with the words,^c

ἀπλοῦς ὁ μῦθος τῆς ἀληθείας ἔφυ,
κοῦ ποικίλων δεῖ τᾶνδ' ἔρμηνευμάτων.
ἔχει γὰρ αὐτὰ καιρόν· ὁ δ' ἄδικος λόγος
νοσῶν ἐν αὐτῷ φαρμάκων δεῖται σοφῶν.

Argument is thus attacked as being a means of escaping the consequences of an action, and of course such attacks can be legitimate. For as was seen the aim of these explanations is to show that an action which looks wrong is

a. II.β. 2., cf. V.5.

b. II.γ. 3.

c. Eur. Phoen. 469ff.

not so, because it will achieve its long term aim. Thus Phrynichos explains his action by showing that it would help Athens in the long run. As was pointed out however such actions are only actually proved right by the results. Because however judgment is usually passed immediately, explanations are needed to fill in the gap as it were until the proof comes. Once it comes however these explanations are no longer either necessary or valid, since if the action was right everyone is happy, and if wrong, no amount of explaining can alter the fact. Thus as was shown all eventually agreed that Phrynichos' action was right, but if in fact it had resulted in some disaster, then clearly his claim or explanation that it would benefit Athens would have been invalidated. He might still have pleaded in mitigation that that had been his intention, but that would not have altered the fact that his action resulted in disaster, did not achieve its purpose and so was wrong and merited the appropriate form of censure.

It can be seen therefore that the proper role of explanation is very limited, so that the attack on it by those who feel that it is being used to shield its exponents from the consequences of their actions is extremely justified. Thus to take the case of Plataea, this city was an ally of Athens, and as such in time of war the enemy of her enemies, namely Sparta and her allies including Thebes. Not only that but she had violated terms of agreement, and had killed a number of Theban citizens including some who had surrendered, which latter action also violated the accepted code of warfare. When therefore Thebes feels that the Spartans are turning too sympathetic an ear to the arguments and explanations of the Plataeans, she points out that these in no way alter the facts of the case, namely that Plataea has committed

hostile actions. They are only an attempt on the part of Plataea to escape the consequences of those actions, so that Sparta should take cognisance only of the actions,^a ποήσατε δὲ τοῖς Ἕλλησι παράδειγμα οὐ λόγων τοὺς ἀγῶνας προθήσοντες ἀλλ' ἔργων, ὧν ἀγαθῶν μὲν ὄντων βραχεῖα ἢ ἀπαγγελία ἀρκεῖ, ἀμαρτανομένων δὲ λόγοι ἔπεσι κοσμηθέντες προκαλύμματα γίνονται, and put to the Plataeans the short question, so that^b ἥσσόν τις ἐπ' ἀδίκους ἔργοις λόγους καλοῦς ζητήσῃ. Thebes therefore attacks words and arguments on the ground that no explanation can cancel out an action the nature of which is clear to all. It is moreover for the same reason that Cleon warns Athens against being taken in by the arguments of her allies.^c In this particular instance the Mytileneans have revolted, and he criticises the Athenians for being far more concerned with words and clever arguments than with the hard facts of the case.^d αἴτιοι δ' ὕμεῖς... οἵτινες εἰώθατε θεαταὶ μὲν τῶν λόγων γίνεσθαι, ἀκροαταὶ δὲ τῶν ἔργων... καὶ μετὰ καινότητος μὲν λόγου ἀπατᾶσθαι ἄριστοι... καὶ προαισθῆσθαι τε πρόθυμοι εἶναι τὰ λεγόμενα καὶ προνοῆσαι βραδεῖς τὰ ἐξ αὐτῶν ἀποβησόμενα. He appears moreover to attach responsibility for this situation to the Sophists and their teaching, at least by implication.^e ἀπλῶς τε ἀκοῆς ἠδονῆ ἥσσόμενοι καὶ σοφιστῶν θεαταῖς ἐοικότες καθημένοις μᾶλλον ἢ περὶ πόλεως βουλευομένοις.

The attack on explanations therefore as a means of avoiding the consequences of one's action is justifiable, but as was seen those who objected most to their use were also those who, being in a position to take vengeance, stood to lose by them. It will therefore be appreciated that in the cases just discussed the objectors are on the one hand Thebes, the

a. III.67.6.

b. 67.7.

c. III.37.2.

d. 38.4-6.

e. 38.7.

inveterate enemy of Plataea, and on the other Cleon, βιαίότατος τῶν πολιτῶν. There is therefore in these attacks a strong element again of self-interest, for as was shown in Part I to allow one's enemy to get away with it was not only to fail to get one's own back, but to lose face into the bargain. However justifiable the attack on argument therefore, there is also in these cases a degree of that impatience with explanation, that implacability, that unwillingness to brook any opposition to one's aims which is revealed to its fullest extent in Athens' dialogue with the Melians. Here she states quite frankly that she is allowing no excuses or explanations on either side, not because as in the other two cases the harm has been done so that the explanations are unnecessary and invalid, but simply because the only consideration she will take into account is that of power.^a ἡμεῖς τοίνυν οὔτε αὐτοὶ μετ' ὀνομάτων καλῶν... λόγων μῆκος ἄπιστον παρέξομεν, οὔθ' ὑμᾶς ἀξιοῦμεν ἢ ὅτι... ἢ ὡς... λέγοντας οἴεσθαι πείσειν, τὰ δυνατὰ δ' ἔξ ὧν ἑκάτεροι ἀληθῶς φρονοῦμεν διαπράσσεσθαι.

There was then a strong reaction against explanation and arguments which, though in some cases legitimate, was nevertheless to be found especially among those against whose power words were of no avail. Nor was this the only or even perhaps the more damaging of these reactions. As was seen these explanations rested on arguments and definitions of a far more subtle and complex nature than had been needed when actions spoke for themselves. They therefore called for a more than ordinary skill in their employment, and it was just this skill which the Sophists claimed to have, and to be able to pass on to their pupils. Thus at least one of the

a. V.89.

Sophists is said to have specialised in definitions,^a no doubt of the type discussed above, and the claim of Gorgias to be able to make the weaker case the stronger is of course well known. They therefore attracted to themselves a large number of the wealthy younger generation anxious to learn all the ploys and devices which would enable them to run circles round their opponents. To the conservative minds of the older generation however such refinements appeared degenerate and useless, and those who taught them and those who practised them were alike mere babblers and prattlers, a reaction which is reflected in several of Aristophanes' plays. Thus Euripides, the avant-garde dramatist and much in sympathy with the Nouvelle Vague, is represented in the Frogs as having taught Athens to chatter and do verbal gymnastics,^b

ἔπειτα τουτουςὶ λαλεῖν ἐδίδαξα...
λεπτῶν τε κανόνων εἰσβολὰς ἐπῶν τε γωνιασμούς,
νοεῖν, ὄραῖν, ξυσιέναι, στρέφειν, ἐράῖν, τεχνάζειν,
κάχ' ὑποτοπεῖσθαι, περινοεῖν ἅπαντα,

with the result that,^c

εἶτ' αὖ λαλιὰν ἐπιτηδεῦσαι καὶ στωμυλίαν ἐδίδαξας,
ἢ ἕξεκένωσεν τὰς τε παλαίστρας καὶ τὰς πυγὰς ἐνέτριψε
τῶν μειρακίων στωμυλλομένων, καὶ τοὺς παράλους ἀνέπεισεν
ἀνταγορεύειν τοῖς ἄρχουσιν.

So too the Wasps complain,^d

οὐ γὰρ ἦν ἡμῖν ὅπως
ῥῆσιν εὖ λέξειν ἐμέλλομεν τότε', οὐδὲ
συκοφαντήσῃσιν τινὰ
φροντίς, ἀλλ' ὅστις ἐρέτης ἔ-
σοιτ' ἄριστος. τοιγαροῦν πολ-

a. Plato, Crat. 384 b., Lach. 197 d.
d. Wasps 1094ff.

b. 954ff.

c. 1069ff.

λὰς πόλεις Μήδων ἑλόντες
αἰτιώτατοι φέρεσθαι
τὸν φόρον δεῦρ' ἔσμεν, ὃν κλέ-
πτουσιν οἱ νεώτεροι.

Nostalgia for the 'good old days' was not however the only or most important incentive behind the attack on λαλιὰ and verbal gymnastics. In the Acharnians the old war veterans complain bitterly of the use made by the younger generation of these verbal gymnastics to so confuse and bewilder their elders as to leave them speechless and at the mercy of the jury.^a

ὁ δέ, νεανίας ἑαυτῷ σπουδάσας ξυνηγορεῖν,
ἔς τάχος παίει ξυνάπτων στρογγύλοις τοῖς ῥήμασιν·
κᾶτ' ἀνεγκύσας ἔρωτᾶ σκανόαληθρ' ἰστὰς ἐπῶν
ἄνδρα Τιθωνὸν σπαράττων καὶ ταραττων καὶ κυκῶν.
ὁ δ' ὑπὸ γήρωσ μασταρύζει, κᾶτ' ὀφλῶν ἀπέρχεται.

Now it is of course one of the aims of those engaging in argument to try and outwit their opponents, particularly in a court of law, and the skill to do so is something quite independent of the rights and wrongs of the case, as the Acharnian veterans, and indeed any in our own time whose cases have been badly handled, have learned to their cost. It was quite possible to use the skills in argument taught by the Sophists to win as well an unjust case as a just one, and in any court of law both sides are entitled to enlist the services of the best pleaders they can. Skill with words can be put to good or bad use, in the same way, as Gorgias points out, as any other skill or craft. That skill or craft is in itself neither good nor bad, but rather those who use it.^b οὐκ οὖν οἱ διδάξαντες πονηροί, οὐδὲ ἡ τέχνη οὔτε αἰτία οὔτε πονηρὰ τούτου ἕνεκά

a. 676ff., esp. 685ff.

b. Plato Gorgias, 457 a 2

ἔστιν, ἀλλ'οἱ μὴ χρώμενοι οἶμαι ὀρθῶς. ὁ αὐτὸς δὲ λόγος καὶ περὶ τῆς ῥητορικῆς. The fact however that these arguments and skills, though dealing as rhetoric was with rights and wrongs, could be taught without the inclusion of ethical instruction, and could be put to bad ends by those lacking integrity, resulted in the Sophists being accused at best of sharp practice and of being completely unconcerned about ethics, at worst of seeking deliberately to destroy the ethical standards of society. It is therefore precisely these accusations which Gorgias was at pains to disprove and which Plato and others are at pains to prove. For while Gorgias seeks to place responsibility for the misuse of argument on the users and not the teachers, Plato by making him appear inconsistent and therefore irresponsible, seeks to place the blame on him. The gradual development of the argument from Gorgias' position through that of Polus to that of Callicles, the out and out immoralist, only results in the insinuation that the ideas of Gorgias differ from those of Callicles only in degree. As a result therefore of these misconceptions if not deliberate misrepresentations, the Sophistic profession was not surprisingly identified with all that was under hand and base.

Subtle argument therefore became the mark of the unjust, the ability to make the weaker case stronger became the ability to make the unjust cause appear just and the passing on of the skills of argument became the exercising of a bad influence on the young. Thus Socrates who was brought to trial on charges of corrupting the youth finds it necessary to deal not only with the actual accusations, but also with the prejudice which being considered a σοφὸς ἀνὴρ is bound to bring with

it.^a ἀλλ' ἐκεῖνοι δεινότεροι, ὧ ἄνδρες, οἷ ὑμῶν τοὺς πολλοὺς... ἔπειθόν τε καὶ κατηγοροῦν ἐμοῦ μᾶλλον οὐδὲν ἀληθές, ὡς ἔστιν τις Σωκράτης σοφὸς ἀνὴρ... καὶ τὸν ἥττω λόγον κρείττω ποιῶν. As he himself points out

moreover^b it is a prejudice which is reflected and perpetuated in Aristophanes' plays, particularly in the Clouds, that brilliant and shrewd satire on Sophistic methods, a few quotations from which are an eloquent commentary on Socrates' remarks. Strepsiades is deeply in debt, and so suggests his son go to school because,^c

οὗτοι διδάσκουσ', ἀργύριον ἦν τις διδῶ,
λέγοντα νικᾶν καὶ δίκαια κᾶδικα...
εἶναι παρ' αὐτοῖς φασιν ἄμφω τὸ λόγω,
τὸν κρείττον', ὅστις ἐστὶ, καὶ τὸν ἥττονα...
ἦν οὖν μάθῃς μοι τὸν ἄδικον τοῦτον λόγον,
ἂ νῦν ὀφείλω διὰ σέ, τούτων τῶν χρεῶν
οὐκ ἂν ἀποδοίην οὐδ' ἂν ὀβολὸν οὐδενί.

His son refuses, so he goes himself, βουλόμενος μαθεῖν λέγειν.^d

ἀλλὰ με δίδαξον τὸν ἕτερον τοῖν σοῖν λόγοιν,
τὸν μηδὲν ἀποδιδόντα,

hoping to learn all the skills of the trade.^e He fails, but eventually persuades his son to attend, to whom are introduced the Arguments, who speak for themselves.^f

Αδ. ἔθ' ὅποι χρῆζεις. πολὺ γὰρ μᾶλλον σ'
ἐν τοῖς πολλοῖσι λέγων ἀπολῶ.
Δι. ἀπολεῖς σύ; τίς ὦν; Αδ. λόγος. Δι. ἥττων γ' ὦν.
Αδ. ἀλλὰ σε νικῶ τὸν ἐμοῦ κρείττω
φάσκοντ' εἶναι. Δι. τί σοφὸν ποιῶν;
Αδ. γνώμας καινὰς ἐξευρίσκων...
Δι. ἀπολῶ σε κακῶς.
Αδ. εἶπε τί ποιῶν; Δι. τὰ δίκαια λέγων.
Αδ. ἀλλ' ἀνατρέψω γ' αὐτ' ἀντιλέγων.
οὐδὲ γὰρ εἶναι πάνυ φημὶ δίκην.

Δι. ὤμοι μανίας...

τῆς σῆς, πόλεώς θ' ἦτις σε τρέφει
λυμαινόμενον τοῖς μειρακίοις.

Αδ. οὐχὶ διδάξεις τοῦτον Κρόνος ὤν.

Δι. εἴπερ γ' αὐτὸν σωθῆναι χρὴ
καὶ μὴ λαλιὰν μόνον ἀσκῆσαι.

In this play therefore there is found that long-lived conception of the Sophistic movement, albeit exaggerated and 'fantasticised', which brought it into discredit, and all because as the ἄδικος λόγος complains,^a

πρώτιστος ἐπενόησα
τοῖσιν νόμοις καὶ ταῖς δίκαις τάναντί' ἀντιλέξαι.

ii. νόμος versus φύσις

a. The Attack on νόμος

The Sophists in attacking tradition were attempting to get individuals to think for themselves. But since society was accustomed to judge any action wrong which did not conform to the accepted practices, those who, like the Sophists, realised that it was sometimes necessary τοῖσιν νόμοις καὶ ταῖς δίκαις τάναντί' ἀντιλέξαι, found it necessary to explain their action if they were to avoid immediate criticism. But such explanations are easily misused by those wishing to whitewash their actions, and this abuse resulted in the discrediting of the Sophists and their arguments. This type of abuse however was not the only or perhaps even the more serious aspect of the attack on law. It has been pointed out that the recognition that a breach of the law is sometimes the best means to an end is not to condone any and every breach of that law, in that while the application of the law in a particular case may be opposed, the spirit of the law is still considered binding. Thus though Phrynichos may be

a. 1039f.

violating the 'law' in retreating as he did, he still considers himself bound by the aims of that law, that is the preservation of independence. The values of the society are therefore being left intact, and when the abuses discussed above occur, it is in the light of these same values that the perpetrators of the abuses are trying to justify their actions. They acknowledge the propriety of the values, and seek only to show that their actions are in accordance with them however much they may appear to be violations of them. Thus Alcibiades does not attack patriotism as such, but attempts to show that his apparently treacherous action is in fact in accord with the principle of patriotism 'correctly' defined.

The dangers of the attack on law and conformity were not however limited to such abuses of definition and explanation within the value scheme of the society. Licence to disregard rules and laws, however good its purpose and however limited in scope it may be intended to be, is nevertheless a concession to expediency, the potential danger of which as the thin edge of the wedge is readily appreciated. Thus in Gorgias' Epitaphios it was seen that praise was accorded to those who did not follow the law strictly, but preferred τὸ δεῶν ἐν τῷ δεῶντι καὶ λέγειν καὶ σιγαῶν καὶ ποιεῖν καὶ ἔαν. Now this has been interpreted above,^a in the light of its context, as being a violation of the law in the interests of its objectives, so that the spirit of that law is still maintained. It can be seen however that τὸ δεῶν ἐν τῷ δεῶντι is an extremely elastic phrase, and this same argument of expediency, of what is necessary, can be expanded to justify breaking the law not now in the interests of the aims of that law,

a. above p.36.

but in the interests of the law breaker. This is to say that the principle τὸ δεῶν ἐν τῷ δεῶν could equally well be interpreted as a licence to violate the law when it suited or was more advantageous to the law breaker, in which case of course it is not only the letter, but also the spirit of the law which is being broken. Now it has been suggested that because of the context what is being described in the Epitaphios is the type of violation of the law which affects only the letter and not the spirit. When however we read in a fragment attributed to Antiphon the Sophist,^a χρῆτ' ἂν οὔν ἄνθρωπος μάλισθ' ἑαυτῷ συμφερόντως δικαιοσύνη, εἰ μετὰ μὲν μαρτύρων τοὺς νόμους μεγάλους ἄγοι, μονούμενος δὲ μαρτύρων τὰ τῆς φύσεως, the violation of law here described is clearly that which affects both letter and spirit, in that the law-breaker is no longer concerned to further its aims, but rather his own convenience. Such a violation therefore as distinct from that in the example from Gorgias, or even more clearly in the case of Phrynichos, does not leave the values of the society intact, because the law-breaker does not feel bound by the spirit of the law, but is replacing it by other principles or values, namely those of self-interest.

The danger therefore in the use of expediency to justify breaking the law lies in the fact that once it has been acknowledged that obedience or conformity to the law can be a barrier to achievement, and that violation of it when expedient is thus excusable, the way lies open to a repudiation of the whole idea of law, particularly if the conception of its origin and role in society encourages such an attitude. It is therefore extremely noteworthy that, as Havelock has shown,^b there was alongside the

a. D.K.87.44a.Col.1.11.

b. The Liberal Temper in Greek Politics, p.52ff.

conception of the history of the human race as a series of falls from earlier states of grace, such as is found in Hesiod, a school of thought, beginning with the earliest philosophers, which had described the origin of man as an animal, and traced the gradual development of civilisation as a result of man's own power or reasoning and ability to co-operate. Thus in the Prometheus Vincetus Prometheus describes at length the progress which mankind was able to make with his help,^a

καὶ μὴν ἀριθμόν, ἔξοχον σοφισμάτων,
ἔξηϋρον αὐτοῖς, γραμμάτων τε συνθέσεις,
μνήμην ἀπάντων, μουσομήτορ' ἔργάνην. κ.τ.λ.

and in the Antigone the chorus refer to the achievements of men through their own resourcefulness.^b

καὶ φθῆγμα καὶ ἀνεμόεν
φρόνημα καὶ ἀστυνόμους
ὄργας ἐδιδάξατο καὶ δυσάβλων
πάγων ὑπαίθρεια καὶ
δύσομβρα φεύγειν βέλη
παντοπόρος.

According to this conception of the history of the human race therefore civilisation, law and order are seen not as a divine dispensation,^c but as a necessary and gradual invention as it were on the part of mankind to ensure its survival.^d

οὔτοι ἀπ' ἀρχῆς πάντα θεοὶ θνητοῖσ' ὑπέδειξαν,
ἀλλὰ χρόνῳ ζητοῦντες ἐφευρίσκουσιν ἄμεινον.

The institution of law is regarded as the result of a recognition on the part of those forming a society that there must be some rules if that society is not to be completely disrupted. Thus in Herodotus the Medes are represented as deciding after a period of anarchy to set up a king, a

a. 459ff.

b. 353ff.

c. Plato, Pol.273ff., Laws IV.713ff.

d. D.K.21.B.18.

ruler, because,^a οὕτω ἢ τε χώρα εὐνομήσεται καὶ αὐτοῖσι πρὸς ἔργα
τρεφόμεθα οὐδὲ ὑπ' ἀνομίης ἀνάστατοι ἐσόμεθα. So too in Protagoras' myth
the failure of the earliest societies is credited to a lack of πολιτικὴ
τέχνη,^b which is remedied by Zeus giving all men a measure of δίκη and
αἰδώς.^c οὐ γὰρ ἂν γένοιντο πόλεις, εἰ ὀλίγοι αὐτῶν μετέχοιεν ὥσπερ ἄλλων
τεχνῶν. This idea of the institution of laws as a voluntary and mutual
imposition of restraint upon the individual in the common interest, or the
Social Contract Theory as it is sometimes called, finds perhaps its clearest
expression in the fragment of the Sisyphus attributed to Critias, where it
is suggested that not only law and order are men's invention, but even the
gods themselves as a further safeguard of fair play.^d

ἦν χρόνος, ὅτ' ἦν ἄτακτος ἀνθρώπων βίος
καὶ θηριώδης ἰσχύος θ' ὑπερέτης,
ὅτ' οὐδὲν ἄθλον οὔτε τοῖς ἐσθλοῖσιν ἦν
οὔτ' αὖ κόλασμα τοῖς κακοῖς ἐγίγνετο.
κἄπειτα μοι δοκοῦσιν ἄνθρωποι νόμους
θέσθαι κολαστάς, ἵνα δίκη τύραννος ἦ
ὁμῶς ἀπάντων τῆν θ' ὕβριν δούλην ἔχρη·
ἐζημιούτο δ' εἴ τις ἐξαμαρτάνοι.
ἔπειτ' ἐπειδὴ τὰ μφανῆ μὲν οἱ νόμοι
ἀπεῖργον αὐτοῦς ἔργα μὴ πράσσειν βία,
λάθραι δ' ἔπρασσον, τηνικαῦτά μοι δοκεῖ
πρῶτον πυκνός τις καὶ σοφὸς γνώμην ἀνήρ
θεῶν δέος θνητοῖσιν ἐξευρεῖν.

Now although in these passages no criticism of man's present
condition is implied, but rather indeed the opposite, a recognition of his
amazing achievement and progress, there is nevertheless a contrast,
particularly in the Sisyphus, between an original lawless state of mankind,

a. I.97.3.

b. Plato Prot. 322 b

c. 322 d

d. D.K.88.B.25.

where the individual was free to do his will, and the degree of civilisation and social integration then reached, which could and did form the basis of a dichotomy between φύσις, or the natural, original, socially unconditioned instincts of man, and νόμος the order imposed by society. It can be seen then that in these circumstances any attack upon conformity to νόμος as being a barrier to or drag upon human achievement easily leads to a complete disavowal of νόμος, of law or the demands of society, as a wholly frustrating and undesirable restraint upon φύσις, the natural hedonistic impulses of the individual man, and this is what has happened in the case of that most outspoken criticism of νόμος attributed to Antiphon the Sophist. In this fragment the demands of society, τὰ τῶν νόμων are contrasted with those of nature, τὰ τῆς φύσεως, as being arbitrary and neither necessary or natural.^a τὰ μὲν γὰρ τῶν νόμων ἐπίθεντα, τὰ δὲ τῆς φύσεως ἀναγκαῖα· καὶ τὰ μὲν τῶν νόμων ὁμολογηθέντα οὐ φύντι' ἐστίν, τὰ δὲ τῆς φύσεως φύντα οὐχ ὁμολογηθέντα. Since therefore most of the νόμοι of society conflict with natural hedonistic impulses,^b τὰ πολλὰ τῶν κατὰ νόμον δικαίων πολεμῶς τῇ φύσει κεῖται, they are only a stumbling block to the free indulgence of these impulses.^c τὰ δὲ ξυμφέροντα τὰ μὲν ὑπὸ τῶν νόμων κείμενα δεσμὰ τῆς φύσεώς ἐστι, τὰ δ' ὑπὸ τῆς φύσεως ἐλεύθερα. When therefore the demands of nature require it, that is when it is expedient, it is suggested that the laws be violated, because the values of society are only the result of arbitrary decisions, whereas those of nature are real.^d οὐ γὰρ διὰ δόξαν βλάπτεται, ἀλλὰ δι' ἀλήθειαν.

a. D.K.87.B.44.A.1.23.

b. 2.25., 3.18.

c. 4.1.

d. 2.21.

Such criticism it is true can be and probably was in Antiphon's case a serious questioning of the power of society's laws and traditional practices over the individual, with its consequent curtailment of his freedom and happiness, and as such shows an awareness of the problem of the relationship between state and individual which will be discussed more fully later.^a It does however remain true that in attempting to accommodate social obligations to personal fulfilment by condoning violation of the νόμοι to suit the interests of the individual, he is introducing ideas which undermine the whole value-scheme and structure of society. For he is suggesting that the demands made upon a man by the natural desire for pleasure and a painless existence are more imperative than those made upon him by society. Of course there is a sense in which the natural instincts are more imperative, in that in moments of great stress a man may 'crack up', may be unable to control natural impulses and reactions, and so be 'forced' to jettison any principles and values he may have had. Thus Gorgias describes the effects of extreme danger and fear on men causing panic in which,^b ἰσχυρὰ ἀήσυχον ἡθελια τοῦ νόμου διὰ τὸν φόβον ἐξωκίσθη τὸν ἀπὸ τῆς ὄψεως, ἥτις ἐλθοῦσα ἐποίησεν ἀμελῆσαι καὶ τοῦ καλοῦ τοῦ διὰ τὸν νόμον κρινομένου καὶ τοῦ ἀγαθοῦ τοῦ διὰ τὴν νίκην γινομένου. Moreover as has been seen Thucydides interprets history as an illustration of the human condition,^c and in particular attributes such atrocities as the στάσις at Corcyra to human nature and the reaction of men to stress and strains of war.^d In such circumstances therefore men are liable to throw aside the restraints imposed by νόμος and act impulsively

a. below p.100ff., b. D.K.82.B.11.16. c. I.22.4. d. III.82.2.
109f.

κατὰ φύσιν, and to this extent one can call the claims of φύσις ἀναγκαῖα. It is however one thing to recognise and be resigned to such 'laws of nature', and quite another to set them up as a standard to be followed in cold blood as it were by all men on all occasions, which is precisely what Antiphon is advocating.

In comparing and contrasting the ideas expressed in the passages of Gorgias and Antiphon therefore, it can be seen that while both are attacking conformity to νόμος and for the same reason, namely expediency or the desire to attain some further aim, what in Gorgias' case is a licence to violate laws on specific occasions to further the objectives of the laws, this now becomes, in the case of Antiphon, a carte blanche to ignore all law to further personal aims, resulting in a complete repudiation of all law and social commitment. It is not surprising therefore that the ambivalence of the licence to violate laws was readily played upon by those seeking to exculpate or incite violation of custom or law, using arguments which, while superficially resembling those described earlier, are in practice highly subversive.

Thus it has been shown that in the military sphere Phrynichos refuses to fight it out according to the usual code of honour, using an argument worth quoting again for the sake of comparison with another apparently similar one.^a οὐδέποτε τῷ αἰσχροῦ ὀνειδέει εἴξας ἀλόγως διακινδυνεύσειν. οὐ γὰρ αἰσχρὸν εἶναι Ἀθηναίους ναυτικῶ μετὰ καιροῦ ὑποχωρῆσαι, ἀλλὰ καὶ μετὰ ὀτουοῦν τρόπου αἰσχίον συμβῆσεσθαι ἢν ἡσσηθῶσιν. The argument is basically one of expediency, and the dangers of such an

a. VIII.27.2-3.

argument become apparent in another situation when Athens tries to persuade the Melians to come to terms. She warns them against the folly of allowing public opinion to override more practical considerations in the following words.^a οὐ γὰρ δὴ ἐπὶ γε τὴν ἐν τοῖς αἰσχροῖς καὶ προύπτοις κινδύνοις πλεῖστα διαφθείρουσαν ἀνθρώπους αἰσχύνην τρέφεσθε. πολλοῖς γὰρ προορωμένοις ἔτι ἐς οἷα φέρονται τὸ αἰσχρὸν καλούμενον ὀνόματος ἐπαγωγῶ δυνάμει ἐπεσπάσατο ἠσσηθεῖσι τοῦ ῥήματος ἔργῳ ξυμφοραῖς ἀνηκέστοις ἐκόντας περιπεσεῖν καὶ αἰσχύνην αἰσχίῳ μετὰ ἀνοίας ἢ τύχῃ προσλαβεῖν.

It can be seen that the argument without regard to its context is exactly that used by Phrynichos. An over-zealous regard for tradition and public opinion can blind one to the real issues at stake. Whereas however Phrynichos used the licence to violate the code of honour in a way calculated to further the ultimate aim of that code, that is the survival of Athens as an independent city, what Athens is here suggesting is not that the Melians violate only the letter of the code, the mere ὄνομα or ῥῆμα as they claim it to be, but in fact that they violate the spirit of it. For she is not trying to persuade them to find some other means of maintaining that independence, but to make no effort at all to maintain it, to give way to their natural instinct for saving their skins and seek peace at any price. Since then the 'real issues at stake' are so differently interpreted, the argument, though superficially akin, is in the one case used to further the aim of society, but in the other is highly subversive in that it attacks not the means to the end, but the end itself, namely the values and principles of the society.

a. Thuc. V.111.3.

Likewise in the sphere of administration it was seen that Nicias advised breaking procedural laws in the interests of expediency,^a and that there was criticism of the extreme form of democracy at Athens^b because it muzzled men of ability who are, as Democritus points out, the natural choice for leadership.^c φύσει τὸ ἄρχειν οἰκήμιον τῷ κρέσσονι. Again however arguments based on expediency and 'what is natural' are highly equivocal, and the interpretation of Alcibiades' statements,^d καὶ προσήκει μοι μᾶλλον ἐτέρων... ἄρχειν... καὶ ἄξιός ἅμα νομίζω εἶναι, and^e οὐδέ γε ἄδικον ἐφ' ἑαυτῷ μέγα φρονούντα μὴ ἴσον εἶναι, ἔπει καὶ ὁ κακῶς πράσσων πρὸς οὐδένα τῆς ξυμφορᾶς ἰσομοιρεῖ, is open to question. He may only be asserting his capacity to rule, but his words could be construed as a claim to the right to rule regardless of the wishes of the community, a claim which can be the basis of a justification of tyranny. For just as Athens could try to persuade the Melians to ignore a code of honour, not in order to achieve the broad aims of the code but in their own interests, so here it could be argued that those with the power both material and mental to rule others can scrap the idea of equality and the accepted constitution or format of a community, not in the interests of that community, but to achieve personal advantage. It is therefore on just such an argument that Athens bases her justification of her empire. As she herself says, the empire began as a willing choice of Athens as their leader by members of a community of Greek states, when Sparta failed them, because like Alcibiades she had just those qualities which fitted her for the role, namely initiative and συνέσις.^f ἄρ' ἄξιός ἐσμεν, ὧ Λακεδαιμόνιοι, καὶ προθυμίας

a. Thuc. VI.14.
e. 16.4.

b. above p.52.
f. I.75.1.

c. D.K.68.B.267.

d. Thuc.VI.16.1.
cf.II.22.1.

ἔνεκα τῆς τότε καὶ γνώμης ξυνέσεως ἀρχῆς γε ἧς ἔχομεν τοῖς "Ἕλλησι μὴ οὕτως ἄγαν ἐπιφθόνως διακεῖσθαι; Gradually however the empire became not an association of free states with Athens in the role of primus inter pares assuming the leadership for the common good, but an enforced rule over subject 'allies' in her own interests. For as she openly admits, in retaining the empire she is no longer concerned with her subjects' welfare, but with considerations of her own.^a οὕτως οὐδ' ἡμεῖς θαυμαστὸν οὐδὲν πεποιήκαμεν οὐδ' ἀπὸ τοῦ ἀνθρωπέου τρόπου, εἰ ἀρχὴν τε διδομένην ἐδεξάμεθα καὶ ταύτην μὴ ἀνεῖμεν ὑπὸ τριῶν τῶν μεγίστων νικηθέντες, τιμῆς καὶ δέους καὶ ὠφελείας. The original claim therefore based on her superior qualities to control other members of the community in that community's interests becomes a claim that her power gives her the right to exploit the rest of the community in her own interests.^b αἰεὶ καθεστῶτος τὸν ἥσσω ὑπὸ τοῦ δυνατωτέρου κατείργεσθαι. The claims of the community go by the board, and those of φύσις are upheld,^c χρησάμενοι τῇ ἀνθρωπεῖα φύσει ὥστε ἕτερον ἄρχειν.^d

In just the same way in the sphere of the relationships with others Socrates suggests that it may occasionally be expedient to break one of the specific prohibitions such as keeping agreements, an argument which is put to subtle use by the wily Ulysses in the Philoctetes. He, knowing that Neoptolemus is averse to deceitful practices, tempts him to undertake stealing Philoctetes' bow by suggesting,^d

ἀλλ' ἡδὺ γάρ τι κτήμα τῆς νίκης λαβεῖν,
τόλμα· δίκαιοι δ' αὖθις ἐκφανόμεθα.

a. 76.2.

b. *ibid.*

c. 76.3.

d. 81ff.

νῦν δ' εἰς ἀναιδῆς ἡμέρας μέρος βραχὺ
δόξ μοι σεαυτόν, κατὰ τὸν λοιπὸν χρόνον
κέκλησο πάντων εὐσεβέστατος βροτῶν.

No suggestion could sound more like the Socratic one superficially at any rate, yet no suggestion could be more subversive of any principles of fair-play and justice however limited in scope. For whereas in the Socratic example the object of breaking agreements is to attain the object of such rules, namely fair-play to the other person, in the Ulyssean example it is to attain the interests of oneself or one's friends.

It is of course true that there are situations in the sphere of individual relationships where breaking the νόμοι in one's own interests need not be subversive, in that relationships between citizens are not only governed by such principles as repaying loans. As the proliferation of books on etiquette indicates, there is a whole host of specific rules and customs governing everyday practices, conformity to which is deemed to make a man socially acceptable, and which will here for convenience be summed up as etiquette. Unlike the rules described above however such as repaying loans or telling the truth, etiquette does not cover relationships vital to the very existence of the state, so that the pressure to conform to it, particularly if carried to extremes, can become an unwarranted invasion of society upon the freedom of the individual. Antiphon's strictures upon νόμος in the sense of etiquette therefore, which dictates what a man should do and say,^a and which can be in a real sense δεσμὸς τῆς φύσεως, and his suggestion that it should be ignored, would show a recognition

a. D.K.87.B.44.A.2.30ff.

of that right of the individual to his own way of life which Pericles claims the Athenians admit.^a καὶ ἐς τὴν πρὸς ἀλλήλους τῶν καθ' ἡμέραν ἐπιτηδευμάτων ὑποψίαν, οὐ δι' ὀργῆς τὸν πέλας, εἰ καθ' ἡδονὴν τι ὀρᾷ, ἔχοντες, οὐδὲ ἀζημίους μὲν, λυπηρὰς δὲ τῆ ὄψει ἀχθηδόνας προστιθέμενοι. The violation of νόμος in this sense therefore would not be subversive, in that it affects nothing more than the susceptibilities of others, unless of course unconventionality is carried to extreme and becomes a public nuisance. Clearly however νόμος for Antiphon covers not only, or perhaps even primarily, etiquette, but rather the rules governing relationships between citizens, the μεγάλοι νόμοι which carry heavy penalties, that is principles which, whether enshrined in written laws or not, are vital to the existence of society. For whereas to drink soup with a dessert spoon, though not the 'done thing', does not undermine the trust and co-operation upon which any society depends, the breaking of laws or promises, for example, does, so that in suggesting that νόμος in this sense be ignored when expedient Antiphon is striking at the very roots of society by opening the way to the following kind of argument.^b ἔνθα γάρ τι δεῖ ψεῦδος λέγεσθαι, λεγέσθω. τοῦ γὰρ αὐτοῦ γλιχόμεθα οἳ τε ψευδόμενοι καὶ οἱ τῆ ἀληθείῃ διαχρεώμενοι. οἱ μὲν γε ψεύδονται τότε ἐπεὰν τι μέλλωσι τοῖσι ψεύδεσι πείσαντες κερδήσεσθαι, οἱ δ' ἀληθίζονται ἵνα τι τῆ ἀληθείῃ ἐπισπᾶσωνται κέρδος καὶ τις μᾶλλον σφι ἐπιτρέπηται. οὕτω οὐ ταῦτ' ἀσκεόντες τῷ τοῦ περιεχόμεθα. εἰ δὲ μηδὲν κερδήσεσθαι μέλλοιεν, ὁμοίως ἂν ὁ τε ἀληθιζόμενος ψευδῆς εἶη καὶ ὁ ψευδόμενος ἀληθής. For however true it is that men do tell the truth and lie, or indeed obey and violate any of the written or

a. Thuc. II.37.2.

b. Hdt. III.72.4.

unwritten νόμοι of society, to suit their own ends, to hold this fact up as a standard of action is to invite complete anarchy and social disruption.

Similarly with regard to the general prohibitions governing relations with others, Thucydides was shown to regard disaster not as the punishment for ὑβρις by the gods, but as the result of human nature and the inability of men to control fully the situations in which they found or placed themselves. He is therefore tacitly invalidating the sanction against aggression based on the fear of the gods, and it has been seen that it was even suggested in the Sisyphus that the gods themselves were an invention. Though however the removal of the fear of the gods could, as was suggested, be a means of destroying superstition, it can be realised that the scorning of the idea that the gods may avenge victims of aggression, and the suggestion that men do what they do because it is their nature to, can result in the following vindication of aggression and Machtpolitik in general.^a ἡγούμεθα γὰρ τό τε θεῖον δόξη τὸ ἀνθρώπειόν τε σαφῶς διὰ παντὸς ὑπὸ φύσεως ἀναγκαίας, οὔ ἂν κρατῆ, ἄρχειν· καὶ ἡμεῖς οὔτε θέντες τὸν νόμον οὔτε κειμένῳ πρῶτοι χρησάμενοι, ὄντα δὲ παραλαβόντες καὶ ἐσόμενον ἐς αἰεὶ καταλείφοντες χρώμεθα αὐτῷ. Here Melos, an island which was not part of the Athenian empire,^b has been attacked by Athens, and in the debate which ensues has held up against Athens the threat of divine punishment for such ἀδικία,^c an old fashioned idea which Athens rejects on two grounds. In the first place, what the gods do and do not do is a matter of opinion and not fact, is only δόξη and anyway they are on the winning side, the side which can force the weaker to give way.^d In the second place, what men do is a matter of fact, is σαφῶς, and that is to seize what power they can in accordance with the

a. Thuc.V.105.2.

b. 82.4.

c. 104.

d. cf. above p.17.
below, 172.

demands of nature, ὑπὸ φύσεως ἀναγκαίας,^a a law of nature which has always, is and always will be followed by many more than Athens. Again however, though this may in fact be true, the argument is still 'if others do, why cannot I?', an argument which rejects the imposition of any restraint upon natural impulse.

b. Reaction to the attack on νόμος.

It can be seen therefore that a movement which encouraged the use of intelligence to counter the stultifying effect of traditional practices on human affairs could and did become the source of a full scale attack on society and its regulations. It is not surprising then to find a strong counter-attack on intelligence as being necessarily self-interested, and a reactionary defence of the old order, of νόμος, as being the only safeguard against the new standard of action, φύσις. Thus it was seen earlier that at the beginning of the Peloponnesian war Corinth was urging Sparta to shake her ideas up and keep abreast of the times.^b It has also been shown however that while men like Phrynichos and Pericles used their intelligence and initiative in dispensing with tradition to further the interests of the society, others less scrupulous were using the same arguments to undermine society and its values, so that it is not surprising to find in Archidamos' reply to Corinth a suspicious attitude towards intelligence, and an upholding of traditional practices which is typical of the reactionary attitude being provoked by the introduction of new ideas,^c εὐβουλοὶ δὲ ἀμαθέστερον τῶν νόμων τῆς ὑπεροφίας παιδευόμενοι καὶ ξὺν χαλεπότητι σωφρονέστερον ἢ ὥστε αὐτῶν ἀνηκουστεῖν, καὶ μὴ τὰ ἀχρεῖα ξυνετοὶ ἄγαν

a. cf. Antiphon τὰ τῆς φύσεως ἀναγκαῖα.
c. Thuc. I. 84. 3., 85. 1.

b. above p. 40.

ὄντες τὰς τῶν πολεμίων παρασκευὰς λόγῳ καλῶς μεμφόμενοι ἀνομοίως ἔργῳ ἐπεξιέναι, νομίζειν δὲ...τὰς προσπιπτοῦσας τύχας οὐ λόγῳ διαιρετάς... ταύτας οὖν ἄς οἱ πατέρες τε ἡμῶν παρέδοσαν μελέτας...μὴ παρῶμεν.

However valid Archidamos' fears may be concerning the use to which intelligence may be put, it is nevertheless only going to the other extreme to reject out of hand a quality so necessary for the continued existence of the state, particularly in time of war. The situation is presented as a necessary choice between alternatives which, although both in fact needed, are regarded as mutually exclusive. This results therefore in a position no less harmful and destructive than the subversive arguments described above, in that it leads to much pointless argument about which alternative is better, when clearly neither of them is sufficient in itself. Thus throughout Thucydides' history Athens and Sparta wage as much an ideological war as a hot one, in that the one city favours ἄς οἱ πατέρες ἡμῶν παρέδοσαν μελέτας, while the other prides herself on being able to dispense with such νόμοι.^a καίτοι εἰ ῥαθυμία μᾶλλον ἢ πόνων μελέτη καὶ μὴ μετὰ νόμων τὸ πλεον ἢ τρόπων ἀνδρείας ἐθέλομεν κινδυνεύειν, περιγίγνεται ἡμῶν...μὴ ἀτολμοτέρους τῶν αἰεὶ μοχθούντων φαίνεσθαι. It is this fundamental difference of approach which then forms the basis of their criticism of each other, which finds expression particularly in the exhortatory speeches before battles. On the one side the Spartans claim Athens can never make up for her lack of 'natural' bravery in comparison with their own, for all their 'imported' skill.^b ὁ γὰρ ἡμεῖς ἔχομεν φύσει ἀγαθόν, ἐκεῖνοις οὐκ ἂν γένοιτο διδαχῆ. On the other side the Athenians point out that Sparta can

a. II.39.4.

b. I.121.4.

never learn the skill they possess, particularly in naval warfare, so that all their bravery will come to nought.^a καὶ ἐν τῷ μὴ μελετῶντι ἀξυνετώτεροι ἔσονται καὶ δι' αὐτὸ καὶ ὀκνηρότεροι. τὸ δὲ ναυτικὸν τέχνης ἐστίν, καὶ οὐκ ἐνδέχεται, ὅταν τύχη, ἐκπαρέργου μελετᾶσθαι. The situation is thus constantly represented as a choice between skill which necessarily, or at any rate almost certainly, is lacking in the steadfastness needed to stand one's ground,^b ἄνευ δὲ εὐψυχίας οὐδεμίᾳ τέχνῃ πρὸς τοὺς κινδύνους ἰσχύει. φόβος γὰρ μνήμην ἐκπλήσσει, τέχνη δὲ ἄνευ ἀλκῆς οὐδὲν ὠφελεῖ, and the bravery derived from numerical strength which is devoid of skill.^c καὶ δεῖξατε ὅτι καὶ μετ' ἀσθενείας καὶ ξυμφορῶν ἡ ὑμετέρα ἐπιστήμη κρείσσων ἐστὶν ἐτέρας εὐτυχούσης ῥώμης.

The reactionary defence of the traditional practices therefore results in an opposition of qualities, which extends also to other spheres of activity. Thus it was seen that when the decision to annihilate the Mytileneans had been taken, it was proposed that the matter be reconsidered, so that probably the violation of a procedural law was threatened. Diodotus' reaction was that as long as the state's interests were catered for, this did not matter.^d But Cleon who spoke first objected strongly to this proposal on the following grounds.^e πάντων δὲ δεινότατον εἰ βέβαιον ἡμῖν μηδὲν καθεστήξει ὧν ἂν δόξη πέρι, μηδὲ γνωσόμεθα ὅτι χεῖροσι νόμοις ἀκινήτοις χρωμένῃ πόλις κρείσσων ἐστὶν ἢ καλῶς ἔχουσιν ἀκύροις, ἀμαθία τε μετὰ σωφροσύνης ὠφελιμώτερον ἢ δεξιότης μετὰ ἀκολασίας, οἳ τε φαυλότεροι τῶν ἀνθρώπων πρὸς τοὺς ξυνετωτέρους ὡς ἐπὶ τὸ πλεον ἄμεινον οἰκοῦσι τὰς πόλεις. οἱ μὲν γὰρ τῶν νόμων σοφώτεροι βούλονται φαίνεσθαι..

a. I.142.8-9.

b. II.87.4. (cf. Gorgias, D.K.82.B.11.16.)

c. VII.63.4.

d. above p. 50f.

e. III.37.3f.

οἱ δ' ἀπιστοῦντες τῇ ἐξ αὐτῶν ξυνέσει ἀμαθέστεροι τῶν νόμων ἀξιοῦσιν εἶ
εἶναι.^I Of course there is danger in intelligence put to wrong use, as e
examples above have shown, but there could be no clearer example than this
of the extreme reactionary position to which men like Cleon are prepared to
push their argument.^a Cleon, as Gomme says,^b 'has a case: he is attacking
his countrymen's instability of purpose,' but he attempts to persuade his
audience that the answer to this lies in the extreme opposite, namely
inflexibility, by suggesting that the only choice is that between χεῖροισι
νόμοις ἀκινήτοις and καλῶς ἔχουσιν ἀκύροις, though of course these are not
necessarily exclusive, in that one need not have to choose between bad laws
or decisions which are never altered or waived and good laws or decisions
which are always being altered or waived. Once again there is a refusal to
view the situation in anything but extremes, where intelligence is necessarily
self-interested and disruptive, and νόμος or the status quo necessarily
unchanging and therefore safe.

Not only laws and decisions were involved in these arguments however,
for as was seen there were various experiments taking place in Athens with
regard to the constitution as a whole, so that it is not surprising to find
at this time much speculation about the various forms of government, and it
is now that these are beginning to be classified and their merits and
defects discussed. The earliest example of such a formal discussion is
found in Herodotus, who represents it taking place after the overthrow of
the Magi in Persia, though despite all his protestations it is clearly
anachronistic and reflects the most up-to-date thought of his own time.

a. cf. Ant. 663-76., Ajax 1070ff.

b. A Historical Commentary on Thucydides,
Vol. II., p. 300.

For in it the forms of government, classified into monarchy, oligarchy and democracy, are presented in their best and worst light, the distribution of praise and blame resting almost entirely on the presence or absence of two qualities, intelligence and devotion to the interests of the community, which, as in Cleon's argument, are regarded as being mutually exclusive. Just as in the military sphere it was a question of all skill and no morale, or all bravery and no knowledge, so here it is a question of all intelligence and no regard for the common good, or all equality and no ability. Thus monarchy at its worst, that is tyranny enforced on the state and without responsibility to it, results in the suppression of the able men who form a threat to the personal interests of the ruler, and in the complete disruption of the constitution.^a

κῶς δ' ἂν εἴη χρῆμα κατηρημένον μοναρχίῃ, τῆ ἕξεστι ἀνευθύῳ ποιέειν τὰ βούλεται;... τὰ μὲν γὰρ ὕβρι κεκορημένος ἔρδει πολλὰ καὶ ἀτάσθαλα, τὰ δὲ φθόνῳ... φθονέει γὰρ τοῖσι ἀρίστοισι περιεοῦσί τε καὶ ζώουσι... τὰ δὲ δὴ μέγιστα ἔρχομαι ἐρέων· νόμαιά τε κινέει πάτρια.²

Likewise in an oligarchy there is constant personal rivalry between the leaders, resulting in civil war.^b

In this respect democracy has the advantage of equality of opportunity and theoretical control over its officials.^c

πάλλῳ μὲν ἀρχὰς ἄρχει, υπεύθυνον δὲ ἀρχὴν ἔχει, βουλευματα δὲ πάντα ἐς τὸ κοινὸν ἀναφέρει.³ Left to its own devices, however, democracy

in its worst aspect, that is little more than mob rule, is devoid of the

essential ingredient of good government, namely ξυνεσις.^d ἐς δήμου ἀκολάστου ὕβριν πεσεῖν ἐστὶ οὐδαμῶς ἀνασχετόν... κῶς γὰρ ἂν γινώσκοι ὄς.. οὔτε εἶδε καλὸν οὐδὲν οἰκίῳ, ὠθέει τε ἐμπεσὼν τὰ πρήγματα ἄνευ νόου,

a. III.80.3,4,5.

b. 82.3.

c. 80.6.

d. 81.2.

χειμάρρῳ ποταμῷ ἔκελος; ^{4.} The comparison of such an ungoverned mob with a raging torrent well illustrates the vital role ξύνεσις has to play. The power to achieve results lies with the people, but uncontrolled it is aimless and highly destructive. It is only when that power has been given direction by those able to see to what end it is best put, namely the ξυνετοί, that the state can survive and prosper. Hence it is precisely because monarchy or oligarchy at their best incorporate this discernment and ability to control the people that it is praised as the best form of government. ^a ὁ μὲν γὰρ εἴ τι ποιέει, γινώσκων ποιέει... ἀνδρὸς γὰρ ἐνὸς τοῦ ἀρίστου οὐδὲν ἄμεινον ἂν φανείη· γνώμη γὰρ τοιαύτη χρεώμενος ἐπιτροπεύοι ἂν ἀμωμήτως τοῦ πλήθους. Each type of constitution therefore has its good point and its bad, and it is interesting to note that the Spartan constitution was often admired as providing the answer to the problem, in that it consisted of a mixture of all three types, a mixture which accounted for its permanence. ^b In much the same way Athenagoras bases his defence of democracy on the balance of power obtained by each section of the community being able to play its part. ^c φήσει τις δημοκρατίαν οὔτε ξυνετὸν οὔτ' ἴσον εἶναι... ἐγὼ δέ φημι... φύλακας μὲν ἀρίστους εἶναι χρημάτων τοὺς πλουσίους, βουλευῆσαι δ' ἂν βέλτιστα τοὺς ξυνετούς, κρῖναι δ' ἂν ἀκούσαντας ἄριστα τοὺς πολλοὺς, καὶ ταῦτα ὁμοίως καὶ κατὰ μέρη καὶ ξύμπαντα ἐν δημοκρατίᾳ ἰσομοιρεῖν.

It is then round two points, namely the personal ambition which power fosters in the ruling party and the lack of political skill residing in the people as a whole, that these discussions revolve, and just this same

a. 81.2., 82.2.

b. Plato Laws 691 e ff.

c. Thuc. VI.39.1.

type of argument between the supporters of two extremes is found in the sphere of relationships with others. Thus it was seen that it was suggested by Socrates that since no rule or regulation could be perfect, there were occasions when it was necessary to violate them. Such licence can however be taken to the extremes mentioned above,^a and so as a result we find Creon in the Antigone backing his decision to mete out the full punishment to Antigone with the following argument.^b

ἀλλ' ὄν πόλις στήσειε, τοῦδε χρὴ κλύειν
καὶ σμικρὰ καὶ δίκαια καὶ τάναντία.
ἀναρχίας δὲ μεῖζον οὐκ ἔστιν κακόν.
αὕτη πόλεις τ' ὄλλυσιν, ἢ δ' ἀναστάτους
οἴκους τίθησιν. ἦδε τ' ἐν μάχῃ δορὸς
τροπὰς καταρρήγνυσι. τῶν δ' ὀρθουμένων
σῶζει τὰ πολλὰ σώμαθ' ἢ πειθαρχία.

In just the same way Menelaus in the Ajax defends his position in refusing to allow the burial of Ajax by stressing the fact that,^c

οὐ γάρ ποτ' οὔτ' ἂν ἐν πόλει νόμοι καλῶς
φέρουσιντ' ἂν, ἔνθα μὴ καθεστήκη δέος,
οὔτ' ἂν στρατός γε σωφρόνως ἄρχοιτ' ἔτι
μηδὲν φόβου πρόβλημα μηδ' αἰδοῦς ἔχων.

Now clearly no community can exist when rules and laws are being continually broken, as Socrates also points out in the Crito.^d Again however it is going to the opposite extreme to allow no freedom to the individual to follow his own principles in matters where the state or its ruler could be considered to have no authority, as Antigone herself points out,^e and no freedom to decide for himself what is right or wrong without having it prescribed by men and laws which are not infallible, as Haemon argues.^f

a. above.p.96ff. b. Ant.666ff.

c. Ajax 1071ff.

d. 50 a

e. Ant 449ff. f. 705ff.

μή νυν ἐν ἥθους μοῦνον ἐν σαυτῷ φέρει,
ὡς φῆς σύ, κούδ' ἐν ἄλλο, τοῦτ' ὀρθῶς ἔχειν.
ὅστις γὰρ αὐτὸς ἢ φρονεῖν μόνος δοκεῖ,
ἢ γλῶσσαν, ἣν οὐκ ἄλλος, ἢ ψυχὴν ἔχειν,
οὔτοι διαπυχθέντες ὠφθησαν κενοί.

Once again then the idea of flexibility, of the use of thought to make changes, results in a flight to extremes, and once again it is around such extremes, namely all freedom and no social sense or all regulation and no individual freedom of thought, that the arguments concerning the relationship of the individual to the state revolve. Thus as was seen the contention of Gorgias that standards of right and wrong are the concern of the individual and not of the teachers of political skills, was pushed by Plato at least by implication to the extreme attitude of such men as Callicles, who uphold the claim of the individual to do as he wills and reject completely the claim of society as a whole.^a ἐὰν δέ γε οἶμαι φύσιν ἱκανὴν γένηται ἔχων ἀνὴρ, πάντα ταῦτα ἀποσεισάμενος... καταπατήσας τὰ ἡμέτερα γράμματα... καὶ νόμους τοὺς παρὰ φύσιν ἅπαντας, ἐπαναστὰς ἀνεφάνη δεσπότης ἡμέτερος ὁ δοῦλος, καὶ ἐνταῦθα ἐξέλαμψεν τὸ τῆς φύσεως δίκαιον. To these ideas Plato opposes the principles of justice and the common good, but it is clear from his writings that these principles are absolutes which a man has to learn to be 'good'. In his opinion the common run of men have no conception of good and evil, and unless restrained, will follow self-interest.^b νόμους ἀνθρώπους ἀναγκαῖον τίθεσθαι καὶ ζῆν κατὰ νόμους ἢ μηδὲν διαφέρειν τῶν πάντη ἀγριωτάτων θηρίων. ἡ δὲ αἰτία τούτων ἦδε, ὅτι φύσις ἀνθρώπων οὐδενὸς ἱκανὴ φύεται ὥστε γνῶναί τε τὰ συμφέροντα ἀνθρώποις εἰς πολιτείαν καὶ γνοῦσα, τὸ βέλτιστον ἀεὶ

a. Gorgias 484 a 2.

b. Laws 874 e 9.

δύνασθαι τε καὶ ἐθέλειν πράττειν. Though therefore he may consider that in an ideal state rules and regulations would be unnecessary because the ideal philosopher king would rule directly,^a it is clear that it is still the opinion of 'the one who knows' which is paramount and from which no deviation is permitted.^b Moreover it has often been pointed out that when dealing with an actual constitution, Plato regulates the conduct of the citizens to a degree which would be considered intolerable to-day. The ideal as he himself states is^c καὶ πάσῃ μηχανῇ τὸ λεγόμενον ἴδιον πανταχόθεν ἐκ τοῦ βίου ἅπαν ἐξήρηται, μεμηχάνηται δ' εἰς τὸ δυνατόν καὶ τὰ φύσει ἴδια κοινὰ ἀμῆ γέ πῃ γεγονέναι, οἷον ὄμματα καὶ ὦτα καὶ χεῖρας κοινὰ μὲν ὄραν δοκεῖν καὶ ἀκούειν καὶ πράττειν, ἐπαινεῖν τ' αὖ καὶ φέγειν καθ' ἓν ὅτι μάλιστα σύμπαντας ἐπὶ τοῖς αὐτοῖς χαίροντας καὶ λυπούμενους. The fear therefore that the relativism and flexibility encouraged by the Sophists might result in the total collapse of society results in a tendency, described in detail by Popper,^d to the establishment of an authoritarian system of ethics, with little or no concern for individual freedom of thought or conscience. As Popper says,^e 'He is afraid of the power of thought.'

C. Problems and Dangers of the Attack on Tradition

i. The Need for a Sense of Duty or Moral Obligation

Though then the Sophists may have had the interests of the state and its members at heart when encouraging the ignoring of tradition, the possible abuse of such freedom led to intelligence and initiative being

a. Pol. 294 a b. Rep. 474 c-502 d, esp.499b. c. Laws 739 c 5ff.

d. The Open Society and its Enemies, Vol.I. esp.pp.89-90. e. ibid.p.117.

viewed with the gravest suspicion, and to an even closer adherence to the very tradition they were trying to break down. However alive to danger the traditionalists may have been however, in attacking intelligence and initiative they were mistaking their target, albeit an obvious and popular one, and by oversimplifying the issue were failing to come to grips with the real problem. It is as if a doctor, having diagnosed bad circulation, were to suggest as remedy that the heart itself be removed. For however potentially dangerous intelligence may be, it still remains a δύναμις εἰς ἐναντία, and to stifle it is to destroy something vital to the progress of society and mankind in general, and to fail to realise that it is not intelligence itself which is the danger, but as Pericles himself points out,^a ὁ τε γὰρ γνοῦς καὶ μὴ σαφῶς διδάξας ἐν ἴσῳ καὶ εἰ μὴ ἐνεθυμήθη· ὁ τε ἔχων ἀμφοτέρω, τῇ δὲ πόλει δύνους, οὐκ ἂν ὁμοίως τι οἰκείως φράζοι. It is then the end to which a skill is put which determines its value, as was also emphasised, it will be remembered,^b by Gorgias, and it is this point which is brought out in the comparison made by Thucydides between Pericles and those who succeeded him. Pericles, as Thucydides represents him, was pre-eminently suited, because of his intelligence and rhetorical skill, to govern the state, and because of his own admitted integrity,^c φιλόπολις τε καὶ χρημάτων κρείσσω did govern it in the interests of that state, and was not obliged to curry favour in order to preserve his reputation.^d At this time therefore Athenian democracy flourished, because it was controlled and guided by a man of this kind.^e ἐγγίγνείτο τε λόγῳ μὲν δημοκρατία, ἔργῳ δὲ ὑπὸ τοῦ πρώτου ἀνδρὸς ἀρχή.

a. Thuc. II.60.6.
e. 65.9.

b. above p.

c. II.60.5.

d. 65.8.

For again it is not any particular form of government which is good or bad. As is pointed out with particular reference to democracy in the Orestes, its quality depends on that of its administrators.^a

δεινὸν οἱ πολλοί, κακούργους ὅταν ἔχωσι προστάτας.
ἀλλ' ὅταν χρηστοῦς λάβωσι, χρηστὰ βουλευούσ' αἰεὶ.

Thus whereas Pericles had used his skills and abilities to the good of the state, those who succeeded him, being much on a par, became rivals for supreme power, and used their talents in their own interests, so that they were far more concerned with personal success and popularity than with the success of the state.^b καὶ ἄλλα...κατὰ τὰς ἰδίας φιλοτιμίας καὶ ἴδια κέρδη κακῶς...ἐπολίτευσαν...κατὰ τὰς ἰδίας διαβολὰς περὶ τῆς τοῦ δήμου προστασίας...τὰ περὶ τὴν πόλιν πρῶτον ἐν ἀλλήλοις ἐταράχθησαν.

Now it has been seen that it is precisely such politicians as these whom Cleon attacks, namely those who make public debates the arena for a battle of wits between themselves and the laws or other persons' points of view, a battle on the success of which they stake their claim to their popularity and cleverness without regard for the real purposes of the debate, namely the interests of the society.^c οἱ μὲν γὰρ τῶν τε νόμων σοφώτεροι βούλονται φαίνεσθαι τῶν τε αἰεὶ λεγομένων ἐς τὸ κοινὸν περιγίγνεσθαι, ὡς ἐν ἄλλοις μείζουσιν οὐκ ἂν δηλώσαντες τὴν γνώμην. It is however, as has been suggested, no answer to the problem to condemn all intelligent politicians out of hand. It is the integrity and character of the politicians which are at fault, and not their intelligence, which is neither good nor bad of itself. It is then

a. Or. 772f.

b. Thuc. II.65.7,10,11.

c. III. 37.4., above p.83.

Diodotus who puts his finger on the problem when he suggests that the Athenians are getting their values wrong. Cleon, it is true, had also made a similar diagnosis in accusing them of encouraging the misuse of talent by applauding cleverness and virtuosity, so that debate becomes not a serious discussion of practical matters, but an opportunity for politicians to display their rhetorical skill as if they were Sophists giving their ἐπιδείξει^a. Whereas however Cleon would take the extreme measure of removing intelligence altogether, Diodotus gets to the root of the problem when he points out that, despite all Cleon's strictures, debate and discussion are essential, if the state is not to be governed by emotion and impulse.^b νομίζω δὲ δύο τὰ ἐναντιώτατα εὐβουλία εἶναι, τάχος τε καὶ ὀργήν... τοὺς τε λόγους ὅστις διαμάχεται μὴ διδασκάλους τῶν πραγμάτων γίνεσθαι, ἢ ἀξύνετός ἐστιν ἢ ἰδίᾳ τι αὐτῷ διαφέρει.

On the other hand however, skill in debate is not in itself an unmitigated good, which is the mistake the Athenians are making. The answer to the problem lies not then in either of these extremes, but in the necessity for a completely new approach to politics, for a realisation that it is the integrity of the adviser, and the quality of his advice, which matter, and not winning a debate for winning's sake. The Athenians therefore need to revise their ideas, the politicians not to allow the acceptance or rejection of their policy to become a matter of personal prestige, and the public as a whole not to equate a man with his policy, and in rejecting the one belittle the other, though his views may have been disinterested, sound and instructive.^c χρὴ δὲ... τὴν σώφρονα πόλιν τῷ

a. III.38.4.

b. 42.1-2.

c. 42.5-6.

τε πλεῖστα εὖ βουλευόντι μὴ προστιθέναι τιμὴν, ἀλλὰ μὴδ' ἔλασσοῦν τῆς ὑπαρχούσης, καὶ τὸν μὴ τυχόντα γνώμης οὐχ ὅπως ξημιοῦν ἀλλὰ μὴδ' ἀτιμάζειν. οὕτω γὰρ ὁ τε κατορθῶν ἥκιστα ἀν' ἐπὶ τῷ ἔτι μειζόνων ἀξιοῦσθαι παρὰ γνώμην τι καὶ πρὸς χάριν λέγει, ὁ τε μὴ ἐπιτυχῶν ὀρέγοιτο τῷ αὐτῷ χαριζόμενός τι καὶ αὐτὸς προσάγεσθαι τὸ πλῆθος.

However simple and obvious this suggestion may seem to us, Diodotus touches here upon the real major difficulty raised by the attack of the Sophists on tradition. For Cleon's attack on intelligence and the extreme positions taken up by both parties in their attitude to debate is only one of many such situations found, as has been shown, in all spheres of action. For all these situations therefore Diodotus' view holds good that on the one hand intelligence, initiative and skill are essential, but that on the other it is the integrity and character of the user which determines its value to the community. It can be seen then that when the Sophists encourage intelligence, initiative and skill, and decry νόμος, or the normal code of social behaviour, they are giving to the individual the full freedom and responsibility of choosing how he will use that skill, a freedom and responsibility which depend entirely on his character and principles for its result. Unless therefore there is a general acceptance of the principles expressed above by Pericles and Diodotus, namely those of personal integrity, justice, disinterestedness and devotion to the common good, in attacking νόμος there is the danger of jumping out of the frying pan into the fire. For unless one can rely on large-scale adherence to these general principles when the specific regulations of tradition are abolished, then clearly the latter situation is worse than

the first, in that there is now nothing to prevent the individual doing as he wills and thus destroying the very society in the interests of which conformity to the νόμοι was being attacked.

The critical question therefore with regard to the value of Sophistic thought is not, as Cleon and others assume, whether intelligence is a good or bad thing, but whether or not there was this general acceptance of the principles of justice and the good of the community. Now in the Platonic dialogue named after him, Protagoras in a speech generally agreed to be a reasonably accurate account of his views maintains that not only is the lack of these principles the object of general disapproval,^a ὅσα δὲ ἐξ ἐπιμελείας καὶ ἀσκήσεως καὶ διδαχῆς οἴονται γίνεσθαι ἀγαθὰ ἀνθρώποις, εἴαν τις ταῦτα μὴ ἔχη, ἀλλὰ τὰναντία τούτων κακά, ἐπὶ τούτοις που οἷ τε θυμοὶ γίνονται καὶ αἱ κολάσεις καὶ αἱ νουθετήσεις. ὧν ἐστὶν ἓν καὶ ἡ ἀδικία καὶ ἡ ἀσέβεια καὶ συλλήβδην πᾶν τὸ ἐναντίον τῆς πολιτικῆς ἀρετῆς, and the following of them to be accorded the highest terms of approval, ἀρετῆ,^b δικαιοσύνη καὶ σωφροσύνη καὶ τὸ ὅσιον εἶναι, καὶ συλλήβδην ἓν αὐτὸ προσαγορεύω εἶναι ἀνδρὸς ἀρετῆν, but that the whole system of reward and punishment,^c ὁ δὲ μετὰ λόγου ἐπιχειρῶν κολάζειν οὐ τοῦ παρεληλυθότος ἕνεκα ἀδικήματος τιμωρεῖται— οὐ γὰρ ἂν τὸ γε πραχθὲν ἀγέννητον θείη— ἀλλὰ τοῦ μέλλοντος χάριν, ἵνα μὴ αἴθρις ἀδικήσῃ μήτε αὐτός οὔτος μήτε ἄλλος ὁ τοῦτον ἰδὼν κολασθέντα, of private and public education,^d and of the laws^e is directed to the inculcation of this ἀρετῆ. In his view then the principles of justice and devotion to the common good, or

a. Prot. 323 d
e. 326 c

b. 325 a

c. 324 b

d. 325 d

πολιτικὴ ἀρετὴ in short, are generally accepted, since it is these which he believes are inculcated by the system of custom-law supported by sanctions such as existed at Athens. It has however been seen that the whole impetus to the attack on such custom-law was given by precisely the fact that it prescribed specific 'does and don'ts' which did not necessarily hold good in every case. All that such a system of rules and sanctions teaches then is that to do x y and z is wrong because the punishment, if one is caught, makes it not worth while. It does not, and never can, teach that injustice is wrong in principle, that is that x y and z should not be done even if one can escape the consequences, because that punishment does not 'make a man better'. It may indeed deter him from doing the same thing a second time,^a but as Diodotus points out to Cleon, if such a man becomes convinced that this time it will pay him to break the rules, then nothing will hold him back.^b ἐν οὖν ταῖς πόλεσι πολλῶν θανάτου ζημίαι πρόκεινται, ... ὅμως δὲ τῆ ἐλπίδι ἐπαιρόμενοι κινδυνεύουσι, καὶ οὐδεὶς πω καταγνοῦς ἑαυτοῦ μὴ περιέσεσθαι τῷ ἐπιβουλεύματι ἧλθεν ἐς τὸ δεινόν... ἀπλῶς τε ἀδύνατον καὶ πολλῆς εὐθείας, ὅστις οἴεται τῆς ἀνθρωπείας φύσεως ὀρμωμένης προθύμως τι πράξει ἀποτροπὴν τινα ἔχειν ἢ νόμων ἰσχύι ἢ ἄλλῳ τῷ δεινῷ. Laws and sanctions then may make a man law-abiding, and this perhaps is all that Protagoras means by δίκαιος, but they cannot be thought of as making him δίκαιος in the wider sense of the word, as Aristotle says,^c ὁ νόμος... καθάπερ ἔφη Λυκόφρων ὁ σοφιστής, ἐγγυητὴς ἀλλήλοις τῶν δικαίων, ἀλλ' οὐχ οἷος ποιεῖν ἀγαθοῦς καὶ δικαίους τοὺς πολίτας. They contain injustice by ensuring that normally

a. Aes. Ag. 174ff.

b. Thuc. III.45.

c. Pol. III.9.1280b 8.

crime does not pay, but no more.

If then the existence of laws and sanctions does not guarantee that men will abide by the general principles of justice whatever the temptation to the opposite, is there anything which will? One suggestion made by Diodotus is that prevention is better than cure.^a ὥστε...δεῖ...τὴν φυλακὴν μὴ ἀπὸ τῶν νόμων τῆς δεινότητος ἀξιοῦν ποιεῖσθαι, ἀλλ' ἀπὸ τῶν ἔργων τῆς ἐπιμελείας...χρὴ δὲ τοὺς ἐλευθέρους οὐκ ἀφισταμένους σφόδρα κολάζειν, ἀλλὰ πρὶν ἀποστῆναι σφόδρα φυλάσσειν καὶ προκαταλαμβάνειν ὅπως μὴ ἔς ἐπίνοιαν τοῦτου ἴωσι. This removal of temptation to injustice is however, as he himself points out, an ideal remedy which can never in practice be achieved, because although extreme poverty, one of the causes of so many wars, may perhaps be eventually eradicated, the desire for acquiring more than one has is never satisfied.^b ἀλλ' ἡ μὲν πενία ἀνάγκη τὴν τόλμαν παρέχουσα, ἡ δ' ἐξουσία ὑβρεῖ τὴν πλεονεξίαν καὶ φρονήματι... ἐξάγουσιν ἐς τοὺς κινδύνους. ἢ τε ἐλπίς καὶ ὁ ἔρως ἐπὶ παντί...πλεῖστα βλάπτουσι, καὶ ὄντα ἀφανῆ κρείσσω ἐστὶ τῶν ὀρωμένων δεινῶν. Since then temptation will always be present, there is only one thing that can guarantee justice, as Democritus so clearly explains.^c κρείσσων ἐπ' ἀρετὴν φανεῖται προτροπῇ χρώμενος καὶ λόγου πειθοῖ ἤπερ νόμῳ καὶ ἀνάγκῃ. λάθρη μὲν γὰρ ἀμαρτέειν εἰκὸς τὸν εἰργμένον ἀδικίης ὑπὸ νόμου, τὸν δὲ ἐς τὸ δέον ἡγμένον πειθοῖ οὐκ εἰκὸς οὔτε λάθρη οὔτε φανερώς ἔρδειν τι πλημμελές. διόπερ συνέσει τε καὶ ἐπιστήμῃ ὀρθοπραγέων τις ἀνδρεῖος ἅμα καὶ εὐθύγνωμος γίγνεται. It is then only personal conviction of the necessity to be just which will prevent a man from being

a. Thuc. III.46.4,6.

b. 45.4,5.

c. D.K.68.B.181.

unjust when it pays him, a conviction which is the result not of the application of external pressure in the form of customs, laws and their sanctions, but of persuasion and reasoning, that is moral education. For it is in Democritus' opinion possible by means of education to so mould a man's φύσις, or natural inclination, character and temperament, that what he is taught becomes 'second nature' to him.^a ἡ φύσις καὶ ἡ διδαχὴ παραπλήσιόν ἐστι. καὶ γὰρ ἡ διδαχὴ μεταρυσμοῦ τὸν ἄνθρωπον, μεταρυσμοῦσα δὲ φυσιοποιεῖ. So too the author of the Anonymus Iamblichii points out that though what one is born with is a matter of chance, there is much that a man can do for himself.^b φῦναι μὲν πρῶτον δεῖν, καὶ τοῦτο μὲν τῇ τύχῃ ἀποδεδόσθαι, τὰ δὲ ἐπ' αὐτῷ ἤδη τῷ ἀνθρώπῳ τάδε εἶναι, ἐπιθυμητὴν γενέσθαι τῶν καλῶν καὶ ἀγαθῶν φιλόπονόν τε καὶ πρωαίτατα μανθάνοντα καὶ πολὺν χρόνον αὐτοῖς συνδιατελοῦντα. So it is that when Hecuba ponders on the strange fact that some men are always good and others bad, it is on the formative aspect of education that she lays stress.^c

οὐκουν δεινόν...

ἀνθρώποις δ' αἰεὶ
ὁ μὲν πονηρὸς οὐδὲν ἄλλο πλὴν κακός,
ὁ δ' ἐσθλὸς ἐσθλός, οὐδὲ συμφορᾶς ὑπο
φύσιν διέφθειρ', ἀλλὰ χρηστός ἐστ' αἰεὶ;
ἄρ' οἱ τεκόντες διαφέρουσιν ἢ τροφαί;
ἔχει γε μέντοι καὶ τὸ θρεφθῆναι καλῶς
δίδαξιν ἐσθλοῦ.

Similarly Adrastus emphasises the value of education in forming character,^d

ἡ δ' εὐανδρία
διδασκός, εἴπερ καὶ βρέφος διδάσκειται
λέγειν ἀκούειν θ' ὧν μάθησιν οὐκ ἔχει.
ἂ δ' ἄν μάθη τις, ταῦτα σῶζεσθαι φιλεῖ
πρὸς γῆρας. οὕτω παῖδας εὖ παιδεύετε.

a. D.K.68.B.33.

b. D.K.89.1.2.

c. Eur. Hec. 592ff.

d. Suppl. 913ff

and Antigone speaks of the power of friends over another's φύσις.^a

ἀλλὰ νοουθετούμενοι
φίλων ἐπὶ δαΐς ἐξεπάδονται φύσιν.

There is here no extreme contrast, such as was met with before, between φύσις denoting only the natural, that is hedonistic and animal, instincts, and νόμος, the obligations necessarily hostile to it which are forcibly imposed by society, and so no pointless argument between extremists as to which of them is better. What is suggested here is that the only thing which can ensure justice and harmony in the state is when a man's nature has become so conditioned by upbringing, education and reasoning to recognise for himself the claims of society, that he will do what is just 'naturally' without prompting from law and other sanctions, and feel ashamed of himself if he does not do so.

ii. The Lack of a Sense of Moral Obligation or Conscience.

The attack of the Sophists on tradition, because it resulted in abuse of explanation to whitewash conduct and in a complete repudiation of all law and order as inimical to personal advancement, provoked a reactionary attack on intelligence as necessarily subversive. Such an attack was however misconceived, since the use of thought and intelligence is neither good nor bad in itself, but depends for its value upon the integrity of the person using it. The breaking down of tradition leaves the individual completely free to choose his actions, so that it is his possession or his lack of general principles of justice and the good of others which determines whether he uses his intelligence to pursue the

a. Soph.O.C.1192f.

common interest or his own interest. Because the Sophists' attack on tradition gives this freedom to the individual therefore, the value to society of that attack depends entirely on whether the majority of Greeks possessed these general principles of justice or not. For when Gorgias suggests that one should not necessarily conform to tradition, but should τὸ δεῶν ἐν τῷ δεόντι πράξαι , he is , as was mentioned above,^a advocating the breaking of tradition in order to achieve the broader aims or spirit of that tradition. But this suggestion assumes that most people realise what those broad aims are, and are anxious to achieve them, so that any licence to break with tradition and to use their intelligence is used to further those aims. Tradition for them would be the accepted but imperfect means to an agreed end, namely the good of society, so that if it was found lacking, they would not take the chance to promote their own interests, but would think out for themselves the best means of achieving the common good. But when Antiphon suggests that one should not necessarily conform to tradition, he, as was pointed out above,^b was advocating breaking tradition to further one's own interests and advantage. For him therefore tradition is a barrier to and limitation of personal achievement, so that any licence to break it is used to further the interests not of the community but of the individual. The reaction to and value to society of this attack on tradition depends wholly therefore upon whether or not the majority of Greeks recognised the basic principles of justice and the good of others. For if they did, then the breaking down of tradition

would result in an enlightened and liberal approach to affairs in the interests of society. But if they did not, then it would result at least in confusion and bewilderment, since they would be left without any guide to what was best to do, or worse still in anarchy and subversion if that breaking down was welcomed as a destroying of the barrier to self-promotion. Now it was seen earlier,^a that Protagoras seemed to think that at Athens at any rate the principles of justice were generally accepted, because they were inculcated by the Athenian educational and legal system. But it was also pointed out that such systems only teach that to do x y or z is wrong, and not that injustice is wrong in principle. It is only if a man is personally convinced of the need to be just and to act for the good of society that he can be said to accept the principles of justice and the common good. In the final resort therefore the crucial question with regard to the value to society of the Sophists' attack on tradition is whether or not the majority of Greeks were thus personally convinced of the need to be just, that is whether, independent of all external pressures and sanctions, they felt morally obliged, whatever the consequences to themselves, to do what was in the interests of others, and the community in general, so that if they did not, they felt they had done wrong and were ashamed of themselves. It is therefore the existence of this sense of moral obligation or conscience, which is based on personal conviction of the need to put the interests of others before one's own,

a. above p.116.

which is necessary if the attack on tradition was not to be valueless and even subversive. But though Protagoras may have thought that the majority of Athenians were thus personally convinced, in fact such an assumption was at best optimistic, for it will be seen from what follows that the whole value scheme and outlook of Greek society from Homeric times onward encouraged not justice and devotion to the common good, but personal supremacy and success.

a. Homer

The standing of the Homeric hero was based, as was shown in Part I, on the amount of his possessions, the number of his dependents and his ability to protect both them and himself. Failure to do this resulted not only in material loss of property, but also in loss of face before the other members of the society.^a It was however precisely this concern for 'what people will say' which, as was seen in Part II, the Sophists were attacking in their desire to free men from the restrictions of tradition and superstition, and to-day many would give public opinion scant consideration as a motive for action. For the Homeric hero however what people said about him was of paramount importance, since it was on this alone that his value as a person was based.^b For he does not distinguish himself from public opinion and, as a self-assured individual, reject its valuation of him and his actions

a. Adkins, 'Honour' and 'Punishment', BICS, 1960.

b. id., M. and R. p. 48f.

as ill-founded, but identifies himself with it, so that to be called ἀγαθός is to be ἀγαθός. It matters immensely therefore that the Homeric hero, or indeed any member of the society, should do what that society approved of, since it is what that society says about their action which will be spread abroad, as Penelope points out.^a

πῶς γὰρ ἐμεῦ σύ, ξεῖνε, δαήσεται εἴ τι γυναικῶν
ἀλλάων περίειμι νόον καὶ ἐπίφρονα μῆτιν,
εἴ κεν ἀῦσταλέος κακὰ εἰμένος ἐν μεγάροισι
δαινύη; ἄνθρωποι δὲ μινυνθάδιοι τελέθουσιν.
ὅς μὲν ἀπηνῆς αὐτὸς ἔη καὶ ἀπηνέα εἶδῃ,
τῷ δὲ καταρῶνται πάντες βροτοὶ ἄλγε' ὀπίσσω
ζωῶ, ἀτὰρ τεθνεῶσι γ' ἐφεφιδῶνται ἅπαντες.
ὅς δ' ἂν ἀμύμων αὐτὸς ἔη καὶ ἀμύμονα εἶδῃ,
τοῦ μὲν τε κλέος εὐρὺ διὰ ξεῖνοι φορέουσι
πάντας ἐπ' ἀνθρώπους, πολλοὶ τέ μιν ἐσθλὸν ἔειπον.

One's fame rests upon what is heard about one (κλύω, κλυτός, κλέος), and this is transmitted to others and then to future generations in the form of folk-tale. If the tale is one recounting failure and disaster, it becomes a cautionary tale of the type told by Phoenix to Achilles.^b

οὕτω καὶ τῶν πρόσθεν ἐπευθόμεθα κλέα ἀνδρῶν
ἡρώων, ὅτε κέν τιμ' ἐπιζάφελος χόλος ἴκοι.

If good it is ample reward for a dangerous mission,^c and constitutes a form of immortality which compensates for loss of life. The two fates of Achilles are an obvious example of this,^d and the fame which Achilles does gain is in the Odyssey a source of envy for the ghost of Agamemnon, who perished so ignominiously at the hands of Aegisthus and Clytemnestra.^e

ὣς σὺ μὲν οὐδὲ θανῶν ὄνομ' ὤλεσας, ἀλλὰ τοι αἰεὶ
πάντας ἐπ' ἀνθρώπους κλέος ἔσσεται ἐσθλόν, Ἀχιλλεῦ.
αὐτὰρ ἐμοὶ τί τόδ' ἦδος, ἐπεὶ πόλεμον τολύπευσα;

a. xix.325ff.
e. xxiv.93ff.

b. IX.524f.cf.597ff.

c. X.212f.

d. IX.410ff.

That one's name should be known to many as the symbol of success is thus one's only claim to something that outlasts the ephemeral, as Penelope suggests,^b and so the Homeric hero feels no compunction about making that claim by revealing his name, and thereby his reputation.^a

εἴμ' Ὀδυσσεὺς Λαερτιάδης, ὃς πᾶσι δόλοισιν
ἀνθρώποισι μέλω, καὶ μευ κλέος οὐρανὸν ἵκει.

To those who had no conception of a god who knew and cared for each individual, or of an after-life which was not just a shadowy image of this, to be forgotten is to be as if they had never been. The gratitude which Nestor expresses to Achilles for the honorary presentation of the last prize is thus easily understood,^c as is the force of the threat of the suitors on the life of Telemachus.^d

ἦ ἵνα μὴδ' ὄνομα αὐτοῦ ἐν ἀνθρώποισι λίπηται.

What people say was therefore of supreme importance to a member of Homeric society, since he had no standing, no value, except that placed upon him by his society. It was therefore the immediate effect^e of any situation in which he found himself, or any action of his upon his reputation which most concerned him.^f His greatest fear was that he would put up a poor show, for he knew that once the story got around, he would never be able to hold his head up again. It is then this fear of public opinion, this shame before the other members of his society, which is the greatest inducement to him not to allow himself to be shown up as inferior or incompetent in any way. Thus the suitors, because they know they cannot themselves draw Odysseus' bow, are unwilling to risk a mere πτωχὸς ἀνὴρ

a. ix.19f.,cf.ix.263f.
d. iv.710.

b. xix.328.
e. xxiii.362f.

c. XXIII.647ff.
f. Adkins,M.and R.p.48f.

being able to do so for obvious reasons.^a

ἀλλ' αἰσχυρόμενοι φάτιν ἀνδρῶν ἠδὲ γυναικῶν,
μὴ ποτέ τις εἴπῃσι κακώτερος ἄλλος Ἀχαιῶν.
'ἢ πολὺ χεῖρονες ἄνδρες ἀμύμονος ἀνδρὸς ἄκοιτιν
μνῶνται, οὐδέ τι τόξον ἐύξοον ἐντανύουσιν.
ἀλλ' ἄλλος τις πτωχὸς ἀνὴρ ἀλαλήμενος ἐλθὼν
ῥηϊδίως ἐτάνουσσε βιόν, διὰ δ' ἦκε σιδήρου.
ὡς ἐρέουσ', ἡμῖν δ' ἂν ἐλέγχεα ταῦτα γένοιτο.

So too when Hector is tempted to refuse battle with Achilles, it is not any personal adherence to general principles of bravery and patriotism which keep him outside the walls, but the realisation that the loss of so many of his forces through his own recklessness has so seriously impaired his standing as an ἀγαθός, that only a fight to the death with Achilles can go anywhere near restoring it.^b

νῦν δ' ἐπεὶ ὤλεσα λαὸν ἀτασθαλίῃσιν ἐμῆσιν,
αἰδέομαι Τρῶας καὶ Τρῳάδας ἐλκεσιπέπλους,
μὴ ποτέ τις εἴπῃσι κακώτερος ἄλλος ἐμεῖο.
'Ἐκτωρ ἦφι βίηφι πιθήσας ὤλεσε λαόν.'
ὡς ἐρέουσιν· ἐμοὶ δὲ τότε ἂν πολὺ κέρδιον εἴη
ἄντην ἢ Ἀχιλλῆα κατακτείναντα νέεσθαι,
ἢ ἐ κεν αὐτῷ ὀλέσθαι ἐϋκλειῶς πρὸ πόλης.

So great then is the disgrace attaching to inferiority of any kind, that men, and especially the ἀγαθοί, will go to any lengths to avoid it, or if they cannot do so will view its prospect with deepest despair and bitterness.^c It can be seen therefore that in any encounter where reputation is at stake, it is the one who comes off worse who feels shame and humiliation, for, far from evoking the sympathy and support of others, it is he as the weaker party, and not his opponent, who goes down in the estimation of society. In any such encounter therefore it is the one who

a. xxi.323ff.

b. XXII.104ff.cf. VI.441ff.above p.

c. IX.13ff.

is attacked who cannot afford to let matters lie, but must take vengeance, and prove his worth if he is to maintain his standing. It is then just this system of revenge and retribution, this struggle for supremacy and reputation which is found widespread in Greek Literature, and is in particular the origin of the subject of the Iliad, the wrath of Achilles. For in depriving Achilles of Briseis, who was part of the share of the booty which was in keeping with his standing as one of the foremost of the βασιλεῖς after Agamemnon, Agamemnon, as can be readily appreciated from the situation described above, was offering him what amounted to the greatest insult possible. For to take away his possessions, and in particular his war prize, was to deprive him, an ἀγαθός, of his τιμή,^a

ἦ γάρ μ' Ἀπρεΐδης εὐρὺ κρείων Ἀγαμέμνων
ἠτίμησεν· ἔλων γὰρ ἔχει γέρας, αὐτὸς ἀπούρας,

the only thing which marked him out from the κακός, and therefore to put him on a level with the κακοί, as he bitterly complains.^b

οὔτ' ἔμεγ' Ἀπρεΐδην Ἀγαμέμνονα πεισέμεν οἷω
οὔτ' ἄλλους Δαναούς, ἐπεὶ οὐκ ἄρα τις χάρις ἦεν
μάρνασθαι δήλοισιν ἐπ' ἀνδράσι νωλεμέες αἰεὶ.
ἴση μοῖρα μένοντι, καὶ εἰ μάλα τις πολεμίζοι.
ἐν δὲ ἰῆ τιμῆ ἡμὲν κακὸς ἠδὲ καὶ ἐσθλός.

For as has been seen the τιμή one received was a mark of, indeed in a sense was, one's standing in society.^c To lose Briseis was therefore to be treated as a κακός for all his courage and prowess. It was then Achilles whose honour was at stake, and ordinarily he could have done little about it, since he was unwilling to fight over what was originally a gift,^d and anyway, even if he had wanted to, he had little chance of success, since

a. I.355f.

b. IX.315ff.

c. above p.13.

d. I.297f.

as Nestor points out,^a ὅ γε φέρτερός ἐστιν, ἐπεὶ πλεόνεσσιν ἀνάσσει.
But though Achilles was unable to take forcible reprisals, he has other cards up his sleeve, as Nestor also points out,^b θεὰ δέ σε γείνατο μήτηρ, and it is through his mother that he seeks and finds the vengeance otherwise denied him.^c For although Agamemnon would have been able to withstand force on Achilles' part, because, despite his protestations to the contrary,^d he needs the support of the βασιλεῖς and especially Achilles, he cannot withstand the consequences of Achilles' refusal to fight, and so has to climb down and pay Achilles the recompense, the redress or ποινὴ to which he has a right.^e

ἄψ ἐθέλω ἀρέσαι δόμεναί τ' ἀπερείσι ἄποινα.

When an attack occurs therefore the primary consideration of the victim is to get back what he has lost, to have his τιμή, both material and reputation, restored by making his opponent repay what he took, make some recompense or ποινὴ for the loss he inflicted. To this end then the victim directs all his efforts, and enlists all the help he can, and if like Achilles he has the ear of the gods through a divine mother, then it is well for him. For in this battle for superiority and reputation it is as always the forces and powers one can muster to one's side which are the decisive factors, so that the possession or lack of relatives, friends and others who will come to one's aid when it becomes necessary to save or regain one's τιμή is of supreme importance. Thus in bewailing his early

a. I.281.

b. 280.

c. 410ff.

d. 173ff.

e. IX.120.

cf. XIX.138.

death Achilles fears for his father, who is now old and deprived of the protection and support of his son, so that he will surely be ousted from the τιμή which Achilles could have preserved for him.^a

εἰπὲ δέ μοι Πηλῆος ἀμύμονος εἴ τι πέπυσσαι,
ἢ ἔτ' ἔχει τιμὴν πολέσιν μετὰ Μυρμιδόνεσσιν,
ἢ μιν ἀτιμάζουσιν ἄν' Ἑλλάδα τε Φθίην τε,
οὔνεκά μιν κατὰ γῆρας ἔχει χεῖρας τε πόδας τε.
οὐ γὰρ ἐγὼν ἐπαρωγὸς ὑπ' αὐγὰς ἡελίοιο...
εἰ τοιόσδ' ἔλθοιμι μίνυνθά περ ἐς πατέρος δῶ,
τῶ κέ τεω στύξαιμι μένος καὶ χεῖρας ἀάπτους,
οἷ κεῖνον βιόωνται ἐέργουσιν τ' ἀπὸ τιμῆς.

The aid of relatives and friends is therefore of great importance to those too weak to protect or avenge themselves, but clearly is of particular importance to those who die a violent death, if they are to be assured of a decent burial and of satisfactory revenge on the perpetrator. Thus it is only because Menelaus notices Patroclus' death and, after having defended his body for a while, was in time with the aid of Ajax to fend off Hector, that Patroclus, already stripped of Achilles' armour, was not subjected to worse dishonour.^b So too it is on account of the inglorious death of Agamemnon as compared with the honour he would have been accorded had he died among friends at the war, that Achilles commiserates with him in the underworld.^c

ὡς ὄφελος τιμῆς ἀπονήμενος, ἧς περ ἄνασσεσ,
δῆμῳ ἔνι Τρώων θάνατον καὶ πότμον ἐπισπεῖν·
τῶ κέν τοι τύμβον μὲν ἐποίησαν Παναχαιοί,
ἠδὲ κε καὶ σῶ παιδὶ μέγα κλέος ἦρα ὀπίσσω·
νῦν δ' ἄρα σ' οἰκτίστω θανάτῳ εἵμαρτο ἀλῶναι.

Moreover after the dishonour shewn to Hector's body, it is his father who

a. xi.494ff.

b. XVII.1ff.,123ff.

c. xxiv.30ff.

is prepared to bend the knee before his slayer in order to recover the body for burial.^a Though however Hector eventually gets a decent burial, because Priam and the Trojans are no longer in a position to inflict any serious damage on the Greeks, his death remains unavenged. The value therefore of a son or other relative who is strong enough, as Priam was not, to take this revenge is immense, as the fate of Aegisthus shows,^b

ἀλλ' ἦ τοι κεῖνος μὲν ἐπισμυγερῶς ἀπέτισεν,
ὡς ἀγαθὸν καὶ παῖδα καταφθιμένοιο λιπέσθαι
ἀνδρός, ἐπεὶ καὶ κεῖνος ἐτίσατο πατροφονῆα,
Αἴγισθον δολόμητιν, ὃ οἱ πατέρα κλυτὸν ἔκτα,

and as Akakmas recognises.^c

φράζεσθ' ὡς ὑμῖν Πρόμαχος δεδμημένος εὔδει
ἔγχει ἐμῶ, ἵνα μὴ τι κασιγνήτοιο γε ποινὴ
δηρὸν ἄτιτος ἔη· τῷ καὶ τίς τ' εὔχεται ἀνὴρ
γνωτὸν ἐνὶ μεγάροισιν ἀρῆς ἀλκτῆρα λιπέσθαι.

In the case of death by violence therefore, as in all cases of aggression, it is the exacting of a ποινὴ which is the primary consideration of the losing party, and it is up to the individual family to gain that retribution by means of self-help. It is clear however that not all contests were fought out to the bitter end, but that accommodation between the two parties occurred. Thus if the original aggressor agreed for any reason, usually the threat of worse reprisals, to give back what he had taken, the victim could consider his honour satisfied, and the matter would end there. Thus it is clear both from the sending of an embassy to reclaim Helen peaceably^d and from the terms agreed for single

a. XXIV.477ff, 518ff.

b. iii.195ff.

c. XIV.482ff.

d. XI.122ff.

combat between Menelaus and Paris,^a that had Paris restored Helen and the valuables he took from Menelaus, then the Greeks would have been satisfied, and would not have destroyed Troy. It is only because Helen is refused that Troy's destruction becomes necessary. Likewise it is a sign of Achilles' obduracy that when presented with gifts more than compensating for the loss of Briseis, he refuses to be pacified. So too in the case of homicide it is clear that on occasion blood-money was considered by the relatives to be sufficient compensation, and indeed Ajax contrasts Achilles' obduracy with those who have accepted such a *ποινή* for the death of a son or brother.^b

καὶ μὲν τίς τε κασιγνήτοιο φονῆος
ποινήν ἢ οὐ παιδὸς ἐδέξατο τεθνηῶτος·
καὶ ῥ'ὁ μὲν ἐν δήμῳ μένει αὐτοῦ πόλλ' ἀποτείσας,
τοῦ δέ τ' ἔρητύεται κραδίη καὶ θυμὸς ἀγήνωρ
ποινήν δεξαμένῳ.

If then the aggressor was willing to make recompense, the use of force and the causing of bloodshed could be avoided, but on occasion the object of an avenger's reprisals did not agree that he deserved them. This is not to say that like Paris he simply refuses to give back what he took, but that he denies either having done anything to merit reprisals, or that what he has done does not merit them. In this case, if a clash is to be avoided, he must either bring the avenger over to his point of view, or find someone strong enough and sympathetic enough to intervene on his behalf and settle the dispute peaceably, and it is this situation which is found depicted on the shield of Achilles.^c

a. III.284ff.

b. IX.632ff.

c. XVIII.497ff.

λαοὶ δ' εἰν ἄγορῇ ἔσαν αἰθροὶ· ἔνθα δὲ νεῖκος
ώρωρει, δύο δ' ἄνδρες ἐνεΐκεον εἵνεκα ποινῆς
ἄνδρὸς ἀποφθιμένου· ὁ μὲν εὐχετο πάντ' ἀποδοῦναι
δῆμῳ πιφαύσκων, ὁ δ' ἀναΐνετο μηδὲν ἐλέσθαι·
ἄμφω δ' ἰέσθην ἐπὶ ἴστορι πεῖραρ ἐλέσθαι.

The avenger then accuses the defendant of not having paid the ποινή for homicide, and therefore of being still liable to reprisals. For as Jones points out,^a the fact 'that no bargain had been made, or that the agreed sum had not been paid would leave intact the old right to kill the killer. What has happened is that the accused, threatened with vengeance, has sought and obtained the intervention of an impartial authority empowered to prevent a breach of order until the truth of the accusation has been established.' The dispute therefore has been brought before an arbiter, instead of the two parties fighting it out, but nevertheless, as Latte says, the fact that the quarrel is fought out before the people makes little difference to the atmosphere of self-help. The supporters are ranged on each side,^b

λαοὶ δ' ἀμφοτέρωσιν ἐπήπυον, ἀμφὶς ἀρωγοί,

and no doubt their relative strength had much to do with the verdict, much in the way that it had in Nestor's appraisal of the situation in the case of Achilles and Agamemnon.^c So too in all probability the reward,^d

κεῖτο δ' ἄρ' ἐν μέσσοισι δύο χρυσοῖο τάλαντα,
τῷ δόμεν ὃς μετὰ τοῖσι δίκην ἰθύντατα εἴποι,

was for just such a nice appreciation of the relative strength and claims of each side, and what should be done to satisfy both parties. For the person to whom they go is an ἴστωρ, someone like Nestor who knows all the

a. J.W.Jones, Law and Legal Theory of the Greeks, p.258.

b. 502.

c. I.280ff., above p.12f.

d. XVIII.507f.

age-old δίκαι, the rights and customs of the society, and who can therefore give and justify a verdict which will meet with general approval, which it must do if it is to be enforced. For although the calling in of an arbiter can, like blood-money, prevent a fight to the death, it is still a fight between the two parties, so that unless the plaintiff is convinced that justice has been done, or failing that can be forced by the opposition of the majority of society to his claim to accept that justice has been done, the verdict of the court can have little effect on his desire for vengeance.

In any encounter therefore when life or reputation is at stake it is those on the losing side, and not the attackers, who lose face and feel the need to seek redress in order to avoid the disgrace attaching to inferiority. The restitution or ποινή exacted is therefore strictly retributive and deterrent, and not, as Protagoras thought,^a corrective or remedial. The victim does in fact τοῦ παρεληλυθότος ἕνεκα ἀδικήματος τιμωρεῖται, because it is only by taking reprisals that he is proved to have been wronged, and his attacker proved to be in the wrong. Thus Achilles prays that^b γυνὴ δὲ καὶ Ἀτρεΐδης. ἦν ἄτην. For until this happens the victim as the weaker party is dishonoured, and the attacker as the stronger is within his rights. For as was shown in Part I no attack on another is considered wrong in itself. It is only if the consequences cannot be withstood that the attack and the attacker are shown to be wrong. Just as then the victim is not shown to have been wronged until he takes reprisals, so the attacker is not shown to be in the wrong until he meets them. It is only when he is forced to climb down and make redress that the attacker is

a. Plato Prot 324 b

b. Il.I.411f.

convicted and admits of being in any way in the wrong. This means then that since his action is not wrong until he meets disaster, what he admits to is not that it was wrong in principle to have attacked another person, but that in this particular case it did not pay off. There is then on his part no sense of guilt, no conscience about having broken a general principle of ethics, but only a recognition of having miscalculated. When therefore the attack on Achilles occurs and Briseis is taken, it is Achilles as the victim who feels insulted and the need to avenge himself, whereas Agamemnon as the attacker feels no such *ἐλεγχεῖν*, since he is on the offensive. It is not until the full consequences of his action are recognised that Agamemnon is convicted,^a

οὐ δὲ σὺ μεγαλήτορι θυμῷ
εἴξας ἄνδρα φέριστον, ὃν ἀθάνατοί περ ἔτεισαν,
ἠτίμησας· ἐλὼν γὰρ ἔχεις γέρας,

and admits he is at all in the wrong, and does so in the following terms.^b

ὦ γέρον, οὐ τι ψεῦδος ἐμὰς ἄτας κατέλεξας·
ἄασάμην, οὐδ' αὐτὸς ἀναίνομαι....
ἀλλ' ἐπεὶ ἄασάμην φρεσὶ λευγαλέησι πιθήσας,
ἄψ' ἐθέλω ἀρέσαι δόμεναί τ' ἀπερείσι' ἄποινα.

His reaction to what he has done is then *ἄασάμην* I must have been mad. Not even now it must be noted does he express *αἰδώς* as did Hector at having lost his troops,^c because fortunately for him the full consequences of his action, the defeat which would have resulted in the greatest humiliation, have not yet overtaken him. He is still able to rectify matters, and can still assert his superiority over Achilles.^d

a. IX.109ff.

b. 114ff.

c. XXII.99ff.

d. IX.158ff.

δηθῆτω...

καί μοι ὑποστήτω, ὅσον βασιλεύτερός εἰμι
ἢδ' ὅσον γενεῇ προγενέστερος εὔχομαι εἶναι.

When then Agamemnon owns to being in the wrong, he does not admit to any guilt, any pangs of conscience about having attacked another person. Indeed the vocabulary for any such expression of personal guilt, of being ashamed of oneself, is conspicuously lacking. The confession which is expressed in ἀσάμην is one of having made a mistake, a miscalculation. The consequences of what he did are such that clearly he must have been mad to hope that he could get off scot free, and so great is this feeling of 'whatever made me do it' that when apologising to Achilles he attributes his mistake to ἄτη, to some mental aberration which impaired his judgment.^a

ἐγὼ δ' οὐκ αἴτιος εἰμι,
ἀλλὰ Ζεὺς καὶ Μοῖρα καὶ ἠεροφοῖτις Ἐρινύς,
οἳ τέ μοι εἰν ἀγορῇ φρεσὶν ἔμβαλον ἄγριον ἄτην.

Far then from any personal shame he declares he is οὐκ αἴτιος. This does not mean, as Dodds who discusses this passage in detail points out,^d that he is trying to escape the penalty,^b

ἀλλ' ἐπεὶ ἀσάμην...
ἄψ ἐθέλω ἀρέσαι, δόμεναί τε ἀπερείσι ἄποινα,

but that he cannot believe that he could have taken the decision which might have had such disastrous results. It must have been something outside him, a refusal to consider that any failure or mistake can really be one's own fault which Boehme suggests also lies behind the tendency of the Homeric hero to attribute to his θύμος any thought which he no longer accepts as being worthy of him.^c Thus Hector, having debated with himself the chances

a. XIX.86ff.

b. 137f.

c. Die Seele und das Ich im homerischen

d. The Greeks and the Irrational, p.2f. Epos. Leipzig-Berlin, 1929.

of winning Achilles' pity, suddenly comes to himself as we might say, and says,^a

ἀλλὰ τίη μοι ταῦτα φίλος διελέξατο θυμός;

It may also be noticed that in much the same way a mistake is often, as for example in the case of Agamemnon, regarded as being the result of having acted μεγαλήτορι θυμῷ εἴξας or φρεσὶ λευγαλέησι πιθήσας^b where clearly the θυμός or φρένες are regarded as something apart from the 'self', which is regarded as being blameless.

When therefore one member of Homeric society attacks another, he becomes conscious of the result of his action only. He does not consider the act of attacking another wrong in itself, but recognises only that it will have or has had unfortunate results. The sense of personal guilt therefore plays little part, since his action is viewed in the light of its result, and of what people will say about that result. There were however as was seen earlier certain classes of persons protected by the gods, so that it was considered wrong to harm them.^c It might therefore be expected that if anyone did so, they and not the victim would go down in the estimation of society, so that at least in these cases there would be some evidence of society values encouraging consideration for others. It becomes clear however that far from this being so, it is still the victim of any such attack who feels dishonour. Thus a clear case is that of Telemachus, who as host to the suitors is one of those protected by Ζεὺς ἑένιοσ, Nevertheless the fact that he is being eaten out of house and home is still a source of dishonour to him and his family, because as Penelope

a. XXII.122.

b. IX.109.,119.

c. above p.20f.

points out the house is being rendered ἄτιμος,^a τοῦ νῦν οἴκον ἄτιμον ἔδειξ and as has been seen to fail to protect one's possessions is to lose not only property, but with it one's standing in society. It is then the fact that the suitors are able to get away with it which causes Telemachus the greatest concern.^b ἐπεὶ ἀλλότριον βίσιον νήποινον ἔδουσιν . Now he may, as Achilles does Agamemnon, accuse them of ὕβρις and it may be that his plight did arouse some sympathy, but that makes no difference to the fact that it is not until he can muster enough support to exact a ποινή, and thus prove them guilty of ὕβρις, that he can regain his standing,^c

καὶ σύ, φίλος, μάλα γάρ σ' ὀρώω καλόν τε μέγαν τε,
ἄλκιμος ἔσσι', ἵνα τίς σε καὶ ὀφιγόνων εὐ εἴπῃ,

something which he is, for all the sympathy, unable to do. For those who might ordinarily have been called upon to help him, namely the chieftains of Ithaca, are the very ones who are causing him the harm.^d

ἐκ γάρ με πλήσσουσι παρήμενοι ἄλλοθεν ἄλλος
οἶδε κακὰ φρονέοντες, ἐμοὶ δ' οὐκ εἰσὶν ἀρωγοί.

The fact then that he is under the protection of the gods makes no difference to the effect of their action upon his standing. What it does mean is that he can hope that they will be on his side and grant him some opportunity of destroying the suitors without himself paying for it, an important stipulation since once the attackers are themselves the victims of attack they in turn seek redress as happened when Odysseus finally took revenge,^e and this is the burden of his prayer to the gods.^f

ἐγὼ δὲ θεοῦς ἐπιβώσομαι αἰὲν ἔδοντας,
αἶ κέ ποθι Ζεὺς δῶσι παλίντιτα ἔργα γενέσθαι.
νήποινοί κεν ἔπειτα δόμων ἔντοσθεν ὀλοίσθε.

a. xvi.431.
f. i.378ff.

b. i.160.

c. iii.199f.

d. xviii.231f.

e. xxiv.433ff.

The protection of the gods means then that he can expect them to give him, as they did to Achilles,^a the τιμή others will not, but not in his case because he has the particular advantage of having them for relatives, but simply because he belongs to one of the categories of persons to whom the gods will give help without special pleading. Of course however it is as always not until they give him that τιμή by destroying his opponents that he does in fact regain his standing, and since they are easily offended, one can never be completely certain of their help.

The onus still therefore lies on the victim to regain his standing, and it is of course this which is the cause of the whole Trojan war. For although in abducting the wife of Menelaus Paris too has violated the laws of hospitality, this makes no difference to the attitude of society to that action. It is still up to Menelaus to prove his ability to protect his family, one of the criteria of ἀνάγκη, and to prove it he must successfully reclaim Helen and the possessions she took with her. The κακότης he must avenge is therefore his own, not that of Paris, since it is he and not Paris who has suffered loss, and who must therefore seek redress.^b

ἢ τ' ἐφάμην τείσασθαι Ἀλέξανδρον κακότητος.

All that he can hope for more because Paris violated the ties of hospitality is that Zeus will help him gain that redress, and thus show men that it is not wise to anger the gods, a prayer which is tantamount to a challenge.^c

Ζεῦ ἄνα, δὸς τείσασθαι ὃ με πρότερος κάκ' ἔοργε,
δοῖον Ἀλέξανδρον, καὶ ἐμῆς ὑπὸ χερσὶ δάμασσον,
ὄφρα τις ἐρρίγησι καὶ ὀφιγόνων ἀνθρώπων
ξεινοδόκον κακὰ ῥέξαι, ὃ κεν φιλότητα παράσχη.

a. IX.118.

b. III.365.

c. 351ff.

cf. Adkins, M. and R. p. 57(9).

This makes no difference however to the fact that until he does actually regain Helen, he is still ἄτιμος. For it is clear, as has been indicated above,^a that the capture of Troy was not considered as an end in itself, as a punishment because Paris had done wrong. The Greeks are there to get Helen back and thus show that he was wrong, and it is only because the Trojans are prepared to support Paris and stake their lives in his cause that the city has to be attacked to get her. Thus according to the terms agreed for single combat, if Paris had been killed, Menelaus would have been satisfied by the return of what Paris took from him, and by an indemnity.^b

εἰ δέ κ' Ἀλέξανδρον κτείγη ξανθὸς Μενέλαος,
Τρῶας ἔπειθ' Ἑλένην καὶ κτήματα πάντ' ἀποδοῦναι,
τιμὴν δ' Ἀργείοις ἀποτινέμεν ἦν τιν' ἔοικεν.

It is only if the Trojans do not repay this that he will be obliged to continue the seige because then he will still be ἄτιμος, will not have gained redress, ποινὴ, for his loss.^c

εἰ δ' ἂν ἐμοὶ τιμὴν Πρίαμος Πριάμοιο τε παῖδες
τίνειν οὐκ ἐθέλωσιν Ἀλεξάνδροιο πεσόντος,
αὐτὰρ ἐγὼ καὶ ἔπειτα μαχήσομαι εἵνεκα ποινῆς
αὔθι μέμων, ἧὸς κε τέλος πολέμοιο κιχέω.

That the gods disapprove of certain actions such as breaking the ties of hospitality therefore means only that the victim can count them among his supporters. It is still not until he gains redress that he regains with it his standing in society, so that again the victim seeks redress in order to re-establish himself, and not because the action is considered wrong in itself. So too therefore it is only when and then only because he suffers retaliation that the attacker loses face, for the only criticism implied

a. above p. 130f.

b. III.284ff.

c. 288ff.

by others saying that such an attack is οὐ θέμις is that the gods will punish it, that is it will not pay off, but it is not until and only if it does not that he will feel any shame before them. For clearly the fact that he can get away with his action is no reflection on his ability to do as he wills, that it on his ἀρετή, but only proves it. The mere fact that he has done something of which the gods disapprove does not cause him to feel shame, because it does not reflect on his ἀρετή. Sometimes however to break an oath, for example, or to fail to protect a beggar, or any of those classes under divine protection, can reflect on one's ἀρετή, in that having promised on oath to do something, or having promised to protect someone, one is proved in the event unable to do it. Thus if for example Agamemnon had attacked Calchas and Achilles had not fulfilled his oath to Calchas to defend him, he would have been shown up as unable to help those under his protection, those for whose safety he had accepted responsibility, and so would immediately lose face irrespective of whether the gods also punished him or not. In such cases therefore the breaking of an oath would result in loss of standing, but not because the gods disapprove. For it must be emphasised again that the attitude of the gods to oath breaking is not the cause of his loss of face, which is the result of the hero's lack of ἀρετή, his inability to carry out an undertaking, and perhaps the clearest example of this whole situation is seen in the description of Eumaeus' meeting with Odysseus. He at this point is a beggar and as such under the protection of the gods, and on entering Eumaeus' property is savaged by dogs. Eumaeus is horrified, and his reaction is described thus,^a

a. xiv.37ff.

ὦ γέρον, ἢ ὀλίγου σε κύνας διεδηλήσαντο
ἐξαπίνης, καὶ κέν μοι ἐλεγχεῖν κατέχευας.
καὶ δέ μοι ἄλλα θεοὶ δόσαν ἄλγεά τε στοναχάς τε.

Had Odysseus been killed then what Eumaeus would have felt is ἐλεγχεῖν, shame before the rest of society, because he would have been shown to be unable to protect his guest. The only difference which the anger of the gods makes is that they will bring him bad luck in addition. The ἐλεγχεῖν is then independent of what the gods think about the action. Similarly if on the other hand he refused to give Odysseus food and shelter, because this would not show him up as in any way incapable, he would not incur ἐλεγχεῖν and it would be only the gods who would be angry.^a

ξεῖν', οὐ μοι θέμις ἔσθ', οὐδ' εἰ κακίων σέθεν ἔλθοι,
ξεῖνον ἀτιμῆσαι· πρὸς γὰρ Διὸς εἴσιν ἅπαντες
ξεῖνοί τε πτωχοί τε.

The fact then that it is οὐ θέμις to refuse a beggar means only that he is open to divine anger, and not that he feels any shame at doing it. It is only if he were punished by them that he would feel shame, and then only because of that punishment, because he met with disaster and like Agamemnon had made a mistake in calculation, and not because it was wrong in principle to refuse beggars.

It is then only the effect of any action upon one's standing which matters, and which results in one's feeling ashamed or otherwise before others, a situation which is true of all relationships with another person. Thus it has been seen that once Achilles had agreed to protect Calchas, it was his reputation which was at stake, since by that agreement he had accepted what amounted to a challenge, had said in effect 'I can'. How successful

he was in defending Calchas was therefore a measure of his ability to protect his dependents, a measure of his ἀρετή. In cases of helping, protecting or avenging another then it is the question of ability, of ἀρετή and therefore of one's reputation and standing which is of primary importance. Thus when Odysseus has killed the suitors, because as has been seen when the attacker is himself attacked he as the new victim must seek redress, their relatives, though no doubt wanting to avenge their own family out of affection, must avenge them if they are to hold their heads up again in society, and it is this argument which Eupheithes uses in his exhortation.^a

λώβη γὰρ τάδε γ' ἔστ' ἰ καὶ ἔσσομένοισι πυθέσθαι,
εἰ δὴ μὴ παίδων τε κασιγνήτων τε φονῆας
τισόμεθ'.

So too in the pitched battle which ensues over the body of Patroclus 'Phoenix' says to Menelaus,^b

σοὶ μὲν δὴ, Μενέλαε, κατηφείη καὶ ὄνειδος
ἔσσειται, εἴ κ' Ἀχιλλῆος ἀγαθοῦ πιστὸν ἑταῖρον
τείχει ὑπὸ Τρώων ταχέες κύνες ἐλκήσουσιν.

To allow one's φίλοι, that is those whom one considers members of one's own circle, nearest to oneself after blood relations, and their dependents to suffer such dishonour is to fail to protect those for whose safety one has assumed a responsibility, a failure which, because it is one in ability, results in shame, κατηφείη, and loss of reputation, ὄνειδος. For it is the mutual advantage of receiving aid from a friend if one is oneself in danger, and of proving one's valour if he is distressed by coming to his aid which is one of the strongest links between friends. This is not of course

a. xxiv.433ff.

b. XVII.556ff.

to say that these were the only considerations in one's relationship with one's φίλοι, for it is clearly not fear of being shamed alone which moves Menelaus to go on fighting,^a and the grief of Achilles over Patroclus' death, and the fact that he was not there to help him is well known.^b Nevertheless it remains true that to go to the aid of another is a proof of one's ἀρετή, and to fail to do so a source of shame before others.

b. Greek Society as revealed in Folk-tale.

In the Homeric poems therefore the value placed by society on power and personal supremacy, and the regard for the opinion of that society shown by its members, did nothing to encourage a conviction that it was the good of others which mattered, so that to harm another was wrong in itself. This does not however mean to say that the Homeric Greeks were always aggressive and at each other's throats, but that when a struggle did occur, as in the case of Agamemnon and Achilles, it was the one who came out on top who was held in esteem. This situation was not moreover limited to Homeric society, for in Greek society as it is revealed in the folk-tales which form the basis of much of Herodotus' history and of nearly all Attic tragedy, it is still the fear of what people will say if one fails to put up a good show, which causes the greatest concern and anxiety. Thus Herodotus records at the end of the story of the fight between the three hundred Spartans and the like number of Argives that,^c τὸν δὲ ἕνα λέγουσι τὸν περιλειφθέντα τῶν τριηκοσίων, Ὀθρυάδην, αἰσχυνόμενον ἀπονοστήειν ἐς Σπάρτην τῶν οἱ συλλοχιτέων διεφθαρμένων, αὐτοῦ μιν ἐν τῆσι θυρέῃσι

a. XVII.563ff.

b. XVIII.22ff., 98ff.

c. I.82.8.

καταχρησασθαι ἐωυτόν. As in Hector's case therefore the fear of public opinion is sufficient to make him prefer death, even though here there was no mistake involving loss of troops. It was only nightfall which prevented a decision one way or the other, but even so this did not alter the fact that he had neither been killed nor won the day, and so had failed, particularly in the eyes of the Spartans, whose high expectations of their soldiers has already been mentioned.^a So too when Xerxes comes to the throne of Persia, he cannot afford to be compared to his detriment with his predecessors, and what is more the Persians had suffered defeat at the hands of the Greeks, so that if he wishes to win good report, he must make good that loss, as Mardonius eagerly points out.^b οὐκ οἶκός ἐστι 'Αθηναίους ἐργασαμένους πολλὰ δὴ κακὰ Πέρσας μὴ οὐ δοῦναι δίκας τῶν ἐποίησαν. ἀλλ'.., στρατηλάτεε ἐπὶ τὰς 'Αθήνας, ἵνα λόγος τέ σε ἔχη πρὸς ἀνθρώπων ἀγαθός.

It is then the fear of losing face and the need to take reprisals which, in both the Aeschylean and the Herodotean versions of the story, prompt Xerxes to invade Greece.^c ἐγὼ δὲ ἐπεῖτε παρέλαβον τὸν θρόνον τοῦτον, ἐφρόντιζον ὅπως μὴ λείψομαι τῶν πρότερον γενομένων ἐν τιμῇ τῆδε μνηδὲ ἐλάσσω προσκτῆσομαι δύναμιν Πέρσῃσι· φροντίζων δὲ εὕρισκω ἅμα μὲν κῦδος ἡμῖν προσγινόμενον...ἅμα δὲ τιμωρίην τε καὶ τίσιν γενομένην.

It is still then the one who puts up a poor show, who comes off worse, who goes down in the estimation of others, so that again it is he who seeks redress in order to regain his standing, as the situation in the Oresteia clearly shows. Agamemnon has been murdered by a woman in a manner totally unworthy of a king.^d It is he therefore who is dishonoured,

a. above p. 40f.
d. Choeph. 479.

b. Hdt. VII.5.2.

c. VII.8.a.2., Persae 753 ff.

deprived as he is of the gifts, offerings and good report which would have been his due as an ἀγαθός had he died before Troy, a fact which as has been seen in the Iliad was a source of grief to Agamemnon's ψυχή, and now in the Choephoroi to his son Orestes.^a

εἰ γὰρ ὑπ' Ἰλίῳ
πρὸς τινοῦ Λυκίων, πάτερ,
δορίτμητος κατηναρίσθης,
λιπὼν ἄν εὐκλειαν ἐν δόμοισιν
τέκνων τ' ἐν κελεύθοις
ἐπιστρεπτὸν αἰῶ
κτίσσας πολύχωστον ἄν εἶχες
τάφον διαποντίου γᾶς,
δώμασιν εὐφόρητον.

With Agamemnon dead therefore it falls upon his family, Orestes and Electra, to avenge his death, since as long as his murderers are νήπιοι they, as well as Agamemnon are ἄτιμοι in every sense, Electra being treated as a slave, and Orestes deprived of his patrimony, while Aegisthus and Clytemnestra exult in their deed.^b It is then not any feeling that the murder of Agamemnon is wrong per se, but the dishonour suffered by Agamemnon as the result of the murder, and the necessity to gain requital, and with it his and their own standing in society, which are the motivating forces behind Orestes' and Electra's desire to punish the killers, as could not be more clearly brought out than it is in the following invocation of the dead Agamemnon.^c

Ορ. οὕτω γὰρ ἄν σοι δαῖτες ἔννομοι βροτῶν
κτιζοῖατ'· εἰ δὲ μῆ, παρ' εὐδείπνοισι ἔση
ἄτιμος ἐμπύροισι κνισωτοῖς χθονός...
μέμνησο λουτρῶν οἷς ἐνοσφίσθης, πάτερ...

a. 345ff.

b. 135ff.

c. 483ff.

ἄρ' ἐξεγείρη τοῖσδ' ὄνειδεσιν, πάτερ;
Ηλ. ἄρ' ὀρθὸν αἴρεις φίλτατον τὸ σὸν κᾶρα;
Ορ. ἦτοι δίκην ἴαλλε σύμμαχον φίλοις,
ἦ τὰς ὁμοίας ἀντίδοσ λαβὰς λαβεῖν,
εἴπερ κρατηθεῖς γ' ἀντινικῆσαι θέλεις...
Ηλ. οἴκτιρε θῆλυν ἄρσενός θ' ὁμοῦ γόνον...
παῖδες γὰρ ἀνδρὶ κληδόνοσ σωτήριοι
θανόντι.

It is then the insult done him by the lack of offerings and the indignity of the manner in which he was killed, which are calculated to arouse the dead Agamemnon to take revenge, a revenge which however, since he is dead, can only be taken through and by his relatives. For again as in the Homeric poems, it is the support which one can muster, particularly if one is in any way unable to take reprisals oneself, which counts. Thus the first reaction of Electra, a woman helpless to protect or avenge herself, to the arrival of the long lost brother is,^a

ᾧ φίλτατον μέλημα δώμασιν πατρός,
δακρυτὸς ἐλπίς σπέρματος σωτηρίου,
ἀλκῆ πεποιθὸς δῶμ' ἀνακτῆσῃ πατρός.

So too in the Euripidean version of the story Orestes says,^b

οὐκ ἔστιν οὐδὲν κρεῖσσον ἢ φίλος σαφής,
οὐ πλοῦτος, οὐ τυραννίς.

The possession of relatives and friends therefore can bring one the sort of help the Athenian children give each other against the Pelasgians,^c εἴτε τύποιτό τις αὐτῶν ὑπ' ἐκείνων τινός, ἐβοήθεόν τε πάντες καὶ ἐτιμῶρεον ἀλλήλοισι, while the lack of them can be a very serious matter, as one story in particular in Herodotus' history brings out. Because of an oracle which he misinterprets, Cambyses has killed his only brother, leaving

a. 235ff.

b. Or. 1155f.

c. Hdt. VI.138.2.

him with no near relatives capable of coming to his aid should he find himself unable to avenge an injury alone. This, in the light of what has been said, is a weakness, to the seriousness of which his sister is said to have drawn his attention, either according to one version by weeping when she saw a puppy coming to the aid of its brother,^a *μνησθεῖσά τε Σμέρδιος καὶ μαθοῦσα ὡς ἐκεῖνω οὐκ εἶη ὁ τιμωρήσων*, or by taking the leaves off a lettuce and saying,^b *ταύτην μέντοι κοτὲ σὺ τὴν θρίδακα ἐμιμήσασο, τὸν Κύρου οἶκον ἀποφιλώσας*. For of course it was not only Cambyses but all his dependents who stood to lose by his action. At length when the true meaning of the oracle is borne in on him, and he learns that his kingdom has been usurped by the Magi, then what his sister most feared is brought to pass, and he admits,^c *τὸν μὲν νυν μάλιστα χρῆν ἐμεῦ αἰσχροῦ πρὸς τῶν μάγων πεπονθότος τιμωρέειν ἐμοί, οὗτος...τετελεύτηκε*. For what the Magi have done is αἰσχροῦ not to them, since they have the upper hand, but to himself, so that it is he who must take vengeance. He is however a dying man, and since his brother is dead, all he can hope is that the Persians will take up his cause, adding the fear of a curse as an incentive.^d The lack of relatives and close friends can therefore be disastrous, and not only to the dead. For as Creon complains, however strong a claim to respect he may have, words are not enough, and his ἐρημία renders him helpless to effect his will.^e

πρὸς ταῦτα πράξεις οἶον ἂν θέλης· ἐπεὶ
ἐρημία με, καὶ δίκαι' ὅμως λέγω,
σμικρὸν τίθησι· πρὸς δὲ τὰς πράξεις ὅμως,
καὶ τηλικόσδ' ὄν, ἀντιδρᾶν πειράσομαι.

a. III.32.2.

b. 32.4.

c. 65.5.

d. 65.6.

e. Soph.O.C.956ff.

So too Cadmus in mourning Pentheus poignantly expresses what the loss of a grandson can mean to an ageing man.^a

τὸν γέροντα δὲ
οὐδεὶς ὑβρίζειν ἤθελ' εἰσορῶν τὸ σὸν
κάρα· δίκην γὰρ ἀξίαν ἐλάβανες.
νῦν δ' ἐκ δόμων ἄτιμος ἐκβεβλήσομαι...
τὸν μητρὸς αὐδῶν πατέρα προσπιύξῃ, τέκνον,
λέγων· Τίς ἀδικεῖ, τίς σ' ἀτιμάζει, γέρον;
τίς σὴν ταράσσει καρδίαν λυπηρὸς ὦν;
λέγ', ὡς κολάζω τὸν ἀδικοῦντά σ', ὦ πάτερ.

He will suffer just those insults and that dishonour which Achilles feared would be the lot of his father. As Creon says in the Antigone,^b

τούτου γὰρ οὐνεκ' ἄνδρες εὐχονται γονὰς
κατηκόους φύσαντες ἐν δόμοις ἔχειν,
ὡς καὶ τὸν ἐχθρὸν ἀνταμύνονται κακοῖς,
καὶ τὸν φίλον τιμῶσιν ἐξ ἴσου πατρί.

It is therefore of just this hope which Andromache is deprived by the Greeks who fear just that danger of her son avenging his father,^c a danger which motivates Lukos in the Heracles Furens,^d

οὐκουν τραφέντων τῶνδε τιμωροὺς ἐμοὺς
χρήζω λιπέσθαι τῶν δεδραμένων δίκην,

and which is ironically suggested by Theseus as a reason for the Thebans refusing to allow burial to the Argive dead.^e

τί μὴ γένηται; ...
ἢ τέκν' ἐν मुखῷ χθονὸς
φύσωσιν, ἐξ ὧν εἶσι τις τιμωρία;

It is then still up to the victim to gain what redress he can with, if necessary, the help of relatives and friends. As in Homer however the contest is not necessarily fought out to the bitter end, but may be

a. Eur. Bacchae 1310ff.

b. 641ff.

c. Eur. And. 26ff., 77f.

d. 166ff., cf. Hdt. I. 155.1.

e. Eur. Suppl. 544ff.

submitted to arbitration, as happens in the Eumenides. As has been seen Orestes, in order to regain his τιμή in all its senses, must avenge his father. To do this however he has to kill his own mother, and mothers are one of those classes of persons who have vengeance taken for them by the furies. It is now they therefore who, in and on behalf of Clytemnestra, are dishonoured and must gain redress, just as in the Odyssey, when the suitors are killed, their relatives immediately take up the cudgels.^a

Orestes however killed his mother not only for the very good reason of avenging his father, but what is more was further prompted to the act by Apollo's threats of dire disaster should he not do so. Naturally then Orestes feels that he has a strong claim to escape the retribution of the furies, and manages to reach Athena's sanctuary and appeal to her before they catch him. The case then is brought before Athena for her to decide between the claims of Orestes on the one hand,^b

Θρ. σὺ δ' εἰ δικάϊως εἴτε μὴ κρῖνον δίκην·
πρ. πράξας γὰρ ἐν σοὶ πανταχῆ τὰδ' αἰνέσω.

and the furies on the other.^c

Χο. ἀλλ' ἐξέλεγχε, κρῖνε δ' εὐθεῖαν δίκην.

To help her in this difficult task she calls upon the best of the Athenian citizens to act as impartial judges.^d

Whereas then so far it has been a struggle or contest between two parties who are fighting it out, so that it is their relative strength which decides the issue without regard for the claims of either of them, now it is a contest in words, when the claims are important. For now each

a. above p. 142. b. Eum. 468f.

c. 433.

d. 483ff., 681ff.

of them is trying to convince a third party by argument that their claim is the stronger, the pursuers or prosecutors, namely the furies, trying to show reason why they should catch their prey and take their vengeance, that is convict him, and the one who is fleeing or the defendant, that is Orestes, why he should escape and not pay damages, that is be acquitted. They have then to be able to state their case with witnesses and evidence to support it,^a

ὕμεῖς δὲ μαρτύριά τε καὶ τεκμήρια
καλεῖσθ', ἄρωγὰ τῆς δίκης ὀρθώματα.

and to refute the arguments of the other side,^b in short to find a way of swaying the jury's minds and emotions to their side, with all the verbal ploys and rhetorical devices which that entails. Even though however the contest has ceased to be physical, it is still the strength of the case which matters, in that it is the pressure which each side can exert which is important. Thus the furies claim the right to avenge a murder, and if they are baulked will cause pestilence.^c On the other hand Orestes murdered to avenge his father, and he has Apollo and hence Zeus on his side to strengthen the case.^d

τὸ μὲν δίκαιον τοῦθ' ὅσον σθένει μαθεῖν,
βουλῆ πιφαύσκων δ' ὕμμ' ἐπισπέσθαι πατρός.

It is then clear that in deciding on whose side δίκη lies, the jury is expected to take into account the power of each party, what each of them can do to avenge themselves if they lose the day, in much the same way as Nestor weighed up the relative strength of Agamemnon and Achilles.^e Each side brings its guns to bear,^f

a. 485f. b. 657ff. c. 477ff. d. 619f. e. above p.12f.
f. 676.

ἡμῖν μὲν ἤδη πᾶν τετόξευται βέλος,

and is arguing in effect that that they have the right to prevail because they are stronger, so that it is all but certain that the jury bases its decision not so much on any abstract ideas of justice, as on the relative strength of each side, and which of them they are prepared to enrage by voting them the losers.^a

Χο. καὶ μὴν βαρεῖαν τήνδ' ὀμιλίαν χθονὸς
ξύμβουλός εἰμι μηδαμῶς ἀτιμάσαι.

Απ. κἄγωγε χρησμούς τοὺς ἐμούς τε καὶ Διὸς
ταρβεῖν κελεύω μηδ' ἀκαρπώτους κτίσαι.

For since, as was mentioned in the case of the Homeric trial, such a trial is still a contest, an ἀγών, between the two parties, the losing side, as the loser, is the one who will feel dishonoured, and who will therefore feel the need to avenge himself if he is to regain it, as the reaction of the furies to the acquittal of Orestes shows.^b

ἐγὼ δ' ἄτιμος ἄ τάλαινα βαρύκοτος
ἐν γὰρ τᾷδε, φεῦ,
ἴδον ἴδον ἀντιπεν-
θη μεθεῖσα καρδίας,
χθονὶ σταλαγμὸν ἄφορον·
γελῶμαι· δύσοιστ' ἐν
πολίταις ἔπαθον·
ἰὼ μεγάλα τοι κόραι δυστυχεῖς
Νυκτὸς ἀτιμοπενθεῖς.

It is evident therefore that this trial is the result of the appeal of one side to an impartial body to stay the hand of the avengers until it has been decided whether or not they have the right to take that revenge. If therefore the verdict had been for the prosecutors, all that this would

a. 711ff.

b. 780ff.

have meant was that their right to take vengeance would have been upheld, so that any penalty which would have been exacted would, as in all the cases of vengeance described above, have been purely retributive, and a recompense for the τιμή they had lost. The only difference which the setting up of a tribunal makes is that the quarrel between the two parties, as to whether the one had the right to take this vengeance, is now fought with words. As Jones points out,^a Aeschylus is dramatising the replacing of the old system of immediate self-help, represented by the furies, with the new one of arbitration, represented by the younger gods.^b

In any contest therefore, whether fought out to the bitter end or submitted to arbitration, it is the one who is attacked, and who fails to retaliate, who is dishonoured, and this is true, as it was in Homeric society, of those who are specifically considered under the protection of the gods. Thus just as in the Iliad it is the Greeks who seek redress for Helen's abduction, despite the fact that Paris violated the ties of hospitality, so in Aeschylus, Agamemnon is considered worthy of praise because,^c

Πάρις γὰρ οὔτε συντελῆς πόλις
ἐξεύχεται τὸ δρᾶμα τοῦ πάθους πλέον.
ὄφλων γὰρ ἀρπαγῆς τε καὶ κλοπῆς δίκην
τοῦ ῥυσίου θ' ἤμαρτε καὶ πανώλεθρον
αὐτόχθονον πατρῶον ἔθρισεν δόμον.
διπλᾶ δ' ἔτεισαν Πριαμίδαί θ' ἀμάρτια.

It would never have done to allow Paris to have the better of the engagement, because had he done so, he would have got away with his booty scot free, and so would not have been shown to have made a mistake. For again it is only

a. op. cit. p.26.

b. Eum. 778f.

c. Ag. 532ff.

the disaster which befalls Paris which shows that Agamemnon was wronged, and that Paris was in the wrong, that is had, like Agamemnon in the Iliad,^a made a mistake, had miscalculated. Though the victory of Agamemnon may be ascribed to the gods,^b it is that victory and only that victory which restores him his τιμή. Divine disapproval or approval of any action makes no difference to the fact that it is the victim who loses face, and that it is not until reprisals have been taken that the attacker is proved to have been in the wrong. Thus the only difference which swearing a false oath makes to stealing money is that, since the oath involves the gods, the perjurer is subject to their wrath, and so to a punishment far greater than any ordinary man could exact.^c

ὄμνυ, ἐπεὶ θάνατός γε καὶ εὖορκον μένει ἄνδρα.
ἀλλ' ὄρκου πάϊς ἐστὶν ἀνώνυμος, οὐδ' ἔπι χεῖρες
οὐδὲ πόδες· κραιπνὸς δὲ μετέρχεται, εἰς ὃ κε πᾶσαν
συμμάρφας ὀλέσῃ γενεὴν καὶ οἶκον ἅπαντα.

But again it is not until the perjurer meets that fate,^d that he is shown to have offended the gods and to be in the wrong, and so becomes the subject of such a cautionary tale as this showing that crime does not pay.^e οὕτω ἀγαθὸν μηδὲ διανοέεσθαι περὶ παραθήκης ἄλλο γε ἢ ἀπαιτεόντων ἀποιδιδόναι. Indeed that the taking of oaths was not based on any ethical principle of not deceiving the other person, but only on the fear of divine sanctions, is shown by the fact that there was felt to be nothing wrong with tricking someone by swearing a deliberately misleading oath.^f It only meant that the swearer was clever enough to get what he wanted without offending the gods, and that the victim was fool enough to be taken in.

a. above p. 134.
e. *ibid.*

b. Ag. 810ff.

c. Hdt. VI.86.γ.2.

d. 86.δ.

f. Hdt. IV.201., VI.61.

The position therefore with regard to those actions disapproved of by the gods is exactly that found in the case of Eumaeus,^a namely that though one may fear divine punishment, one is only ashamed if one is proved unable to fulfil an undertaking or responsibility. It is the effect of any action upon one's reputation for ἀρετή which matters, and not whether the gods do or do not approve of it. For to come to someone's aid is to show that one is able to do so, and it is this display of ἀρετή which is cause for pride. Thus Hecuba, who seeks to avenge her children, has, because of her helplessness, to approach Agamemnon as a suppliant.^b This act is in itself an indication of Agamemnon's ἀρετή, since unless he were capable of assisting her, she would not have asked him in the first place, and it is with this appeal to his ἀρετή, which is tantamount to a challenge, that she ends her plea.^c

ὦ δέσποτ', ὦ μέγιστον Ἑλλήσιν φάος,
πιθοῦ, παράσχεε χεῖρα τῇ πρεσβύτιδι
τιμωρόν, εἰ καὶ μηδέν ἐστίν, ἀλλ' ὄμως.
ἐσθλοῦ γὰρ ἀνδρὸς τῇ δίκη θ' ὑπηρετεῖν
καὶ τοὺς κακοὺς δρᾶν πανταχοῦ κακῶς ἀεί.

To help her would be on Agamemnon's part an indication of his ἀρετή, of which he could boast in the way that Athens boasts of her history of successful battles on behalf of the victims of violence.^d It is precisely this expression of ἀρετή of course, namely that of being able to take the weak under one's wing, for which Heracles was famous, as he is reminded^e by Theseus, who himself claims this same type of ἀρετή.^f

ὡς τοῖς ἔμοῖσιν οὐχὶ πρόσφορον τρόποις
φεύγειν τὰ δεινά. πολλὰ γὰρ δράσας καλὰ

a. above p.140f. b. Eur. Hec.749ff. c. 841ff. d. Heracl.329ff.
e. H.F.1250ff. f. Suppl.338ff.

ἔθος τὸδ' εἶς Ἑλληνας ἐξελεξάμην,
ἀεὶ κολαστῆς τῶν κακῶν καθεστάναι.
οὔκουν ἀπαυδᾶν δυνατὸν ἐστὶ μοι πόνους.

Because Theseus has accepted responsibility for protecting the weak, it is more than his reputation is worth to fail to fulfil that responsibility. For in taking responsibility for the well-being of suppliants and others, the avenger is in fact accepting them into the circle of those upon the protection of whom his claim to ἀρετή depends, and this close connection between the role of the ἀγαθός as blood-relative, friend and defender of suppliants is clearly brought out in Iolaus' plea to Demophon.^a

γενοῦ δὲ τοῖσδε συγγενῆς, γενοῦ φίλος
πατὴρ ἀδελφὸς δεσπότης.

It is therefore because to protect others is a sign of ἀρετή that the ἀγαθός is prepared to do it, and boasts of it when done, and not because it is considered right in itself. For that he protects the weak is no indication that he himself considers it wrong to attack others, and that he would rather be the victim than the aggressor. Those against whom he fights on behalf of his dependents are considered enemies not because they have attacked others weaker than themselves, but because they are challenging his ability to protect his dependents, and hence his standing as an ἀγαθός.^b

φθείρου· τὸ σὸν γὰρ Ἄργος οὐ δέδοικ' ἐγώ.
ἐνθ' ἐνδε δ' οὐκ ἔμελλες αἰσχύνας ἐμὲ
ἄξειν βίᾳ τοῦσδ'· οὐ γὰρ Ἀργείων πόλει
ὑπήκοον τήνδ' ἀλλ' ἐλευθέραν ἔχω.

To allow those dependent on him to be taken is to admit that the attacker is stronger, and it is this, and not any concern for the dependents, which

a. Heracl. 227f.

b. 284ff.

prompts the hero to take action. In just the same way failure to come to the rescue is a source of shame only if it reflects on one's ability and willingness to protect those in one's keeping. Thus after the Persian war, when a measure of unity between the individual states and the resulting success had made the Greeks conscious and proud of what they were,^a there came into vogue the new idea and concept of 'Greece as a whole', as a country to which all Greeks belonged by race, language and religion, a concept found, it will be remembered, in the speech purported to have been made by Athens during the war. Because of this new concept of Greece, just as when any individual city was attacked its citizens would come to its aid and to have been able to defend it was a sign of ἀρετή, so now it became a sign of ἀρετή to have been able to defend Greece, and protect her like a Heracles. Not to have done so was consequently to have been shown lacking in ἀρετή, and so it is that those cities which did not send troops to Plataea put up empty tombs, not because they regarded pan-Greek patriotism as right in itself, but to save their faces.^b τῶν δὲ ἄλλων ὅσοι καὶ φαίνονται ἐν Πλαταιῆσι ἐόντες τάφοι, τούτους δέ, ὡς ἐγὼ πυνθάνομαι, ἐπαισχυνομένους τῆ ἀπεστοῖ τῆς μάχης ἐκάστους χώματα χῶσαι κεινὰ τῶν ἐπιγυνομένων εἵνεκεν ἀνθρώπων. Had Greece not been saved of course, they would have felt no such shame, because they would have been on the winning side. But because she was saved, and so to have fought in her defence was to have been proved able to protect those in need of protection, not to have done so shows a failure in ability which results in loss of face.

It was however seen that gradually the gods came to be considered

a. above p.32.

b. Hdt. IX.85.3.

the protectors and avengers not only of members of certain specific classes of persons, but of anyone who was attacked by another. But again this does not mean that aggression was considered wrong in itself. As in the cases described in Homer the disapproval of the gods means no more than that victims such as Orestes and Electra can and do call upon them to help them gain reprisals.^a

ὦ Ζεῦ, δός με τείσασθαι μόνον
πατρός, γενοῦ δὲ σύμμαχος θέλων ἔμοι.

For the conception of the gods as upholders of justice is no more than an extension of the conception of them as protecting beggars, guests and others. In these cases they are considered to give their aid only to specific classes of persons, but as avengers of injustice they are considered to give that aid to anyone who is the victim of attack. But since it is still not until the attacker meets with reprisals that he is proved to be guilty of ὑβρις and to have been punished by the gods, it is still up to the victim to gain redress and prove his attacker in the wrong. The only advantage which he derives from being the victim is that the gods are thought to be on his side. This means that the justice which the gods uphold, and the punishment they exact, is, like that of the victim, strictly retributive. What has happened is that the system of retaliation for harm suffered, the lex talionis, is now put into the hands of the gods, who are thought to uphold it, as the invocation of the Chorus in the Choephoroi to the Μοῖραι and Δίκη amply testifies.^b

ἀλλ' ὦ μεγάλαι Μοῖραι, Διόθεν
τῆδε τελευτᾶν,
ἧ τὸ δίκαιον μεταβαίνει.

a. Aes. Choeph. 18f. (cf. Il. III. 351.), 382ff.

b. 306ff.

ἀντὶ μὲν ἐχθρᾶς γλώσσης ἐχθρὰ
γλῶσσα τελείσθω· τοῦφειλόμενον
πράσσουσα Δίκη μέγ' αὐτεῖ·
ἀντὶ δὲ πληγῆς φονίας φονίαν
πληγὴν τινέτω· δρᾶσαντι παθεῖν,
τριγέρων μῦθος τάδε φωνεῖ.

But once again it must be emphasised that since it is only through what they do to a man that the gods can express their approval or disapproval, it is only when the victim gains redress and the attacker meets disaster that the support or antagonism of the gods is proved, a point which is clearly brought out in the words of Antigone.^a

ἀλλ' εἰ μὲν οὖν τὰδ' ἐστὶν ἐν θεοῖς καλά,
παθόντες ἂν ξυγγνοῖμεν ἡμαρτηκότες·
εἰ δ' οἷδ' ἁμαρτάνουσι, μὴ πλείω κακὰ
πάθοιεν ἢ καὶ δρωσιν ἐκδίκως ἐμέ.

Despite the new role of the gods as upholders of justice therefore, it is still the victim who feels disgrace, and who must seek redress to regain his standing in society. Similarly the attacker feels it no disgrace simply to have attacked, but only if he meets disaster. He may well of course be called ἄδικος and his action ἀδικία because he has attacked, especially by his victim, but all this means is that because the gods uphold justice, he is likely to meet with divine disapproval, that is disaster, so that to term a man or his action ἄδικος, ἀδικία is to say in effect, 'that's asking for trouble'. If therefore a man says of any action he contemplates, ἄδικόν ἐστίν, or has it said of him or his action ἄδικός-όν ἐστίν, he may well have his confidence undermined, and begin to wonder whether it will pay him, but it is not until he meets disaster and is thus unable to get away with it that he will admit being

a. Soph. Ant. 924ff.

in the wrong and feels any shame, and then as always because he has not got away with it, because like Agamemnon he has miscalculated. Thus it has been seen that Xerxes for reasons of revenge and prestige attempts to defeat the Greeks.^a In this he fails, and so, as was shown in detail,^b is considered guilty of, and to have been punished by the gods for, *ἀδικία*. But just as it was only because he met disaster that he was proved guilty, so too it is not until then that he feels any disgrace attaching to him, as is clearly brought out in Aeschylus' treatment of the story. The *Persae* is concerned wholly with the effect of Xerxes' disaster, and it is the loss of so many troops and the failure to carry out the undertaking, which, as in the case of Hector and Agamemnon,^c is the source of shame to him and the Persian nation, as the queen's reaction to the messenger's tale shows.^d

αἶαῖ, κακῶν ὑφίστα δὴ κλύω τάδε,
αἴσχη τε Πέρσαις καὶ λιγέα κωκύματα.

So too it is the destruction of the whole fighting force which the Chorus laments,^e and to which Xerxes admits,^f wishing he had rather died than be forced to face the rest of his subjects.^g True that the gods are said to have sent the disaster,^h but their disapproval of Xerxes' action has nothing to do with this feeling of shame. This is caused, as always, by incompetence and failure. What the gods' disapproval of *ὑβρις* and *ἀδικία* does mean is that whereas Agamemnon considered his mistake due to Zeus making him lose his wit for reasons unconnected with his having taken Briseis, Xerxes' mistake is attributed to the gods sending him bad luckⁱ because he did what he did. Thus in the discussion between the queen and

a. above p. 144. b. above p. 29ff. c. *II*.XXII.104., IX.22. d. *Pers.*331ff.
e. 550ff. f. 931ff. g. 914ff. h. 911,921 i. 353f.

Darius' ghost the crossing of the Hellespont is mentioned with the following comments.^a

Βα. ὧδ' ἔχει· γνώμης δέ ποῦ τις δαιμόνων ξυνήφατο.
Δα. φεῦ, μέγας τις ἦλθε δαίμων, ὥστε μὴ φρονεῖν καλῶς.
Βα. ὡς ἰδεῖν τέλος πάρεστιν οἶον ἦνυσεν κακόν.

Xerxes' action, a mistaken one as the event (κακόν) shows it to have been, is attributed, like that of Agamemnon to mental aberration caused by the gods,^b

θνητὸς ὦν θεῶν τε πάντων ᾤετ', οὐκ εὐβουλία,
καὶ Ποσειδῶνος κρατήσειν· πῶς τὰδ' οὐ νόσος φρενῶν
εἶχε παῖδ' ἑμόν;

but the conclusion is now drawn that this aberration and consequent disaster is divine punishment for that action, a lesson to teach him and others not to do the same again.^c

θῖνες νεκρῶν...σημανοῦσιν...
ὡς οὐχ ὑπέρφευ θνητὸν ὄντα χρὴ φρονεῖν.
ῥβρις γὰρ ἔξανθοῦς' ἐκάρπωσεν στάχυν
ἄτης, ὅθεν πάγκλαυτον ἔξαμᾶ θέρος.
τοιαῦθ' ὀρῶντες τῶνδε τὰπιτίμια
μέμνησθ' Ἀθηνῶν Ἑλλάδος τε, μηδέ τις
ὑπερφρονήσας τὸν παρόντα δαίμονα
ἄλλων ἐρασθεῖς ὄλβον ἐκχέη μέγαν.
Ζεὺς τοι κολαστῆς τῶν ὑπερκόμπων ἄγαν
φρονημάτων ἔπεστιν, εὐθυνοσ βαρύς. κ. τ. λ.

As in Agamemnon's case, what is admitted is not that attacking others is wrong in itself, but that in this particular case it did not pay off, only now it is considered not to have paid off because the gods as well as the victims were angered. But again all that this punishment means is that the attacker bit off more than he could chew, and so has been cut down to size as it were.^d For though as Darius suggests, and as is pointed out in

a. 724ff.

b. 749ff.

c. 818ff.cf. Hd.t.II.120.5.

d. above p. 24f.

another of Aeschylus' plays, the one who suffers punishment may profit by it in the following manner,^a

Ζῆνα δέ τις προφρόνως ἐπινίκια κλάζων
τεύξεται φρενῶν τὸ πᾶν,

τὸν φρονεῖν βροτοῦς ὁδώ-
σαντα, τῷ πάθει μάθος
θέντα κυρίως ἔχειν.

στάζει δ' ἀνθ' ὕπνου πρὸ καρδίας
μνησιπῆμων πόνοσ· καὶ παρ' ἄ-
κοντίας ἦλθε σωφρονεῖν,

or become a wise adviser in the manner of Croesus,^b τὰ δέ μοι παθήματα
ἔόντα ἀχάρिता μαθήματα γέγονε, but all that he has learned is to be more
cautious the next time, and not that aggression is wrong in principle.^c

The fact therefore that the gods have by now come to be considered the upholders of justice means no more than that the victim can consider them his allies, while the attacker is open to their wrath. This means that a member of society considers his action only in the light of its consequences, so that he and his action are wrong if they are proved mistaken, and it is of such a mistake and its results that he is ashamed. There is no such thing as a 'sin', that is something considered wrong in itself, but only mistake or miscalculation, ἀμαρτία. In such a situation therefore there can exist no feeling of moral obligation or conscience, in the sense that on the one hand however much one wanted to do something one is personally convinced that it would be wrong in principle to do so, so that if one did do it one would feel that what one had done was wrong, regardless of whether one got away with it or not, and on the other hand that however much one did not want to do something, one knows that it is

a. Ag.174ff.

b. Hdt.I.207.1.

c. above p. 117.

the right thing to do in principle whatever the cost to oneself, and if one fails to do it feels that one has not lived up to one's principles, and is ashamed of oneself. It is this sense of moral obligation or conscience which, as was seen, is required if the Sophists' attack on tradition is not to be detrimental, but its existence is not necessarily implied by the belief in the gods as upholders of justice.

But this does not mean that the Greeks of this time did not hesitate to do certain things, and having done them feel uneasy. But again this hesitation and uneasiness and the terms in which they are expressed need have nothing to do with conscience or a sense of moral obligation. Such hesitation or uneasiness can be and in fact was caused not by reluctance to break or failure to keep a personally held principle, but by the fear of consequences. Thus when Clytemnestra suggests that Agamemnon walk on the red carpet laid out for him, he hesitates to do so, but it is clear that he does so not because he is convinced that such ostentation is wrong in principle, but because like Hector he is afraid of public opinion,^a

Κλ. μή νυν τὸν ἀνθρώπειον αἰδεσθῆς φόγον.

Αγ. φῆμη γε μέντοι δημόθρους μέγα σθένει,

and also, now that the gods are jealous gods, of their anger.^b

καὶ τοῖσδε μ' ἐμβαίνονθ' ἀλουργέσιν θεῶν

μή τις πρόσωθεν ὄμματος βάλοι φθόνος.

So too after an action one may feel anxiety, but again it is not because what was done is considered wrong in principle, but because one is afraid of the consequences. Thus when the Sicyonians and the people of Aegina

a. Ag.937f.

b. 946f.

have taken part in an attack on Argive territory, Argos as the victim immediately seeks redress, and demands a fine from both peoples, with the result that,^a Σικυώνιοι μὲν νυν συγγνόντες ἀδικῆσαι ὠμολόγησαν ἑκατὸν τάλαντα ἐκτείσαντες ἀζήμιοι εἶναι, Αἰγινῆται δὲ οὔτε συνεγινώσκοντο ἧσάν τε αὐθαδέστεροι. It is clear that the Sicyonians admit being in the wrong and pay up, not because they 'have a conscience' about having attacked in the first place, but because they are afraid of what Argos will do if they do not submit, and so buy her off to prevent her taking even greater reprisals,

What the Sicyonians admit to is not that they have done something wrong in principle, but that they have done something which has not paid off. The words they use to express this admission have therefore no connection with 'having a conscience' about breaking a principle of behaviour, but with a recognition of having made a mistake or miscalculation. The situation is exactly that described in the case of Agamemnon, but whereas he expressed his admission of mistake in terms of ἄτη, something outside and unrelated to himself, the Sicyonians express their admission by the verb συγγινώσκω. This verb is first found frequently used in Herodotus, and in his work both συγγινώσκω, -ομαι and σύννοια are used without the reflexive, and συγγινώσκω, -ομαι each once with the reflexive. Without it they are used simply to denote knowledge shared with another person.^b τὰς δὲ μαντησίας τὰς γινομένας τούτους φύλασσειν, συνειδέναί δὲ καὶ τοὺς Πυθίους. As a development of this they are used to denote common

a. Hdt.VI.92.2.

b. VI.57.4.

knowledge of some fact about another person, which can be used for or against him.^a ἐκ δὲ τῶν ἄλλων συμμάχων ἐξελέγετο κατ'ὀλίγους, τοῖσι εἶδεά τε ὑπῆρχε διαλέγων καὶ εἰ τέοισι τι χρηστὸν συνήδεε πεποιημένον. It thus comes to mean something like recognising or admitting some fact about a person to his favour or detriment, the meaning which lies also behind the cognate noun συγγνώμη. For this word denotes not so much 'foregiveness', in the sense of taking pity on one who has perhaps no excuse or reason to offer for his action, as a recognition of that person's reasons for his action, an admittance that his action does not deserve the anger or reprisals with which one is threatening him. Thus when Croesus keeps Atys away from hunting and fighting, Atys is highly annoyed because of the poor figure he is cutting.^b When Croesus explains the reason, namely that a dream had warned him that his son would die as the result of a wound, Atys acknowledges the validity of the reason, saying,^c συγγνώμη μὲν ὦ πάτερ τοι, ἰδόντι γε ὄφιν τοιαύτην, περὶ ἐμὲ φυλακὴν ἔχειν. Συγγνώμη is a recognition of the claims of the other person, so that, as Adkins points out,^d 'to show pity' may in the courts be equated simply with 'to decide in my favour'. Συγγινώσκω and its cognates therefore indicate an acceptance of the other person's point of view, a sharing of his opinion. In the same way when συγγινώσκω is used with reference to oneself and one's actions, it is a recognition that what others say about one is correct, as for example in the case of the Sicyonians discussed above.^e Like Agamemnon,^f they are aware of what

a. VIII.113.3.

b. I.37.2-3.

c. 39.1.

d. M.and R.p.203.

e. above p.163.

f. II.XIX.85.

others are saying about them, and are willing to share that opinion. When used with the reflexive, the words still denote that one admits a certain fact about oneself, but now that conclusion is reached not so much as the result of being openly taxed with it by someone else, as of coming to that conclusion after talking it over with oneself as it were. It therefore carries the connotation of admitting to oneself, of being conscious of something about oneself. Thus Periander is said to have 'become conscious of' his old age and inability to manage his affairs.^a ὁ Περιάνδρος παρηβήκεε καὶ συνεγινώσκετο ἑωυτῷ οὐκέτι εἶναι δυνατὸς τὰ πρήγματα ἐπορᾶν τε καὶ διέπειν. It is indeed very often, though not necessarily always, used in this way of recognising something unpleasant. Thus the Spartans having driven Hippias out of Athens, realise that now that the Athenians are free they may well become rivals, and so having recalled Hippias and their allies, they say,^b ἄνδρες σύμμαχοι, συγγινώσκομεν αὐτοῖσι ἡμῖν οὐ ποιήσαι ὀρθῶς. They have come to the conclusion, or become conscious συγγινώσκομεν αὐτοῖσι ἡμῖν that they have done wrong, οὐ ποιήσαι ὀρθῶς. But again this does not mean that they 'have a conscience' about it. What has happened is that like Agamemnon they have realised that their action is likely to have unpleasant consequences, which they had not reckoned on. They therefore attempt, again like Agamemnon and like the Sicyonians mentioned above, to forestall them by making amends.^c ἐπεῖτε δὲ ἐκεῖνα ποιήσαντες ἡμάρτομεν, νῦν πειρησόμεθα σφεα ἅμα ὑμῖν ἀκεδόμενοι. They do not 'have a conscience' about

a. Hdt.III.53.1.

b. V.91.2.

c. 91.3.

having violated some principle regardless of whether they get away with it or not, but are conscious of having miscalculated, of having made a bad shot, ἡμάρτομεν, something which can only be realised as a result of the consequences.

What συγγινώσκω and σύνοιδα denote therefore when referring to something unpleasant is an admittance that one is in a vulnerable position, either through age or some other disability, as in Periander's case, or through some provocative or ill-advised action, as in the Spartans' case, a vulnerable position which when one becomes aware of it requires that one do something about it, if one is to avoid trouble. For it is not 'conscience', but the fear of the consequences, which causes disquiet, a fear which is also denoted by the word ἐνθύμιον. As Hatch points out in a detailed study of this word,^a ἐνθύμιον in its primary sense denotes a feeling of anxiety, a weight on the heart or mind caused by some fear.^b It then becomes incorporated into religious terminology, so that while still denoting anxiety, it refers particularly to the fear of divine reprisals. Thus it is said of Xerxes that at Athens,^c ἐκέλευε τρόπῳ τῷ σφετέρῳ θῦσαι τὰ ἱρὰ ἀναβάντας ἐς τὴν ἀκρόπολιν, εἴτε...εἴτε καὶ ἐνθύμιόν οἱ ἐγένετο ἐμπρήσαντι τὸ ἱρόν. Xerxes realises that the burning of the temple is likely to rouse the anger of the local gods, and so because this fear is a source of anxiety to him, seeks like the Sicyonians to forestall that anger and 'buy them off' by offering sacrifice. It is therefore perhaps misleading to translate this word by such phrases as 'pricks' or 'pangs

a. 'The Use of ἀλιτήριος and Related Words', Harvard Studies, XIX.p.172.

b. Od. xiii.421.

c. Hdt.VIII.54.

of conscience',^a since what is denoted by the word is not that Xerxes considers it wrong in principle to burn temples, so that having done so he feels ashamed of himself whatever the consequences, but that when he has done so he fears the consequences, namely the anger and retribution of the gods.

c. The Fifth Century.

It has been seen that from Homeric times onward actions were considered wrong not in principle, but because of their unpleasant consequences, and that this was true even though the gods came to be considered the upholders of justice. A man's reaction to what he did was therefore determined by the consequences of his action and by the effect of those consequences upon public opinion, a situation in which there cannot exist that sense of moral obligation, or conscience, about an action independent of its consequences which was seen to be so vital to the valuation of the Sophists' attack on tradition. But with the rise of the constitutionally governed city-state with its written laws, the formation of wider groups of states or empires and the greater integration of society in general, it might be thought that there would arise a wide spread recognition of the need for co-operation, so that there would be a corresponding reassessment of values according to which a man would esteem himself and be esteemed by society more for being δίκαιος, for keeping his hands off other people

a. Hatch, op.cit. p.173., Liddell and Scott, s.v.

and their property however much stronger than them he was, than for being successful at the expense of others. It is true that there are signs of this happening in a certain limited sphere of action, as will be seen later,^a but in the vast majority of situations this was not so, but rather the old values and attitudes continued, perhaps modified but essentially unaltered, into the fifth century.

1. Foreign Affairs.

a. Unregulated Relationships

From Homeric times onward it has always been the victim of aggression, or the one who showed any signs of weakness and inability to do his will, who lost his standing in society, and so felt shame before it. That this situation continues to prevail, particularly in relations between states where no agreements or alliances were in existence, is shown especially in the Melian Dialogue. Here Melos suggests that Athens might be willing to allow her to continue as a friend, but neutral as regards the war. But Athens, though later she brushes aside the Melians' consideration of the loss of face involved in failing to put up a fight for independence,^b is in her own case not prepared to belittle such considerations. She now keeps the islands under her rule by superior force, and so cannot afford to place herself in any situation where she can be shown up as unable to exert her will. To accept the friendship of an island she has attacked would be interpreted as a sign of weakness and compromise which she cannot allow to happen.^c οὐ γὰρ τοσοῦτον ἡμᾶς βλάπτει ἢ ἔχθρα ὑμῶν ὅσον ἡ φιλία μὲν

a. below p.225ff.

b. Thuc.V.100-1.cf.above p.97.

c. V.95.

ἀσθενείας, τὸ δὲ μῖσος δυνάμεως παράδειγμα τοῖς ἀρχομένοις δηλούμενον. When therefore the Melians suggest that perhaps the fact that they are not attached to Athens in any way as a colony or part of the empire, and are thus not in the position of having revolted, should make a difference, Athens points out that in a situation where prestige is at stake, the reasons for one side yielding to the other make no difference. The conclusion which others will draw is that it was done through fear, because the other side was more powerful. This would be a signal for those others to attack her, so that she cannot allow the Melians to go free for reasons both of superiority and safety.^a δικαιώματι γὰρ οὐδετέρους ἐλλείπειν ἡγοῦνται, κατὰ δύναμιν δὲ τοὺς μὲν περιγίγνεσθαι, ἡμᾶς δὲ φόβῳ οὐκ ἐπιέναι. ὥστε ἔξω καὶ τοῦ πλεόνων ἄρξαι καὶ τὸ ἀσφαλὲς ἡμῖν διὰ τὸ καταστραφῆναι ἂν παράσχοιτε.

It is therefore still the weaker party who loses face, and the stronger who by being able to do his will only proves his ἀρετή. Thus Hermocrates in urging the Sicilians to unite points out that only in this way are they likely to remain free and able to help their friends and harm their enemies, which is the surest sign of ἀρετή.^b But if they go under, it will not be to Athens' discredit, but to their own, for allowing it to happen.^c καὶ τοὺς μὲν Ἀθηναίους ταῦτα πλεονεκτεῖν τε καὶ προνοεῖσθαι πολλὴ ξυγγνώμη, καὶ οὐ τοῖς ἄρχειν βουλομένοις μέμφομαι, ἀλλὰ τοῖς ὑπακούειν ἐτοιμοτέροις οὔσιν. πέφυκε γὰρ τὸ ἀνθρώπειον διὰ παντὸς ἄρχειν μὲν τοῦ εἴκοντος, φυλάσσεσθαι δὲ τὸ ἐπιόν. It is not the aggressor but the victim or potential victim who is to blame, since in failing to prevent the aggression

a. V.97.

b. IV.63.2.

c. 61.5.

happening he has shown a lack of ἀρετή, an unwillingness or inability to protect himself or those in his care, a charge which is laid against Sparta by the Corinthians.^a οὐ γὰρ ὁ δουλωσάμενος, ἀλλ'ὁ δυνάμενος μὲν παῦσαι περιορῶν δὲ ἀληθέστερον αὐτὸ δρᾶ, εἶπερ καὶ τὴν ἀξίωσιν τῆς ἀρετῆς ὡς ἐλευθερῶν τὴν Ἑλλάδα φέρεται. To allow oneself to be enslaved is one's own fault, and to one's own shame because one is shown to be simply unable and therefore not fit to remain independent.^b καὶ τὴν ἥσσαν...ἴστω οὐκ ἄλλο τι φέρουσιν ἢ ἀντικρυς δουλείαν· ὃ καὶ λόγῳ ἐνδοιασθῆναι αἰσχρὸν τῇ Πελοποννήσῳ καὶ πόλεις τοσάσδε ὑπὸ μιᾶς κακοπαθεῖν. ἐν ᾧ ἢ δικαίως δοκοῦμεν ἂν πάσχειν ἢ διὰ δειλίαν ἀνέχεσθαι καὶ τῶν πατέρων χεῖρους φαίνεσθαι, οἳ τὴν Ἑλλάδα ἠλευθέρωσαν, ἡμεῖς δὲ οὐδ' ἡμῖν αὐτοῖς βεβαιοῦμεν αὐτό, τύραννον δὲ ἐῷμεν ἐγκαθεστάναι πόλιν. As with Xerxes so too now, no state, if it is to retain its prestige, can afford to let it be said that it has degenerated, so that they are πατέρων χεῖρους. For it is still the preservation as an independent state of what they have received from their forefathers, and if possible the extension of it, which is the sign of ἀρετή, and the basis of pride. Thus Pericles says in the Funeral Oration,^c καὶ ἐκεῖνοί τε ἄξιοι ἐπαίνου καὶ ἔτι μᾶλλον οἱ πατέρες ἡμῶν· κτησάμενοι γὰρ πρὸς οἷς ἐδέξαντο ὅσιν ἔχομεν ἀρχὴν οὐκ ἀπόνως ἡμῖν τοῖς νῦν προσκατέλιπόνισι τὰ δὲ πλείω αὐτῆς αὐτοὶ ἡμεῖς οἶδε οἱ νῦν ἔτι ὄντες μάλιστα ἐν τῇ καθεστηκυίᾳ ἡλικίᾳ ἐπηξήσαμεν. κ. τ. λ. And when the Athenians are showing signs of weakening he makes the famous boast,^d γινῶτε δὲ ὄνομα μέγιστον αὐτὴν ἔχουσαν ἐν ἅπασιν ἀνθρώποις... δύναμιν μεγίστην δὴ μέχρι τοῦδε κακτημένην, ἧς ἐς αἰδίον τοῖς

a. I.69.1.

b. 122.2-3.

c. II.36.2-3., cf. I.71.7.

d. II.64.3.

ἐπιγιγνομένοις... μνήμη καταλείψεται, Ἑλλήνων τε ὅτι Ἕλληνες πλείστων δὴ ἤρξαμεν, καὶ πολέμοις μεγίστοις ἀντέσχομεν... πόλιν τε τοῖς πᾶσιν εὐπορωτάτην καὶ μεγίστην ᾠκῆσαμεν. It is as always to have the most which brings one the greatest τιμή, and where relations with other states are concerned, it is these considerations of prestige, safety and superiority which count.^a

No shame therefore attaches to the successful state enlarging its empire, but rather to the victim. Of course, as has been seen, an attacker may be called ἄδικος, simply because he attacks others. Thus even Pericles admits that since Athens now rules her empire by force like a tyrant, her acquisition of it is considered (δοκεῖ) ἄδικον.^b To be called ἄδικος however means, it will be remembered, no more than that the attacker is open to reprisals, that he has done something which will get him into trouble, but that it is not until he meets disaster that he feels any shame. To accuse a person of being, or having done something, ἄδικος, -ον amounts only to a veiled threat, and indeed this term is usually found on the lips of disgruntled victims, who are concerned with the act of aggression not as a breach of a general moral principle, that is simply because it is aggression, but only in so far as it affects them personally as an attempt upon their particular lives, freedom or property. Thus Athens lays just this charge against Sparta with regard to her attitude to the growth of the empire.^c ἀξιολύπε ἅμα νομίζοντες εἶναι καὶ ὑμῖν δοκοῦντες μέχρι οὗ τὰ ξυμφέροντα λογιζόμενοι τῷ δικαίῳ λόγῳ νῦν χρῆσθε, ὃν οὐδεὶς πω παρατυχὸν ἰσχύι τι κτήσασθαι προθεὶς τοῦ μὴ πλεον ἔχειν ἀπειράπειτο. Sparta only

a. I.76.2.

b. II.63.2.

c. I.76.2.

started accusing Athens of ἀδικία when she felt herself threatened, and would therefore benefit if Athens were, like the Sicyonians, sufficiently unsure of herself to buy Sparta off, or sufficiently superstitious to fear divine reprisals. But with Athens at the pinnacle of her power, the likelihood of anyone being strong enough to take noteworthy reprisals seemed remote, and since, as has been pointed out and as Athens herself is aware, it is only through disaster that the gods show their anger, she can afford to scoff at any accusation of injustice. It is power which brings victory, and where victory is there also is the favour of the gods.^a Those who preach justice to an aggressor are not concerned with justice as a general principle of ethics, and certainly not with practising it themselves. What they are concerned about is regaining or preserving their lives, freedom or property by uttering accusations and threats, which, if they are stronger than the aggressor, as is the case with Argos versus the Sicyonians, they can prove and carry out, but which, if they are weaker, as in the case of the Melians versus Athens, serve only as a desperate last resort, in the hope that the aggressor might have his confidence undermined. Indeed Hermocrates goes so far as to accuse of cowardice those who, in the face of danger, take refuge in claims for justice.^b δειλία δὲ ἴσως τὸ δίκαιον πρὸς τε ἡμᾶς καὶ πρὸς τοὺς ἐπιόντας θεραπεύετε.

It is with these considerations in mind that the passage in Thucydides must be approached, where the Corinthians accuse Corcyra of using a policy of non-alignment as a cover for wrongdoing.^c τὸ δ' ἐπὶ κακουργία καὶ οὐκ ἀρετῇ ἐπειθήευσαν. She is accused of taking advantage of having no

a. V.105.2.

b. VI.79.1.

c. I.37.2.

witnesses of her actions to commit ἀδικία, for, Corinth claims,^a εἰ ἦσαν ἄνδρες, ὡσπερ φασίν, ἀγαθοί, ὅσω ἀληπιότεροι ἦσαν τοῖς πέλας, τόσω δὲ φανερωτέραν ἐξῆν αὐτοῖς τὴν ἀρετὴν διδοῦσι καὶ δεχομένοις τὰ δίκαια δεικνύουσι. It can be seen that here ἀρετὴ and ἀγαθός, terms which have always hitherto been connected with those capable of doing their will, those who are successful and efficient, are now applied to those who refrain from doing their will and harming others, and who far from judging an act of aggression wrong or shameful only if it meets with reprisals, consider it wrong even if it meets with no such reprisals. What is suggested is that a man should esteem himself and be esteemed, not for success, but for justice, that is that such justice should be the sign of ἀρετὴ and the ἀγαθός. It may therefore be thought that here there is some indication of that sense of moral obligation or duty to refrain from harming others, which as was seen was necessary if the attack on traditional practices was not to be completely subversive. But it has just been pointed out that the preaching of justice is usually found on the lips of those who stand to gain by it, and so it must be noted that in this case too Corinth is not disinterested. She has sent an embassy to oppose the Corcyran application for an alliance with Athens,^b so that in condemning Corcyra's 'injustice' as being unworthy of a state which claims to be ἀγαθός it is all too obvious that she is not concerned with justice as a general moral principle, but has her eye to the main chance. She is out to blacken Corcyra's character by setting her a standard of behaviour, which she cannot really have expected her to follow, and which most certainly would not be followed

a. I.37.5.

b. 31.3.

by herself or any other Greek state. She then applies to that behaviour the term ἀρετή to denote that this is what the state which really wants to maintain its prestige should do, an application which is totally contrary to its normal usage, and can thus easily proceed to show that because Corcyra has fallen short of this standard, she does not deserve the title ἀγαθός. She is in fact manipulating value terms to suit her own ends, a propoganda weapon as common then as now. So too when Sparta is trying to get Athens to agree to a truce, she suggests that it would be a sign of ἀρετή on Athens' part to spare Sparta, and a cause of shame to Sparta if she then did not repay that generosity in kind.^a But again these terms are being used for ulterior motive contrary to normal practice, and are in fact persuasive definitions of the type discussed above.

Claims that other people should be δίκαιοι are common enough, but this is no indication that one would be δίκαιος oneself when one's life, freedom, property and chances of success are in danger, since it is still these on which one's prestige is based. Αδίκη is not frowned on as something wrong in principle, but only in so far as it affects one's own position and standing. For though one state may, like a Heracles, come to the aid of the oppressed, this as was seen is not because aggression is considered wrong in principle, but because it is a sign of ἀρετή that one can do so. It is not therefore a question of ethical standards, but of prestige when one takes up the challenge offered by an oppressor, as is clearly shown in the case of Brasidas and the Acanthians. Sparta as was seen was only roused to action when her own position was threatened, but

a. IV.19.2-3.

having once been roused, she represents herself as the champion of the Greeks against Athens the aggressor, and it is this reason which Brasidas gives for wanting to enter Acanthus.^a ἡ μὲν ἔκπεμφίς μου καὶ τῆς στρατιᾶς ὑπὸ Λακεδαιμονίων, ᾧ Ἀκάνθιοι, γεγένηται τὴν αἰτίαν ἐπαληθεύουσα ἣν ἀρχόμενοι τοῦ πολέμου προείπομεν, Ἀθηναίους ἐλευθεροῦντες τὴν Ἑλλάδα πολεμήσειν. But when the Acanthians show a strange disinclination to be freed, it becomes clear that this 'liberation' is no disinterested and altruistic action on Sparta's or Brasidas' part. His immediate reaction is a concern with the effect on other cities of his being turned away, since the only reasons he would have to offer for such a situation would be,^b ἢ ἄδικον τὴν ἐλευθερίαν ἐπιφέρειν ἢ ἀσθενῆς καὶ ἀδύνατος τιμωρῆσαι τὰ πρὸς Ἀθηναίους, ἣν ἐπίωσιν, ἀφ᾽ ἵχθαι. Others will as always judge by the results of an action, so that if he fails to enter Acanthus, they will conclude either that he was wrong, that is mistaken, to have tried to free Acanthus in the first place, because they did not wish to be freed and have obstructed him in effecting his will, or that if the Acanthians were willing to be freed, they must have been afraid that Brasidas would be too weak to withstand and protect them from Athenian reprisals. In either case he will lose standing, and this he cannot allow to happen, since it is clear that he is liberating Acanthus not simply in order to do them a good turn, but so that other cities may be induced to follow their example, and by leaving Athens weaken her power. For the situation is exactly that described earlier. The protector or defender liberates or defends those for whom he has undertaken responsibility not

a. IV.85.1.

b. 85.6.

simply because the victims are oppressed, and the attacker oppresses, that is for purely disinterested motives, but because once he has undertaken this responsibility, anyone who attacks his protégés is challenging his ability to protect them, and hence his standing as an ἀγαθός. It is therefore for this reason that Brasidas is so anxious to prove that he is οὐδὲ τιμωρὸς ἀδύνατος. For what the situation amounts to is a fight between two parties over an object on the protection or possession of which they have both staked their prestige. The defeat of the other party is their only consideration, and the well-being of the object of their struggle enters in to it not at all, a point which is most clearly brought out at the end of Brasidas' speech. He has shown that he can protect them if they leave Athens, but if they refuse to do so, then he will have to destroy their land, for he cannot allow them to continue giving financial support to Athens to Athens' gain and Sparta's loss.^a Nor can he allow them to stand in the way of Sparta freeing Greece,^b οἱ δὲ Ἕλληνες ἵνα μὴ κωλύωνται ὑφ' ὑμῶν δουλείας ἀπαλλαγῆναι, on the successful accomplishment of which she has, as Corinth pointed out,^c staked her prestige by opposing Athens. These are the real reasons for the 'liberation' of Acanthus, and since they are only pawns in the struggle between Sparta and Athens, they will have 'to be done good to' whether they like it or not.

In the sphere of uncontrolled relationships between states it is still success which adds to one's prestige and failure which detracts from it. Until he fails therefore no aggressor will feel shame or admit to being in the wrong. An accusation of ἀδικία in itself will

a. 87.3.

b. *ibid.*

c. I.69.1.

not cause him shame nor make him admit being in the wrong. It is only if his victim can force him to stay his hand or make amends that he will be proved to be and admit being in the wrong, and then only because his victim is stronger and he himself bit off more than he could chew. For as was pointed out, to call a person or his action ἄδικος-ον is only a veiled threat of revenge, a threat which can only be carried into effect if the victim is strong enough to take it. When therefore one party accuses another of ἀδικία, the accusation in itself is futile. It is only if that accusation is backed by superior power that the threatened reprisals can be taken, so that it is the relative power of the two parties which decides whether the accusation can be proved, that is whether reprisals can in fact be taken. Any notion therefore that discussions of who is δίκαιος and who ἄδικος (τὰ δίκαια) unrelated to the relative strength of the two parties (τὰ δυνατά) are likely to affect the situation is completely unrealistic, as Athens quite openly states at the beginning of the Melian Dialogue.^a ἡμεῖς τοίνυν οὔτε αὐτοὶ μετ' ὀνομάτων καλῶν, ὡς ἢ δικαίως... ἄρχομεν ἢ ἀδικούμενοι νῦν ἐπεξερχόμεθα, λόγων μῆκος ἄπιστον παρέξομεν, οὔθ' ὑμᾶς ἀξιούμεν ἢ ὅτι... ἢ ὡς ἡμᾶς οὐδὲν ἠδικήκατε λέγοντας οἴεσθαι πείσειν, τὰ δυνατὰ δ' ἐξ ὧν ἑκάτεροι ἀληθῶς φρονοῦμεν διαπράσσεσθαι, ἐπισταμένους πρὸς εἰδότας ὅτι δίκαια μὲν ἐν τῷ ἀνθρωπείῳ λόγῳ ἀπὸ τῆς ἴσης ἀνάγκης κρίνεται, δυνατὰ δὲ οἱ προύχοντες πράσσουσι καὶ οἱ ἀσθενεῖς συγχωροῦσιν. When it is so obvious as it is in this case that of two parties with grievances against each other the one is so much

a. V.89.cf.100f.

stronger than the other, then any discussion of the situation is completely otiose. The weaker, the Melians, like the Sicyonians,^a could not hope either to prevent the stronger, Athens, from taking any reprisals she thought fit for injury suffered, or herself to take reprisals for injury suffered, and so being on the losing side is in the wrong. On the other hand the stronger, Athens, can take what reprisals she likes and can scoff at the threats of the weaker,^b and so is in the right because she cannot be turned aside.^c It is only when the disparity between the two parties is not so obvious, when the accusations of ἀδικία are not obviously either proven or non-proven that there is room for discussion and compromise, as in the case of Agamemnon and Achilles.^d

In refusing to discuss τὰ δίκαια therefore Athens is only pointing out to the Melians the hard fact that in a sphere of action where there are no contracts or ties between states, and hence where no holds are barred, it is every man for himself and the devil take the hindmost. It is no use her expecting to have the case discussed as if they were in a court of law. In this sphere it is power which counts, and the weak must bow to the inevitable. As always it is not the aggressor, but the victim, who is to blame for the situation in which he finds himself, a view held not only by Athens, but shared as has been seen by the Greeks as a whole. Thus Corinth in particular taxes Sparta, who is a potential victim, with her carefree, if not careless, attitude towards foreign affairs,^e thinking that they are as

a. above p.163.
e. Thuc.I.68.1f.

b. above p.102.

c. above p.17.

d. above p.15.

easy and friendly as civil ones,^a so that it is not until aggression occurs that she thinks about taking any action.^b καὶ δι' αὐτὸ οὐ πρὶν πάσχειν, ἀλλ' ἐπειδὴ ἐν τῷ ἔργῳ ἐσμέν, τοὺς ξυμμάχους τοῦσδε παρεκαλέσατε. To let it be known that no reprisals can or will be taken is as much to invite aggression as leaving money around is to invite theft.^c καὶ λανθάνειν μὲν οἰόμενοι διὰ τὸ ἀνάισθητον ὑμῶν ἦσσαν θαρσοῦσι, γνόντες δὲ εἰδότας περτορᾶν ἰσχυρῶς ἐγκείσονται. When that happens, it is one's own fault, since where there are no safeguards such as laws, it is no use expecting to be able to stop aggression simply by crying ἄδικόν ἐστιν . The only way to prevent it is to be constantly on the alert and suspicious, striving to maintain a balance of power so that any potential aggressor is deterred from attack.^d πέφυκε γὰρ καὶ ἄλλως ἄνθρωπος τὸ μὲν θεραπεῦον ὑπερφρονεῖν, τὸ δὲ μὴ ὑπεῖκον θαυμάζειν. Peace does not come for the asking, but must be actively preserved.^e καὶ οἴεσθε τὴν ἡσυχίαν οὐ τοῦτοις τῶν ἀνθρώπων ἐπὶ πλεῖστον ἀρκεῖν οἷ ἂν τῆ μὲν παρασκευῆ δίκαια πράσσωσι, τῆ δὲ γνώμῃ, ἣν ἀδικῶνται, δῆλοι ᾧσι μὴ ἐπιτρέφοντες. Those who prefer peace at any price have only themselves to blame if the price turns out to be too high.^f ἀνδρῶν γὰρ σωφρόνων μὲν ἐστίν, εἰ μὴ ἀδικοῖντο, ἡσυχάζειν, ἀγαθῶν δὲ ἀδικουμένους ἐκ μὲν εἰρήνης πολεμεῖν, εὔ δὲ παρασχὸν ἐκ πολέμου πάλιν ξυμβῆναι, καὶ μήτε...μήτε τῷ ἡσυχῶ τῆς εἰρήνης ἠδόμενον ἀδικεῖσθαι. ὅ τε γὰρ διὰ τὴν ἡδονὴν ὀκνῶν τάχιστ' ἂν ἀφαιρεθείη τῆς ῥαστώνης τὸ τερπνὸν δι' ὅπερ ὀκνεῖ, εἰ ἡσυχάζοι.

a. 84.3. b. 68.2. c. 69.3., cf. Critias, D.K. 88.b.40.
d. III.39.5. e. I.71.1. f. 120.3f.

In unregulated foreign affairs therefore no sympathy is felt for the victim of attack. No state has an undisputed right to independence and possessions simply because it announces its existence. Any claim to such a right has to be backed by force, by the ability, whether alone or with the help of allies, to preserve that independence in the face of attack. To expect any state to acknowledge that it is going beyond its rights simply by attacking another, and not only if the victim proves able to resist, is to refuse to face the facts, so that when Athens maintains that it is power which counts and that might is right, she is far from running counter to the usual values. She is only revealing the appeals for 'justice' unsupported by strength for what they are, mere cant, and expressing openly what had always been the tacitly accepted practice.^a αἰεὶ καθεστῶτος τὸν ἦσσω ὑπὸ τοῦ δυνατωτέρου κατείργεσθαι.

β. Regulated Relationships

Not all relationships however between independent Greek states were completely uncontrolled. There were between them for their mutual advantage agreements, contracts and bonds of various kinds, which ensured that generally speaking they lived on reasonably amicable terms. Because

a. I.76.2., V.105.2.

of this mutual advantage such contracts were normally honoured, but if they were not, there was nothing that could be done about it except by going to war, in which case of course it was again power which counted.

That there are agreements therefore makes no difference to the fact that it is power which determines who is in the right. As always, to break an agreement and get away with it is no cause for shame, but only proves one's superiority and ability to do one's will. But if, as was seen earlier, failure to honour an agreement reflects on one's ability to honour it, then it does become a matter for shame, but again only because it involves loss of face, and not simply because it is the breaking of an agreement. Thus though the mother city of a colony exercised little or no control over that colony, it was to her as to a relative that a colony would turn in time of need, as the Epidamnians turn to Corcyra.^a But, as in the case of Eumaeus and Odysseus, the mother city could turn a deaf ear to a suppliant^b without going down in the estimation of others and feeling shame before them, because such a refusal did not reflect upon her ability to do her will. When therefore Corcyra refuses to hear Epidamnos, since Epidamnos cannot shame her into helping because her prestige is not involved, and since as a suppliant she obviously is in no position to force her to help, she can do nothing about it. All she can do is seek help elsewhere, and so she approaches Corinth, because it was from this city

a. I.24.6.

b. 24.7.

their οἰκιστῆς had come, since their mother city Corcyra was herself a colony of Corinth. Corinth considers she has the right to help one of her colonies, albeit a grand-daughter so to speak, and so undertakes to avenge her,^a Κορίνθιοι δὲ κατὰ τε τὸ δίκαιον ὑπεδέξαντο τὴν τιμωρίαν, thereby of course staking her prestige on her ability to do so. But it was not simply τὸ δίκαιον which she was taking into consideration. For although Corcyra was her colony, she bore her a grudge for being too powerful for her liking, so that this plea of the Epidamnians and her relationship to them served as a fine πρόφασις for retaliating.^b ἄμα δὲ καὶ μίσει τῶν Κερκυραίων, ὅτι αὐτῶν παρημέλουν ὄντες ἄποικοι. But once Corinth has taken up the cudgels, Corcyra can no longer sit idle. While her own position was not threatened, she could afford to refuse the Epidamnians, but now that she is being deprived of one of her colonies, it is her reputation, prestige and claim to ἀρετῆ which is being threatened, which of course is quite a different matter.^c Κερκυραῖοι δὲ ἐπειδὴ ἤσθοντο... τὴν τε ἀποικίαν Κορινθίοις δεδομένην, ἐχάλεπαινον. Far from either side fighting for the sake of the Epidamnians, the situation is exactly that described earlier where the Epidamnians have become pawns in the struggle for power between Corinth and Corcyra, each of them staking their prestige on the possession of the colony. Neither of the two parties have regard for τὰ δίκαια, the rights and wrongs of the case, since as long as they are fighting it out between them, it is τὰ δυνατά which counts. But once Corcyra takes it into her head to ask for Athens' help and Corinth has obviously to oppose the application,^d then because, as in the Eumenides, there is now a third party

a. I.25.3.

b. *ibid.*

c. 26.3.

d. 31.2-3.

to be persuaded by argument, it is τὰ δίκαια which assume prominence, and the ability to put across one's own case and refute that of one's opponent.^a But once again though the argument is in terms of τὰ δίκαια, it is still the pressure which each side can exert which is the decisive factor, particularly as Athens' decision to take one side or the other will affect her own future. Thus it is that the Corcyraens hold out the promise of increased naval power should they accept them as allies,^b and Corinth the threat of her enmity.^c As in the Eumenides it is for the third party to balance the relative strength of the two sides in its own interests, the justice as a principle having little or nothing to do with the situation.

Because there are bonds and agreements which can be violated, there is in this sphere much discussion of τὰ δίκαια, particularly when a third party is to be won over to one's side, of which the speeches in Thucydides' history give abundant evidence. Nevertheless it is still considerations of power and prestige and advantage which really decide the issue and motivate action, and not any general principles of justice or the good of others. Thus the relationship between the parties to a truce or an alliance was one of mutual advantage, so that one did what was required, not because it was right in principle to do so, but because of the consequences. Thus it is because their allies are useful to them and not for their own sake, that Sthenelaidēs recommends Sparta to help them.^d καὶ τοὺς συμμαχοὺς, ἧν σωφρονῶμεν, οὐ περιοφόμεθα ἀδικουμένους οὐδὲ μελλήσομεν τιμωρεῖν... ἄλλοις μὲν γὰρ χρήματά ἐστι πολλὰ καὶ νῆες καὶ ἵπποι, ἡμῖν δὲ σύμμαχοι ἀγαθοί. Moreover since these agreements were

a. I.32.1f., 37.1.

b. 36.3.

c. 42,4,

d. 86.2-3.

often strengthened by the taking of an oath, the prospect of divine vengeance was another disadvantage in violating them. Thus Sparta feels that her defeat in the early part of the war was due to her breaking the Thirty Years' Truce,^a though of course it was only because she was defeated that she considers herself in the wrong, since this is the only way the gods have of showing their displeasure.

It is therefore mutual advantage and consideration of the consequences which ensure that alliances or truces are honoured, so that when these no longer form a sufficiently strong incentive, there is no sense of 'moral obligation' to treat allies well which will restrain a potential aggressor from doing his will, as is most clearly seen in the case of Athens and her allies. For as is well known, the empire was at first a voluntary alliance of Greeks for their mutual advantage in warding off the Persians, with Athens as the acknowledged leader.^b καὶ γὰρ αὐτὴν τήνδε ἐλάβομεν οὐ βιασάμενοι, ἀλλ'... ἡμῶν δὲ προσελθόντων τῶν συμμαχῶν καὶ αὐτῶν δεηθέντων ἡγεμόνας καταστήναι. Gradually the other states began paying money instead of supplying ships, and so became more like tributary subjects, and from their tribute of course Athens drew much of her power. But when as a result some of the allies began to get restive, and because they considered the alliance no longer to their advantage, tried to withdraw, since Athens now relied on them for resources, and to lose them was a blow to the prestige which, as was seen, was enhanced and not diminished by the acquisition of an empire, she opposed their withdrawal by force. But having once done so, the true nature of the alliance was revealed for what it was.^c καὶ μέχρι μὲν ἀπὸ τοῦ ἴσου ἡγοῦντο, προθύμως εἰπόμεθα· ἐπειδὴ

a. VII.18.2. b. I.75.2., III.10.3. c. III.10.4.

δὲ ἐρωῶμεν αὐτοὺς... τὴν δὲ τῶν συμμαχῶν δούλωσιν ἐπαγομένους, οὐκ ἀδεεῖς ἔτι ἦμεν. Once such an alliance ceases to be mutually advantageous, and favours one side more than the other, there is no stopping to discuss τὰ δίκαια, but each side seeks its own advantage, the one trying to back away, the other trying not to lose grip, so that once again it is the stronger side which wins.

Since however the empire was originally an alliance, each side can call the other, and be called by others, particularly when personalities are concerned, ἄδικος. Thus Corinth,^a and Sparta,^b accuse Athens of ἀδικία because of the way in which she treats her allies. But such accusations, although useful as propaganda weapons, have in themselves no influence upon an aggressor, since it is considerations of self-preservation, prestige and advantage which in fact determine policy, as Athens quite openly declares.^c ἐξ αὐτοῦ δὲ τοῦ ἔργου κατηναγκάσθημεν τὸ πρῶτον προαγαγεῖν αὐτὴν ἐς τόδε, μάλιστα μὲν ὑπὸ δέους, ἔπειτα καὶ τιμῆς, ὕστερον καὶ ὠφελίας. Once again she refuses to indulge in pointless wordy battles, but unmask the real but normally unmentioned decisive factor, power.^d καὶ ἅμα τὴν σφετέραν πόλιν ἐβούλοντο σημεῖναι ὅση εἴη δύναμιν, καὶ ὑπόμνησιν ποιήσασθαι τοῖς τε πρεσβυτέροις ὧν ἦδεσαν καὶ τοῖς νεωτέροις ἐξήγησιν ὧν ἄπειροι ἦσαν. It is this which determines who is in the right and who in the wrong, so that far from being ἄδικος, she is one of those who,^e χρησάμενοι τῇ ἀνθρωπείᾳ φύσει ὥστε ἐτέρων ἄρχειν δικαιότεροι ἢ κατὰ τὴν ὑπάρχουσαν δύναμιν γίνωνται. Her power gives her the right to do what she likes to her allies, just as Achilles could do what he liked to Hector, so that she can treat them as badly as

a. I.68.3.

b. 76.2.

c. 75.3.

d. 72.1.

e. 76.3.

she wills and still remain δίκαιος, because they can take no reprisals.

As it happens she treats them more leniently than she need, and than others would in her shoes,^a and so is more δίκαιος, more restrained and moderate than she need be.

Again Athens' sentiments do not run counter to normal values. She is only exposing the accepted practice, and not only exposing it but practising it without beating about the bush. Thus when Mytilene breaks her 'alliance' with Athens, the Athenians, who are the losers by the action and so must seek reprisals, are so angered by her action that they vote for the complete annihilation of the city, an action which, as there was no one to stop her, her power gave her the right to do. When in saner mood they feel this is too barbaric a reaction and debate the case again, Cleon opposes the motion for reasons which, though he may be described as^b βιαιότατος τῶν πολιτῶν, are in no way wild, but in fact just those which all the time have been governing men's actions, and Athens' in particular. He urges them not to delay the punishment because,^c ὁ γὰρ παθὼν τῷ δράσαντι ἀμβλυτέρα τῇ ὀργῇ ἐπεξέρχεται, ἀμύνεσθαι δὲ τῷ παθεῖν ὅτι ἐγγυτάτω κείμενον ἀντίπαλον ὄν μάλιστα τὴν τιμωρίαν ἀναλαμβάνει. Gaining redress is of supreme importance, because to let the Mytileneans get away with it is tantamount to admitting that they were right to revolt, and thus to relinquish all claim to be able to rule others, to force them to do their will.^d εἰ γὰρ οὗτοι ὀρθῶς ἀπέστησαν, ὑμεῖς ἂν οὐ χρεῶν ἄρχοιτε...καὶ τοῦσδε ξυμφόρως δεῖ κολάζεσθαι, ἢ παύεσθαι τῆς ἀρχῆς καὶ ἐκ τοῦ ἀκινδύνου ἀνδραγαθίζεσθαι. For if they are seen to yield, it will be a sign for the other allies to revolt, so that they must be shown that

a. 76.4.

b. III.36.6.

c. 38.1.

d. 40.4.

it does not pay them to do so.^a κολάσατε δὲ ἀξίως τούτους τε καὶ τοῖς ἄλλοις ξυμμάχοις παράδειγμα σαφὲς καταστήσατε, ὅς ἂν ἀφιστῆσαι, θανάτῳ ζημιωσόμενον . These are the arguments brought forward by Cleon, all of them easily paralleled in other situations, and all of them playing on the need for the victim of ἀδικία to prove that it is ἀδικία, and thus regain his standing. Cleon's view does not prevail, but it is not the milk of human kindness which moves Diodotus to oppose him, but a calmer, cooler assessment of what is really to Athens' advantage.^b οὐ γὰρ περὶ τῆς ἐκείνων ἀδικίας ἡμῶν ὁ ἀγών, εἰ σωφρονοῦμεν, ἀλλὰ περὶ τῆς ἡμετέρας εὐβουλίας.

2. Internal Affairs

In foreign affairs, since it is still success which is a sign of ἀρετή, it is the consequences of an action upon one's prestige which matters, so that there is no sense of shame, and certainly no conscience about harming others. But in the sphere of internal affairs, there are signs that δικαιοσύνη is becoming more valued as a factor in promoting a stable society, and as a result there is some evidence of that personal conviction of the need to be just, of that sense of duty unaffected by the consequences of an action, the existence of which determines the value to society of the Sophists' attack on tradition. Nevertheless Protagoras is still at best optimistic in assuming that this attitude is at all common among the Greeks of his day; for even in internal affairs it is still in the vast majority of cases regard for success and prestige which governs men's actions, and not regard for δικαιοσύνη or the common good.

a. 40.7.

b. 44.1-2.

a. Government

In Homeric times, as was shown earlier, the kings ruled by virtue of their power and ability to control and defend those in their charge, so that to rule others was a sign of ἀρετή, and the wider one's rule the more prestige one had, as in Agamemnon's case. Then power came to be vested in the people as a whole, who chose, whether by ballot or by vote, individual officers to whom they delegated that power, but who were responsible to them for its use. But though government was constitutional in that the officers ruled by consent, and not simply by virtue of their individual power and ability to impose their will on the members of the community, as in Agamemnon's case, it was still a sign of ἀρετή to be in command, to be in office. For to be in office was to be entrusted with the government or protection of the state, so that as always it was on one's ability to protect those in one's keeping that one's claim to ἀρετή, and in this particular sphere πολιτικὴ ἀρετή, rested. Thus it was seen that Nicias' main concern was καταλιπέειν ὄνομα ὡς οὐδὲν σφήλας τὴν πόλιν διεγένητο. To be put in office was to be considered ἀγαθός, able to govern and protect the state, an expectation which one could not fail to fulfil without great loss of standing. The advent of democracy makes no difference to the fact that to rule others is a sign of ἀρετή. What it does mean is that any officer, and particularly the στρατηγός, has now to gain the approval of the people for himself and his policies, so that he has not only, like Agamemnon, to be able to fight well, but also to be able to put his views across to an assembly. Skill in debate becomes as important as skill in battle, and failure in debate as shameful as failure in battle. For since

in a democracy as distinct from an autocracy there are many competitors for controlling the affairs of the state, a debate is a contest for the possession of the confidence of the assembly. To put forward a proposal is to claim that one is able to defend or promote the interests of the state, and to be opposed in debate is to have that ability challenged. Just as therefore in foreign affairs,^a when two states claim the right to avenge a colony, that colony becomes a mere pawn upon the possession of which they each stake their prestige, so in internal politics, when two or more statesmen claim the right to come to the help of the people and control state policy, the people become a pawn which they struggle to win for themselves. None of them fights for the good of the colony or the people, but for personal supremacy and prestige, and it is of course just this situation which, as has been shown,^b is a source of complaint for both Thucydides, who contrasts Pericles with his successors who,^c κατὰ τὰς ἰδίας φιλοτιμίας καὶ ἴδια κέρδη κακῶς... ἐπολίτευσαν, and for Cleon, who attacks those who,^d βούλονται... τῶν αἰεὶ λεγομένων ἐς τὸ κοινὸν περιγίγνεσθαι.

Of course there was a certain safeguard in that those who debated an issue could not afford to be completely irresponsible, in that the policy which they advocated had to be a possibility. For if by chance it prevailed it would be they who would have to 'carry the can', and they whose prestige would depend on its outcome. Perhaps one of the best examples of this is when Cleon out of spite for Nicias says that if he were in his shoes he would take Pylos. Whereupon Nicias calls his bluff, and when the assembly support him,^e ὑποδορυβησάντων ἐς τὸν Κλέωνα, ὅτι οὐ καὶ νῦν πλεῖ, εἰ

a. above p. 182.

b. above p. 119.

c. II.65.7., 11.

d. III.37.4.

e. IV.28.1.

ῥάδιόν γε αὐτῷ φαίνεται, Cleon, by now heartily regretting his folly,^a
ὑπέφευγε τὸν πλοῦν καὶ ἐξανεχώρει τὰ εἰρημένα, is forced to make good
his word and undertake the expedition.^b ὥστε οὐκ ἔχων ὅπως τῶν εἰρημένων
ἔτι ἐξαπαλλαγῆ, ὑφίσταται τὸν πλοῦν. His prestige now rests on the
successful accomplishment of his promise,^c but fortunately for him, though
everyone else thinks him mad,^d he is able to do it. It does not pay to be
too irresponsible therefore because even though, as Pericles points out, the
Athenians by agreeing to a certain action take on full responsibility for
it in theory, it is still the στρατηγός who in fact has to face the music.^e
Thus when the Sicilian expedition failed,^f χαλεποὶ ἦσαν τοῖς συμπροθυμηθεῖσι
τῶν ῥητόρων τὸν ἔκπλουν, ὥσπερ οὐκ αὐτοὶ ψηφισάμενοι. There is therefore
this safeguard against winning a debate for the sake of winning it, but it
is clearly caution, and the orator's own ultimate advantage which dictates
this restraint, and not necessarily devotion to the interests of the state.

In this sphere too therefore it is success and prestige which count,
so that the one who rules others, even though he be 'unjust', earns the
admiration and envy of the Greeks, provided of course that they are not his
victims. Thus Polus laughs Socrates to scorn for suggesting that men like
Archelaos, king of Macedonia, and the Great King himself are not to be
envied.^g So too Thrasymachus chooses as the epitome of happiness the lot
of the tyrant,^h and points out what has been emphasised all along that,ⁱ
ὣν ἐφ' ἐκάστῳ μέρει ὅταν τις ἀδικήσας μὴ λάθῃ, ζημιούται τε καὶ ὀνειδίῃ
ἔχει τὰ μέγιστα... ἐπειδὴ οὐδέ τις πρὸς τοῖς τῶν πολιτῶν χρήμασιν καὶ
αὐτοῦς ἀνδραποδισάμενος δουλώσεται, ἀντὶ τούτων τῶν αἰσχυρῶν ὀνομάτων

a. 28.3. b. 28.4. c. *ibid.* d. 28.5. e. II.64.1.
f. VIII.1.1. g. *Gorg.*470d h. *Rep.*I.344a i. 344b-c.

εὐδαίμονες καὶ μακάριοι κέκληνται, οὐ μόνον ὑπὸ τῶν πολιτῶν ἀλλὰ καὶ ὑπὸ τῶν ἄλλων ὅσοι ἂν πύθωνται αὐτὸν τὴν ὅλην ἀδικίαν ἡδίκηκότα· οὐ γὰρ τὸ ποιεῖν τὰ ἄδικα ἀλλὰ τὸ πάσχειν φοβούμενοι ὄνειδίζουσιν· οἱ ὄνειδίζοντες τὴν ἀδικίαν. Once again Polus and Thrasymachus are not flouting normal values, but describing, like Athens, what is, as they claim it to be, the accepted practice.^a

οὐ παρήσω τῷδ' ἔμην τυραννίδα.
εἴπερ γὰρ ἀδικεῖν χρή, τυραννίδος πέρι
κάλλιστον ἀδικεῖν.

It is not they but Socrates who is abnormal.^b οὐκ οἶει ἐξεληλέγχθαι, ὧς Σώκρατες, ὅταν τοιαῦτα λέγῃς ἢ οὐδεὶς ἂν φήσειεν ἀνθρώπων; ἐπεὶ ἐροῦ τινα τουτωνί.

β . The Law Courts

In foreign affairs, as was seen, since there were no courts of law, and no means of enforcing agreements or preventing aggression impartially, it was every man for himself, and the taking of reprisals was a matter of self-help, so that the whole situation was governed by the individual state's power and strength. But within the state it can be seen that such a situation could be potentially dangerous, in that self-help can result in feud and vendetta, and that if the stronger members of a community are allowed to do as they will to others because those others are too weak to take reprisals, then all the wealth and influence is going to come into the hands of a small minority. It is probably for these reasons that eventually all cases of homicide had to be brought to court before the alleged murderer could be made to pay the penalty, and that Solon found it necessary to

a. Eur. Phoen. 523ff.

b. Plato Gorg. 473 d

introduce laws forbidding such things as enslavement for debt. For before these laws all citizens of whatever rank are equal,^a

θεσμοὺς δ' ὁμοίως τῷ κακῷ τε κάγαθῷ,
εὐθεΐαν εἰς ἕκαστον ἀρμόσας δίκην,
ἔγραφα,

so that in theory at any rate a more powerful man could no longer in these specified cases wreak his will on a weaker, and get away with it. The existence of such laws and law courts thus ensured that some curb was put upon members of society, particularly the more powerful, to prevent them attacking others, a fear of sanctions which is described by Athena in the Eumenides.^b

ἐν δὲ τῷ σέβας
ἀστῶν φόβος τε συγγενῆς τὸ μὴ ἀδικεῖν
σχῆσει τόδ', ἧμαρ καὶ κατ'εὐφρόνην ὁμῶς,
αὐτῶν πολιτῶν μὴ πικραίνοντων νόμους
κακαῖς ἐπιρροαῖσι...
τὸ μῆτ' ἄναρχον μῆτε δεσποτούμενον
ἀστοῖς περιστέλλουσι βουλευῶ σέβειν,
καὶ μὴ τὸ δεινὸν πᾶν πόλεως ἔξω βαλεῖν.
τίς γὰρ δεδοικῶς μηδὲν ἔνδίκος βροτῶν;
τοιόνδε τοι ταρβοῦντες ἐνδίκως σέβας
ἔρυμά τε χώρας καὶ πόλεως σωτήριον
ἔχοιτ' ἄν.

The weak are no longer completely at the mercy of the stronger, because when attacked they can appeal to a magistrate, and if the court called to hear the case agrees that a breach of the law has occurred, can gain redress as if he were as strong as his opponent. In this way the introduction of these laws and law courts, before which he was in theory on equal footing with his rival, did provide him some help in gaining reprisals he could not

a. Solon, fr. ix. 18ff.

b. 690ff.

otherwise have hoped to obtain.^h The protection these laws provided can thus be likened to the help given by relatives and friends, which as has been seen was vital if a man were too weak to take reprisals by himself, a point which is particularly clearly expressed by Antiphon in the first of his speeches.^a δέομαι δ' ὑμῶν ὡς ἄνδρες... τιμωρῆσαι πρῶτον μὲν... δεύτερον δ' ἐκείνῳ τῷ τεθνηκότι καὶ ἅμα ἐμοὶ μόνῳ ἀπολελειμμένῳ βοηθῆσαι. ὑμεῖς γὰρ μοι ἀναγκαῖοι. οὐς γὰρ ἐχρῆν τῷ μὲν τεθνεῶτι τιμωροῦς γενέσθαι, ἐμοὶ δὲ βοηθοῦς, οὗτοι... ἐμοὶ δ' ἀντίδικοι καθεστᾶσι. πρὸς τίνας οὖν ἔλθῃ τις βοηθοῦς, ἢ ποῖ τὴν καταφυγὴν ποιήσεται ἄλλοθι ἢ πρὸς ὑμᾶς καὶ τὸ δίκαιον; So too as Jones points out,^b one of the main disadvantages of exile was that one was no longer protected by the laws of the state,^c

οὐχ ἓνα νομίζων φθείρεται πόλεως νόμον,

so that to be ἀπολις is as bad as to be friendless.^d

ἐν ᾗ με προυβάλου
ἄφιλον ἐρῆμον ἀπολιν ἐν ζῶσιν νεκρῶν.

The laws and law courts by considering all men equal before them did thus form some protection for the weak, a function which, though bitterly attacked by Callicles in the *Gorgias*,^e ἀλλ' οἶμαι οἱ τιθέμενοι τοὺς νόμους οἱ ἀσθενεῖς ἄνθρωποι εἰσιν καὶ οἱ πολλοί, is generally considered one of the main advantages and corner-stones of democratic government. Thus in Herodotus those who give up a tyranny are said to give the city ἰσονομίη^f Similarly in the discussion by the Persians of the forms of government,^g the first argument in favour of democracy is that it has the name ἰσονομίη an argument which is stated at greater length in Theseus' defence of

a. I.3.

b. op.cit.p.120.

c. Eur.EI.234.

d. Soph.Ph.1018.

e. 483 b

f. III.142.3.,V.37,2

g. III.80.6.

h. Thuc. II.37.3.

Athenian democracy in the Supplices.^a

οὐδὲν τυράννου δυσμενέστερον πόλει,
ἔπου τὸ μὲν πρώτιστον οὐκ εἰσὶν νόμοι
κοινοί, κρατεῖ δ' εἰς τὸν νόμον κεκτημένος
αὐτὸς παρ' αὐτῷ· καὶ τὸδ' οὐκέτ' ἔστ' ἴσον.
γεγραμμένων δὲ τῶν νόμων ὃ τ' ἀσθενῆς
ὁ πλούσιός τε τὴν δίκην ἴσην ἔχει,
ἔστιν δ' ἐνισπεῖν τοῖσιν ἀσθενεστέροις
τὸν εὐτυχοῦντα ταῦθ', ὅταν κλύη κακῶς,
νικᾷ δ' ὁ μείων τὸν μέγαν δίκαι' ἔχων.

So too Pericles claims that at Athens,^b μέτεστι δὲ κατὰ μὲν τοὺς νόμους
πρὸς τὰ ἴδια διάφορα πᾶσι τὸ ἴσον.

The institution of laws and law courts therefore enabled a victim of aggression to gain redress, but he could call upon the law to help him only in a certain, and fairly restricted, number of situations. He could not for instance be deprived of life or freedom without a hearing, and could prosecute another for personal assault, deprivation of inheritance, breaking of contract and other such specific delicts. But generally speaking it was still a matter of self-help, and there is for instance, as Jones points out,^c little evidence to show that it was illegal, and that a man could prosecute another, for taking something which was not his. In such cases the only way was to catch the man and hope to be able to recover the goods oneself. Self-help was probably still, in a very large number of cases, the normal method of gaining redress, a method which of course relies on power and influence for its success.

Moreover even when a law suit was possible, though the two parties may in theory be on equal footing, it is still up to the victim, or

a. 429ff.

b. Thuc.II.37.1.

c. op.cit.p.207f.

someone acting for him, to take the first step, as Antiphon, the Sophist, one of the most outspoken critics of law and legal process points out.^a

ὁ γε πρῶτον μὲν ἐπιτρέπει τῷ πάσχοντι παθεῖν καὶ τῷ δρῶντι δρᾶσαι· καὶ οὔτε ἐνταῦθα διεκώλυε τὸν πάσχοντα μὴ παθεῖν, οὔτε τὸν δρῶντα δρᾶσαι. εἷς τε τὴν τιμωρίαν ἀναφερόμενον οὐδὲν ἰδιώτερον ἐπὶ τῷ πεπονθότι ἢ τῷ δεδρακότι· πεῖσαι γὰρ δεῖ αὐτὸν τοὺς τιμωρήσοντας, ὡς ἔπαθεν, καὶ δύνασθαι ἀπαιτεῖ δίκην ἐλεῖν. There was no impartial police force to initiate proceedings on the state's behalf, so that Protagoras' view of the function of law being to correct the wrongdoer in the interests of society and with the backing of public opinion, seems far removed from reality, since, though the laws may be there for the victim's protection, they are only, like relatives, to be called on in need to strengthen one's hand. Indeed even though the court may decide for the plaintiff, it is still up to him to put that decision into effect, very often by means of self-help. If he fails then he can bring another action, but it can be seen that these cases could drag out indefinitely, and since the onus is always upon the plaintiff, he may well give up through lack of stamina or money, or find the whole proceedings costing him more than he stands to gain. All that the courts do is weigh in on the side of a successful plaintiff, and give him the right to take reprisals, but take little active part in the contest.

When therefore a case comes before the courts, it is still very much a struggle, an ἀγών, between two parties for supremacy. Because there is now a third party to be won over, there is of course much discussion of τὰ δίκαια, but each party is primarily concerned to beat his opponent,

so that much is brought before the court which would not be accepted to-day in a British court of law.^a For in attempting to win the support of the court, each side is likely to deal not only with the actual charge, but also with the advantage to the court and the city it represents of his winning the case, and the disadvantages if he does not. Thus just as in the Eumenides the furies threaten pestilence, and Apollo the anger of Zeus, if they lose, so now a litigant may well stress the contributions he has made to the state with the idea that the court may well be induced to vote for him, because he is too valuable as asset to be rubbed up the wrong way. If he is the defendant, he can even hope that his value to society will outweigh any particular illegal action he may committed.^b καίτοι διὰ τοῦτο πλείω τῶν ὑπὸ τῆς πόλεως προσταττομένων ἑδαπανώμην, ἵνα καὶ βελτίων ὑφ' ὑμῶν νομιζοίμην, καὶ εἴ ποῦ μοί τις συμφορὰ γένοιτο, ἄμεινον ἀγωνιζοίμην.

So too the practice of allowing the defendant to bring children and other dependents into court, to show how necessary he is to the well-being of others, and to have his friends and relatives speak on his behalf and vouch for his good character, this practice too points to the conclusion that much still depended on the worth and influence of the defendant. Whereas therefore in a British court of law there is more concern for the establishment of facts, and of whether the alleged crime was committed by the accused, so that the jury is expected as far as possible to approach the case with tabula rasa, and to consider only what is brought before the court according to strict rules of relevance, in the Greek court of law there is more concern with the persons involved, with their merits and

a. Adkins, M. and R. p. 201ff.

b. Lysias, 25.13.

defects as citizens. The jury, which could consist of many who have much experience of the litigants, may well, and not without reason, be considering not only the case itself, but the whole record of them as members of the community. This is not to say that this was the only thing which determined their decision, or that it always did, and of course according to the heliastic oath, as Socrates points out,^a οὐ γὰρ ἐπὶ τούτῳ κἀθηται ὁ δικαστής, ἐπὶ τῷ καταχαρίζεσθαι τὰ δίκαια, ἀλλ' ἐπὶ τῷ κρίνειν ταῦτα, καὶ ὁμῶμοκεν οὐ χαριεῖσθαι οἷς ἂν δοκῇ αὐτῷ, ἀλλὰ δικάσειν κατὰ τοὺς νόμους. Nevertheless he himself knows that the 'public image' of him which has been created is more than likely to convict him.

Though there may be laws and courts of law, juries and discussions of τὰ δίκαια, the general atmosphere is still one of personal contest between the litigants, who conduct their own case, each trying to get the court to do what he wants it to do. The situation is just that found in a scene witnessed only recently, when two men were standing by a car, and as a policeman went by one stopped him saying, 'Here's a policeman. Look, I was standing at that pedestrian crossing....' It is clear that here 'the law' is being invoked merely as a means of getting back at the other man, and it is exactly this attitude which prevails in the Greek courts. The court is merely being asked to decide between what one side wants, and what the other wants, an issue which would otherwise be decided by force. This is shown particularly by the procedure adopted in the ἀγῶνες τιμητοί cases where the penalty was not fixed by law, but damages were assessed in court. This practice was far more common than in our

a. Apol. 35 c

system of law, where it is restricted to civil proceedings, and it was, as is well known from the trial of Socrates, that when the defendant had been found guilty, both sides then said what they thought the damages should amount to, using the verb τιμᾶσθαι. This means that the prosecutor, or victim, is demanding so much by way of recompense, and the defendant, or aggressor, is offering so much as indemnity. Once again the situation is exactly the same as if the two sides were going to fight it out, only now because the contest takes place in a court of law, it is that court which decides who wins. It can only choose between the two assessments and cannot suggest a compromise.^a

The court of law thus acts very much as an arbiter in what remains a private battle between the two parties, and since it is a battle, the outcome of it, like that of any other contest, effects the standing of those involved. The litigants are, it has been emphasised, out to win the day, so that, as has already been seen in the Eumenides, the victim considers himself ἄτιμος, and to have lost standing if he loses his case and thus fails to gain redress, and the aggressor is still without shame until he loses and meets with reprisals. However just a verdict may be, defeat in court, as in any sphere, because it shows one up as lacking in some way, involves loss of standing, and consequently the need to avenge oneself if one is to regain it. Thus it is that in a passage from one of the Tetralogies of Antiphon it is said,^b εἰ δὲ καὶ ἀλοίη, τιμωρησαμένῳ κάλλιον ἔδοξεν αὐτῷ ταῦτα πάσχειν, ἢ ἀνάνδρως μηδὲν ἀντιδράσαντα ὑπὸ τῆς γραφῆς διαφθαρῆναι. To be defeated in a law suit, and to accept that

a. Jones, op. cit., and others.

b. I.a.8.

defeat without attempting to take revenge is described as something ἄνανδρον, one of the strongest terms of censure in Greek society. What is considered δίκαιον in the eyes of the law for a man to suffer is not considered by him to be καλόν or ἀγαθόν to suffer, but rather αἰσχρόν, as is pointed out in the Laws.^a τοῖς μὲν τοίνυν πολλοῖς οὕτω περὶ τὰ τοιαῦτα ἀσυμφώνως τὰ καλὰ καὶ τὰ δίκαια διερριμμένα προσαγορεύεται. Contest in a law court is, as regards the effect on a man's standing, no different from physical contest, so that the loser, since defeat is ἄνανδρον, must seek in his turn to get retribution and get even with his enemy. It can be seen therefore that though litigation may prevent blood-feud, violence and civil war, it still preserves all the animosity of the days of self-help, and it is precisely this aspect of legal procedure which Antiphon the Sophist attacks. For, as he points out, so great is the competitive atmosphere of the courts, and so acrimonious the relationships between the two parties, that even a true witness is liable to incur the hatred and life-long enmity of the offender who is punished because of him.^b αὐτὸς δ' ἀδικεῖται ὑπὸ τοῦ καταμαρτυρηθέντος, ὅτι μισεῖται ὑπ' αὐτοῦ τὰ ἀληθῆ μαρτυρήσας· καὶ οὐ μόνον τῷ μίσει, ἀλλὰ καὶ ὅτι δεῖ αὐτὸν τὸν αἰῶνα πάντα φυλάττεσθαι τοῦτον οὗ κατεμαρτύρησεν. It may well be true that many a witness, and indeed many a victim, feared to bring a case against a more influential person because of the repercussions, and indeed such situations are not unknown to-day, and we at least have police protection.

Legal proceedings therefore are considered almost entirely a matter between the two parties concerned. The court acts only as arbiter, and

a. 860 b

b. D.K.87.B.44.I.35.

not as an educator, punishing the aggressor simply because he attacked another. If aggression occurs, there is little evidence to show that it was generally considered a danger to the community, and as such to be repressed and punished by bringing the offender to court. Society is not yet so integrated that an attack on one member is considered an attack on society as a whole. The reaction of the man in the street to aggression is that the victim is the loser, so that the punishment of the aggressor is his pigeon, and if he does not succeed in getting redress, so much the worse for him. Admittedly Solon in his reform of the laws and legal procedure did appreciate that law and order was essential for the continued existence and well-being of a community, and hoping that this view would be shared by the rest of the Athenians, allowed anyone who wished to initiate proceedings on behalf of the community against a malefactor, if the victim were unable to do so himself.^a But in practice, as is well known, because his views were not in fact those of the majority, who tended to think him mad for not taking advantage of his position,^b

οὐκ ἔφου Σόλων βαθύφρων οὐδὲ βουλήεις ἀνὴρ·
ἔσθλα γὰρ θεοῦ διδόντος αὐτὸς οὐκ ἐδέξατο...
ἤθελον γὰρ κεν κρατήσας, πλοῦτον ἄφθονον λαβῶν
καὶ τυραννεύσας Ἀθηναίων μόνον ἡμέραν μίαν,
ἄσχος ὕστερον δεδάσθαι κάπιτετρῖσθαι γένος,

those who did thus prosecute did so not for the sake of any abstract idea of justice, nor even for the sake of the community, but for personal motives and advantage, and the resulting evils of sycophancy need not be dwelt on here. Admittedly such prosecutors represented themselves as

a. Stob.ed.Hense,
iv.1.77.

b. fr.xxii.

coming to the aid of the state or the laws, but even if this was not a πρόφασις for private feud, the ability to protect what needs protection is, as has been shown, a mark of ἀρετή, so that it is not pure altruism which induces a man to come to the aid of the laws or the victim of aggression, but something far more attractive, namely the chance to prove one's worth, to be ἀγαθός,^a ἀδικουμένοισι τιμωρεῖν κατὰ δύναμιν χρῆ καὶ μὴ παριέναι. τὸ μὲν γὰρ τοιοῦτον δίκαιον καὶ ἀγαθόν, τὸ δὲ μὴ τοιοῦτον ἄδικον καὶ κακόν. Coming to the aid of the laws is just as much a sign of the Heraclean type of ἀρετή as is coming to the aid of the weak and the dead, as emerges clearly from a passage in Antiphon.^b ἐμοὶ μὲν οὖν διήγηται καὶ βεβοήθηται τῷ τεθνεῶτι καὶ τῷ νόμῳ. ἐν ὑμῖν δ' ἔστι σκοπεῖν τὰ λοιπὰ πρὸς ὑμᾶς αὐτοὺς καὶ δικάζειν τὰ δίκαια. What he is saying is in effect, 'I have done my bit, now it is up to you to do the right thing.' Indeed just as the hero protects the weak because the aggressor challenges his ability to do so, and so his standing as an ἀγαθός, so now it can be suggested to the jury that they are the defenders of the law,^c δέομαι δ' ὑμῶν ὧ ἄνδρες... τιμωρῆσαι πρῶτον μὲν τοῖς νόμοις τοῖς ὑμετέροις, a challenge which is more openly stated in a later passage, and which can be compared to that given Zeus by Menelaus.^d ἀλλ' ὑμεῖς βοηθήσατέ μοι, καὶ μὴ διδάσκετε τοὺς συκοφάντας μείζον ὑμῶν αὐτῶν δύνασθαι. ἐὰν μὲν γὰρ εἰσιόντες εἰς ὑμᾶς ἂ βούλονται πράσσωσι, δεδειγμένον ἔσται τούτους μὲν πείθειν, τὸ δ' ὑμέτερον πλῆθος φεύγειν. ἐὰν δὲ εἰσιόντες εἰς ὑμᾶς πονηροὶ μὲν αὐτοὶ δοκῶσιν εἶναι, πλεον δ' αὐτοῖς μηδὲν γένηται, ὑμέτερα ἢ τιμὴ καὶ ἢ δύναμις ἔσται, ὥσπερ καὶ τὸ δίκαιον ἔχει.

a. Democr.D.K.68.B.261.

b. I.31.

c. I.3.

d. V.80.

The fact that men may come to the aid of the victim, the laws or the state does not mean that they are doing so for purely altruistic motives, but rather for the sake of their own personal advantage and reputation. One cannot have one's opponent prove himself stronger, *μείζον δύνασθαι*, and able to do his will, *ἃ βούλονται πράσσωσι*, and still retain one's standing, *τιμῆ*, and superiority, *δύναμις*. So too, though there are some few acts such as homicide, treason, dereliction of duty on the part of generals and magistrates and 'corruption of the young', which are considered sufficiently detrimental to the state as a whole to merit public suits, those who indict in the name of the state are not necessarily doing so for purely disinterested motives. For since such indictments were brought not impersonally by the Crown, but by one or more particular named individuals, private animosities may well have influenced the decision to prosecute. Even if they did not, it is always a source of pride to be able to act as benefactor to the state, as pater patriae

γ. General Relations between Citizens

In the law courts the atmosphere is one of competition, with little or no recognition on the part of the average man that aggression in any way threatens the community, so that he should for this reason alone help bring a man to justice. Aggression is still very much the concern of the victim, who does not gain the sympathy of others simply because he is attacked. But life in a community does not consist entirely of governing and bringing law suits. The ordinary everyday dealings with the other members of society account for the large part of the relationships

between citizens, and here, since any community or society, if it is to have that name at all, must have come to some modus vivendi, the atmosphere of competition is perhaps less obvious. The fear of public opinion, of divine retribution and of the laws exerts, as was seen above, a pressure on the members of a society to conform, which is so constant as, like that of the air around us, not to impinge in normal circumstances upon the consciousness. But though the Greeks may by and large have been law abiding, god fearing and above all public opinion conscious, this does not mean that they necessarily conformed to the set standards for reasons of personal conviction unaffected by the sanctions of laws, gods and public opinion. These sanctions acted as restraints upon the individual's will, but once removed, there is very little evidence to show that the average Greek exercised self-restraint, or felt that sense of moral obligation for which we are looking.^b Actions were wrong, ἄδικα, because they exposed the agent to reprisals divine or human, and as long as these sanctions were seen to be at work, those actions were avoided for the sake of expediency. But if in time of crisis, when one's whole world is threatened, these sanctions either no longer exist, or no longer outweigh the advantages of injustice, then there is nothing to prevent men indulging without restraint their deep seated urge for self-preservation and self-promotion, nothing to prevent them acting on impulse, ὀργῇ.^a ἐν μὲν γὰρ εἰρήνῃ καὶ ἀγαθοῖς πράγμασιν αἴ τε πόλεις καὶ οἱ ἰδιῶται ἀμείνους τὰς γνώμας ἔχουσι διὰ τὸ μὴ ἐς ἀκουσίους ἀνάγκας πίπτειν· ὁ δὲ πόλεμος ὑφελὼν τὴν εὐπορίαν τοῦ καθ' ἡμέραν βίαιος διδάσκαλος καὶ πρὸς τὰ παρόντα τὰς ὀργὰς τῶν πολλῶν ὁμοιοῖ.

a. Thuc. III.82.2.

b. above, p.121ff.,161f.

Thus it is that during the στάσις at Corcyra, which occasions these reflections of Thucydides upon the effects of war-time strain upon what appears in peace-time to be the most closely integrated of societies, at this time of stress, when law and order and the sanctions it invokes have gone, complete anarchy ensues. Community life reverts to a free for all, and it is the competitive skills, and not obeying laws and being just, which are now more profitable. For now with the protection afforded by the laws gone, every citizen is against the other, so that in the struggle for survival justice and restraint are thrown to the winds, as Thucydides in his penetrating analysis of the situation observes.^a καὶ τὴν εἰωθυῖαν ἀξίωσιν τῶν ὀνομάτων ἐς τὰ ἔργα ἀντήλλαξαν τῆ δικαιοῦσει... τὸ δὲ σῶφρον τοῦ ἀνάνδρου πρόσχημα, καὶ τὸ πρὸς ἅπαν ξυνετὸν ἐπὶ πᾶν ἀργόν... ἀντιτιμωρήσασθαι τέ τινα περὶ πλείονος ἦν ἢ αὐτὸν μὴ προπαθεῖν... ῥᾶον δ' οἱ πολλοὶ κακοῦργοι ὄντες δεξιοὶ κέκληνται ἢ ἀμαθεῖς ἀγαθοί,^b καὶ τῷ μὲν αἰσχύνονται, ἐπὶ δὲ τῷ ἀγάλλονται. πάντων δ' αὐτῶν αἴτιον ἀρχὴ ἢ διὰ πλεονεξίαν καὶ φιλοτιμίαν... οἱ γὰρ ἐν ταῖς πόλεσι προστάντες... τὰ μὲν κοινὰ λόγῳ θεραπεύοντες ἄθλα ἐποιοῦντο, παντὶ δὲ τρόπῳ ἀγωνιζόμενοι ἀλλήλων περιγίγνεσθαι ἐτόλμησάν τε τὰ δεινότεα.

It is however not only fear and insecurity which, when law and order and the means of arbitration have broken down, impel men to fight each other. As Diodotus points out, in his attack on the idea that the fear of disaster or reprisals is a foolproof deterrent, hope, desire and ambition are equally powerful incentives.^c ἢ δ' ἐξουσία ὕβρει τὴν πλεονεξίαν καὶ φρονήματι (παρέχουσα), .. ἐξάγουσιν ἐς τοὺς κινδύνους. ἢ τε ἐλπίς καὶ ὁ ἔρωσ... πλεῖστα βλάπτουσι, καὶ ὄντα ἀφανῆ κρείσσω ἐστὶ τῶν ὀρωμένων δεινῶν.

a. III.82.4., 7., 8.

b. For the use of ἀγαθός here, see below p. 227f.

c. III.45.4-5.

So too Creon points out,^a

ἀλλ' ὑπ' ἐλπίδων
ἄνδρας τὸ κέρδος πολλάκις διώλεσεν,

In these cases, even though the sanctions of laws and reprisals, human and divine, which normally make aggression unprofitable, are the greatest imaginable, there is someone who considers that the actual advantages of aggression outweigh the potential dangers, because he is sure he will not get caught,^b καὶ οὐδεὶς πω καταγνοῦς ἑαυτοῦ μὴ περιέσεσθαι τῷ ἐπιβουλεύματι ἦλθεν ἐς τὸ δεινόν. πόλις τε ἀφισταμένη τίς πω ἦσσω τῇ δοκῆσει ἔχουσα τὴν παρασκευὴν... τούτῳ ἐπεχείρησεν; a sentiment echoed by the herald in the Supplices.^c

ἐλπίς γάρ ἐστ' ἄπιστον, ἣ πολλὰς πόλεις
συνῆψ', ἄγουσα θυμὸν εἰς ὑπερβολὰς.
ὅταν γὰρ ἔλθῃ πόλεμος ἐς ψῆφον λεῶ,
οὐδεὶς ἔθ' αὐτοῦ θάνατον ἐκλογίζεται,
τὸ δυστυχὲς δὲ τοῦτ' ἐς ἄλλον ἐκτρέπει.

When the stakes are particularly high, the fear of sanctions is weakened, and once again there is nothing to stop a man doing his will.^d καὶ ἡ τύχη... κινδυνεύειν τινὰ προάγει, καὶ οὐχ ἦσσον τὰς πόλεις, ὅσῳ περὶ τῶν μεγίστων τε, ἐλευθερίας ἢ ἄλλων ἀρχῆς, καὶ μετὰ πάντων ἕκαστος ἀλογίστως ἐπὶ πλεόν τι αὐτὸν ἐδόξασεν. ἀπλῶς τε ἀδύνατον καὶ πολλῆς εὐηθείας, ὅστις οἶεται τῆς ἀνθρωπείας φύσεως ὀρμωμένης προθέμῳς τι πρᾶξαι ἀποτροπὴν τινα ἔχειν ἢ νόμων ἰσχύι ἢ ἄλλῳ τῷ δεινῷ. For since, as Protagoras points out, it is only ἀνάγκη in some form or another which ensures δικαιοσύνη, when these fail or are lacking men will revert to their animal nature.^e εἰ δέοι αὐτὸν κρίνεσθαι πρὸς ἀνθρώπους οἷς μήτε παιδεία ἐστὶν μήτε

a. Ant. 221f.

b. Thuc. III.45.1.

c. Eur. Suppl. 479ff.

d. Thuc. III.45.6-7.

e. Plato, Prot. 327 c-d.

δικαστήρια μήτε νόμοι μηδὲ ἀνάγκη μηδεμία διὰ παντὸς ἀναγκάζουσα ἀρετῆς^b ἐπιμελεῖσθαι, ἀλλ' εἶεν ἄγριοι τινες...

Under normal circumstances fear of sanctions ensures a reasonable degree of harmony in the state, but once those sanctions have been removed or weakened, it no longer becomes worthwhile to abstain from πλεονεξία and φιλοτιμία, and since this is the only reason for so abstaining, the result is a complete breakdown of the normal social relationships. Thus it is that as a result of the unstable conditions during the plague,^a ῥᾶον ἐτόλμα τις ἄ πρότερον ἀπεκρύπτετο μὴ καθ' ἡδονὴν ποιεῖν, ἀγχίστροφον τὴν μεταβολὴν ὀρῶντες τῶν τε εὐδαιμόνων καὶ αἰφνιδίως θνησκόντων καὶ τῶν οὐδὲν πρότερον κεκτημένων, εὐθύς δὲ τάκεινων ἐχόντων... ὅτι δὲ ἤδη τε ἡδὺ πανταχόθεν τε ἐς αὐτὸ κερδαλέον, τοῦτο καὶ καλὸν καὶ χρήσιμον κατέστη. θεῶν δὲ φόβος ἢ ἀνθρώπων νόμος οὐδεὶς ἀπεῖργε, τὸ μὲν κρίνοντες ἐν ὁμοίῳ καὶ σέβειν καὶ μὴ ἐκ τοῦ πάντας ὀρᾶν ἐν ἴσῳ ἀπολλυμένους, τῶν δὲ ἀμαρτημάτων οὐδεὶς ἐλπίζων μέχρι τοῦ δίκην γενέσθαι βιοῦς ἂν τὴν τιμωρίαν ἀντιδοῦναι, πολὺ δὲ μείζω τὴν ἤδη κατεψηφισαμένην σφῶν ἐπικρεμασθῆναι, ἣν πρὶν ἐμπεσεῖν εἰκὸς εἶναι τοῦ βίου τι ἀπολαῦσαι. This shows that though the average Greek may be δίκαιος, in the way that Cephalus is,^c that is obeying the various νόμιμα of society,^d he is δίκαιος not because of any abstract ideals, because he is personally convinced, independent of sanctions, that he should be δίκαιος, but because it normally did not pay him to flout the laws, the gods and public opinion. There is generally no conception that the practice of refraining from injustice and obeying the laws should be followed for its own sake. A man will do so if obliged by external pressure, but if that is weak enough, or

a. Thuc.II.53.

c. above p.56.

b. For this use of ἀρετή, see above p.116.

d. Ant.D.K.B.44.A.1.6ff

completely non-existent, and the chance to promote himself occurs, then the Greek attitude is, as was seen in the case of Solon,^a that he would be mad not to take it. Indeed so strong is the idea that the laws are a curb on a man's freedom of will, that the author of the Anonymus Iamblichi can describe the general attitude to law, which he is opposing, in the following terms.^b ἔτι τοίνυν οὐκ ἐπὶ πλεονεξίαν ὀρμᾶν δεῖ, οὐδὲ τὸ κράτος τὸ ἐπὶ τῇ πλεονεξίᾳ ἡγεῖσθαι ἀρετὴν εἶναι, τὸ δὲ τῶν νόμων ὑπακούειν δειλίαν. Meek capitulation to the laws without putting up some fight, some show of independence, is, like capitulation to another man, sheer cowardice, δειλία, the remotest possible extreme from ἀρετή.

The attitude to laws is therefore like that to a superior. One obeys because one must, but one will take any chance of doing him down, and the shame lies not in breaking the law, but in getting caught and punished.^c Thus it is that Polus who, as was seen earlier,^d deems the lot of the tyrant most enviable, considers the ability to flout the laws, to do one's will and get away with it, is the real sign of power and ἀρετή.^e ΠΩΛ. 'Αλλ' ἔγωγε τοῦτο λέγω ὅπερ ἄρτι, ἐξεῖναι ἐν τῇ πόλει, ὃ ἂν δοκῆ αὐτῷ, ποιεῖν τοῦτο, καὶ ἀποκτεινόντι καὶ ἐκβάλλοντι καὶ πάντα πράττοντι κατὰ τὴν αὐτοῦ δόξαν... ΣΩ. ἀδικῶν δὲ δὴ εὐδαίμων ἔσται ἄρ', ἂν τυγχάνῃ δίκης τε καὶ τιμωρίας; ΠΩΛ. Ἡκιστά γε, ἐπεὶ οὕτω γ' ἂν ἀθλιώτατος εἴη. ΣΩ. 'Αλλ' ἐὰν ἄρα μὴ τυγχάνῃ δίκης ὁ ἀδικῶν, κατὰ τὸν σὸν λόγον εὐδαίμων ἔσται; ΠΩΛ. Φημί. So when Socrates asks him,^f πότερον δοκεῖ σοι, ὦ Πῶλε, κάκιον εἶναι, τὸ ἀδικεῖν ἢ τὸ ἀδικεῖσθαι; he naturally answers τὸ ἀδικεῖσθαι ἔμοιγε, but when he asks him, αἴσχλιον πότερον τὸ ἀδικεῖν ἢ τὸ ἀδικεῖσθαι; Polus somewhat inconsistently with his argument answers, τὸ ἀδικεῖν. For

a. above p.200.

b. D.K.89.6.1.

c. above p.198.

d. above p.190.

e. Plato, Gorg. 469 c, 472 d

f. 474 c

he has just been saying that most men, including himself, admire ἀδικία, so that to say now that it is shameful, that is incurs public censure and results in loss of face, is not only an apparently flat contradiction of his own argument, but as will be readily apparent from all that has been so far discussed, is completely contrary to the general values of the Greeks which he claims to be representing. It is not surprising that it is precisely on this flaw in Polus' argument on which Callicles pounces.^a καὶ ἔγωγε κατ' αὐτὸ τοῦτο οὐκ ἄγαμαι Πῶλον, ὅτι σοι συνεχώρησεν τὸ ἀδικεῖν αἴσχιον εἶναι τοῦ ἀδικεῖσθαι. ἐκ ταύτης γὰρ αὖ τῆς ὁμολογίας αὐτὸς ὑπὸ σοῦ συμποδισθεὶς ἐν τοῖς λόγοις ἐπεστομίσθη, αἴσχυνθεὶς ἃ ἐνόει εἰπεῖν. If one admits that most people admire and desire τὸ μέγα δύνασθαι then to say that it is disapproved of to the extent of using of the means to that power, namely τὸ ἀδικεῖν, the highest term of public censure, αἴσχρὸν, is to talk nonsense, unless one is deliberately forcing the term to carry a meaning it does not normally carry.^b This in Callicles opinion is what Polus is doing. For as Polus himself implied, men refrain from injustice only because of external pressure such as the laws, so that to do injustice is considered wrong only because of the sanctions they incur, that it is only wrong νόμῳ.^c But normally, though one may say that injustice is ἀδικον, that is exposes the agent to reprisals, one only uses αἴσχρὸν of what is wrong φύσει, that is that which causes injury and loss of face, namely being the victim of injustice.^d φύσει μὲν γὰρ πᾶν αἴσχίον ἐστὶν ὅπερ καὶ κάκιον, τὸ ἀδικεῖσθαι, νόμῳ δὲ τὸ ἀδικεῖν. οὐδὲ γὰρ ἄνδρὸς τοῦτό γ' ἐστὶν τὸ πάθημα, τὸ ἀδικεῖσθαι, ἀλλ' ἀνδραπόδου τινὸς ᾧ κρεῖττον ἐστὶν τεθνάναι ἢ ζῆν, ὅστις ἀδικούμενος

a. 482 d-e

b. Adkins, M. and R. p.265f.

c. 482 e 2

d. 483 a 7

καὶ προπηλακίζόμενος μὴ οἶος τέ ἐστὶν αὐτὸς αὐτῷ βοηθεῖν μηδὲ ἄλλῳ οὐ
ἂν κήδηται.^a ἀλλ'οἶμαι οἱ τιθέμενοι τοὺς νόμους οἱ ἀσθενεῖς ἄνθρωποι
εἰσὶν καὶ οἱ πολλοί.^b πρὸς αὐτοὺς οὖν καὶ τὸ αὐτοῖς συμφέρον τοὺς τε
νόμους τίθενται καὶ τοὺς ἐπαίνους ἐπαινοῦσιν καὶ τοὺς φόγους φέγουσιν·
ἐκφοβοῦντες τοὺς...δυνατοὺς ὄντας πλέον ἔχειν, ἵνα μὴ αὐτῶν πλέον ἔχωσιν,
λέγουσιν ὡς αἰσχρὸν καὶ ἄδικον τὸ πλεονεκτεῖν...ἀγαπῶσι γὰρ οἶμαι αὐτοὶ
ἂν τὸ ἴσον ἔχωσιν φαυλότεροι ὄντες.^c διὰ ταῦτα δὴ νόμῳ μὲν τοῦτο ἄδικον
καὶ αἰσχρὸν λέγεται...ἢ δέ γε οἶμαι φύσις αὐτὴ ἀποφαίνει αὐτό, ὅτι
δίκαιόν ἐστὶν τὸν ἀμείνω τοῦ χείρονος πλέον ἔχειν καὶ τὸν δυνατώτερον
τοῦ ἀδυνατωτέρου.^d

These words have been quoted at length, because it will be seen that far from being those of a 'freak', evoking a horrified response from the 'average' Greek, they represent in epitome just those fundamental values which have prevailed in all spheres of action at all times. The average Greek will obey the laws and any superior force when he must, but given the chance to get away with injustice, he will take it, and because by so doing he only proves his ability, his ἀρετή, he will feel no shame or loss of face. His victim may hurl abuse at his head, but as Thrasymachus says,^e οὐ γὰρ τὸ ποιεῖν τὰ ἄδικα ἀλλὰ τὸ πάσχειν φοβούμενοι ὀνειδίζουσιν οἱ ὀνειδίζοντες τὴν ἀδικίαν. For it is τὸ ἀδικεῖσθαι which brings shame and is ἄνανδρον, so that though the victim can sometimes stop the aggressor getting too much by the help of the laws, he does not, simply because he is the victim, gain the sympathy of others unaffected by the act of aggression. Nor is this attitude so difficult to understand. For though the gods and the laws ensured a reasonable degree of harmony within the state, life in

a. above p.155.

b. above p.192.

c. above p.171.

d. above p.189.

e. Rep. 344 c

Athens or any other Greek city was not the sheltered existence of a Welfare State. The state had only a limited amount of land and wealth, so that, as in the Homeric society, life was a competition, a struggle to maintain oneself and one's family, and on the outcome of that struggle depended one's material prosperity, one's τιμή. All other members of the community apart from the immediate circle of one's friends and relatives were rivals for what was going, and in such conditions the weakest must go to the wall, and there is little room for altruism. The survival of oneself and one's family was entirely one's own responsibility. A reasonable standard of living was not a right, but something to be earned, and if one failed, then one had only oneself to blame.

The ideas of the Immoralists, though set up as an Aunt Sally to be knocked down by Socrates, are once again only a more than usually outspoken revelation of the real values of the Greeks. As Taylor notes,^a Callicles 'is as earnest as Carlyle in his conviction that superior ability of any kind gives the right to use the ability according to your own judgment and without scruple'. To such as Socrates, who say one should suffer injustice rather than do it, Thrasymachus retorts with valid argument, 'Why should I? Why should I deny myself for the sake of others, and not use my abilities and powers to the the full?' For as he says,^b καὶ ἰσχυρότερον καὶ ἐλευθεριώτερον καὶ δεσποτικώτερον ἀδικία δικαιοσύνης ἐστὶν ἱκανῶς γιγνομένη, καὶ ὅπερ ἐξ ἀρχῆς ἔλεγον, τὸ μὲν τοῦ κρείττονος συμφέρον τὸ δίκαιον τυγχάνει ὄν, τὸ δ' ἄδικον ἑαυτῷ λυσιτελοῦν τε καὶ συμφέρον. To be just is to admit defeat by a superior or by the laws,

a. Plato p.116.

b. Rep.344 c

which is ἄνανδρον and not to be contemplated by any sane man. For again it is Socrates, the philosopher, the man with his head in the clouds, who is, like Solon, regarded as mad. His ideas, far from being commonly accepted, are regarded as a sign of weakness and inability to protect himself and his dependents, which, because it shows a lack of ἀρετή, should make him feel ashamed.^a καίτοι, ὃ φύλε Σώκρατες, οὐκ αἰσχρὸν δοκεῖ σοι εἶναι οὕτως ἔχειν ὡς ἐγὼ σὲ οἶμαι ἔχειν καὶ τοὺς ἄλλους τοὺς πόρρω ἀεὶ φιλοσοφίας ἐλαύνοντας;...καίτοι πῶς σοφὸν τοῦτό ἐστιν...μήτε αὐτὸν αὐτῷ δυνάμενον βοηθεῖν μηδ' ἐκώσσαι ἐκ τῶν μεγίστων κινδύνων μήτε ἑαυτὸν μήτε ἄλλον μηδένα, ὑπὸ δὲ τῶν ἐχθρῶν περισυλαῖσθαι πᾶσαν τὴν οὐσίαν, ἀτεχνῶς δὲ ἄτιμον ζῆν ἐν τῇ πόλει. Far from being the norm, his principles would result in a complete reversal of the average Greek's value system.^b εἰ μὲν γὰρ σπουδάζεις τε καὶ τυγχάνει ταῦτα ἀληθῆ ὄντα ἃ λέγεις, ἄλλο τι ἢ ἡμῶν ὁ βίος ἀνατετραμμένος ἂν εἴη τῶν ἀνθρώπων κατὰ πάντα τὰ ἐναντία πράττομεν, ὡς ἔοικεν, ἢ ἃ δεῖ.

It was still success which was the sign of ἀρετή even within the state, particularly in time of crisis, so that the average Greek was δίκαιος only because of the sanctions if he was not, and not because of any personal conviction of the need to be just, or any sense of moral obligation. But though this was true in the generality there are signs of an increasingly more tolerant and relaxed attitude towards others making its appearance. It is always difficult to point to the particular time or cause of such a movement, since these shifts in what is generally considered the right or wrong thing to do, though sometimes encouraged by or associated with some one or more persons, are very often so gradual and unconscious as to be imperceptible. Ask for instance why to-day we no longer keep

a. Gorg. 486 a-b

b. 481 c cf. Apol. 28 b

slaves or burn witches, and it would be almost impossible to say more than that it gradually came to be considered repugnant, uncivilised, in the way that the Athenians thought their decision to annihilate Mytilene ὀμόν. Very frequently these more humane attitudes are the result of the removal of fears and superstition, or the understanding gained by knowledge of, for example, the effects on the individual of mental disease, but quite often they are irrational, in that those who hold them would be hard put to it to give any explanation of their revulsion from earlier practices. But whatever the causes of it, whether perhaps in part the growth of that mutual trust which results from continual dealings with and knowledge of the other members of a community,^a διὰ γὰρ τὸ καθ' ἡμέραν ἀδεῆς καὶ ἀνεπιβούλευτον πρὸς ἀλλήλους καὶ ἐς τοὺς συμμάχους τὸ αὐτὸ ἔχετε, and in part the special pleading of such men as Socrates, there is evidence of this more tolerant and humane attitude, as exemplified for instance in the discussions concerning the burial of the dead. This topic seems to have been much in the air at this time, and the arguments brought forward in the several plays which deal with it are a good indication of the various values now prevailing. For although the stronger party has always been able to do his will and take what reprisals he likes for injury sustained, there was a certain limit beyond which he could not go without incurring some censure, though not the strongest, of the other members of society.^d Thus the most obvious case in Homeric times is that of Achilles, who has every right to do what he did to Hector's body because no one could stop him, but who was deemed nevertheless to be doing something outrageous,^b καὶ Ἐκτορα δῖον ἀεικέα μῆδετο ἔργα, to be ἀτάσθαλον.^c The burial of the dead was

a. Thuc. III.37.2. cf. I.68.1.
d. Adkins, M. and R. p. 43.

b. II. XXII. 395

c. 418.

considered an unwritten law, so that after a battle there was normally a truce allowed for the defeated to recover and bury their dead. Nevertheless the possibility of being deprived of burial rites certainly existed, and was considered one of the greatest dishonours which could befall one,^a and one of the worst reprisals one could take.

When therefore in the Antigone Creon decides that Polyneices should be denied burial, he as ruler can do as he wills, since there is no one to stop him.^b

ἀλλ' ἢ τυραννὶς πολλά τ' ἄλλ' εὐδαιμονεῖ
κἄξεστιν αὐτῇ δρᾶν λέγειν θ' ἄ βούλεται.

so that he cannot incur the strongest censure of society, which is reserved for those who are incapable of doing their will. On the other hand it was a long established custom, and one which was considered to be upheld by the gods of the underworld, that the dead should be buried, a duty which lay particularly upon the relatives of the dead man.^c

οὐ γάρ τι δοῦλος, ἀλλ' ἀδελφὸς ὤλετο...
ὅμως ὁ γ' Ἄιδης τοὺς νόμους ἴσους ποθεῖ.

Normally this problem might never arise, since it was usually a sufficient proof of victory and superiority to have killed the enemy, so that one could then afford to allow his relatives to bury him, as even Achilles did eventually in the case of Hector. But in this particular case both the 'good' man, from the point of view of the Thebans, namely Eteocles who fought to save Thebes, and the 'bad' man, namely Polyneices who dared to attack the city, have been killed. Both have met the same fate, so that since it is the consequences of an action which determines whether it is

a. above, p. 129.

b. Ant. 506-7.

c. 517, 519.

good or bad, right or wrong, neither has been proved to have been right by what happened to him. All that Creon can do to show that one of them is 'good' is to have him buried, and deny the similar honour to the other. For had one of them lived, then there would have been a decisive issue, Polyneices being proved right by taking Thebes or wrong by being killed. Since both have died, and since the Greeks did not generally believe in punishment in the next world for wrong done in this, to treat both alike, by according both the rites of burial, is to make nonsense of any system of values. The 'bad' must be seen to be bad by the fate they meet. It is this reason, which is based on traditional values and can be compared with the complaint of Achilles when robbed of Briseis,^a on which Creon bases his edict.^b

τοιόνδ' ἐμὸν φρόνημα, κοῦ ποτ' ἔκ γ' ἐμοῦ
τιμῆ προέξουσ' οἱ κακοὶ τῶν ἐνδίκων.
ἀλλ' ὅστις εὖνους τῆδε τῆ πόλει, θανῶν
καὶ ζῶν ὁμοίως ἐξ ἐμοῦ τιμήσεται.

It might be argued, as indeed Antigone does, that such an action offends the gods, but Creon's answer to this, and to the suggestion that the illegal burial of Polyneices was something θεήλατον, is likewise based on traditional values. The gods uphold justice, so that again it would be nonsense to suggest that they honour the good and the bad alike,^c

Αν. ὅμως ὃ γ' "Αἰδης τοὺς νόμους ἴσους ποθεῖ.
Κρ. ἀλλ' οὐχ ὁ χρηστός τῷ κακῷ λαχεῖν ἴσον,

an argument stated at greater length earlier on.^d

λέγεις γὰρ οὐκ ἀνεκτὰ δαίμονας λέγων
πρόνοιαν ἴσχειν τοῦδε τοῦ νεκροῦ πέρι.

a. above p.127.

b. 207ff.

c. 519f.

d. 282ff.

πότερον ὑπερτιμῶντες ὡς εὐεργέτην
ἔκρυπτον αὐτόν, ὅστις ἀμφικίονας
ναοὺς πυρώσων ἦλθε κάναθήματα
καὶ γῆν ἐκείνων καὶ νόμους διασκεδῶν;
ἢ τοὺς κακοὺς τιμῶντας εἰσορᾶς θεοῦς;
οὐκ ἔστιν.

In refusing burial to Polyneices Creon is not only exercising his right to do his will as king, but also proving that he and Thebes have been wronged by being able to harm her enemy and help her friend. The edict goes out therefore, and once it has gone out, it is a matter of prestige that it should be obeyed. No ruler can have his command flouted and still claim to be such, so that it is essential for one's prestige that any offender should be punished, particularly if she happens to be a woman.^a

οὕτως ἀμυντέ' ἐστὶ τοῖς κοσμουμένοις,
κοῦτοι γυναικὸς οὐδαμῶς ἡσσητέα.
κρεῖσσον γάρ, εἴπερ δεῖ, πρὸς ἀνδρὸς ἐκπεσεῖν,
κοῦκ ἂν γυναικῶν ἡσσονες καλοῖμεθ' ἄν.

It can be seen that Creon is basing his action upon commonly accepted values, which cannot be gainsaid.^b

σοὶ ταῦτ' ἀρέσκει, παῖ Μενοικέως, ποεῖν
τὸν τῆδε δύσνον καὶ τὸν εὐμενῆ πόλει.
νόμῳ δὲ χρῆσθαι παντί, τοῦτ' ἔνεστί σοι
καὶ τῶν θανόντων χῶπόσοι ζῶμεν πέρι.

On the other hand it was considered incumbent upon the living, especially the relatives of the dead man, to bury the dead, or else incur the anger of the gods of the underworld. The problem which faces Antigone therefore is to choose between the sanctions imposed by Creon's edict and those imposed by the lower gods. Her sister, through fear of human wrath,

a. 677ff. cf. 484f., 525. b. 211ff.

chooses to obey Creon, in the hope that the anger of the gods will be averted by her reasons for doing so.^a

ἔπειτα δ' οὐνεκα ἀρχόμεσθ' ἐκ κρεισσόνων
καὶ ταῦτ' ἀκούειν κᾶτι τῶνδ' ἀλγίονα.
ἐγὼ μὲν οὖν αἰτοῦσα τοὺς ὑπὸ χθονὸς
ξύγγωνιαν ἴσχειν, ὡς βιάζομαι τάδε,
τοῖς ἐν τέλει βεβῶσι πείσομαι.

But Antigone, through fear of divine wrath, chooses to obey the gods.^b

τούτων ἐγὼ οὐκ ἔμελλον, ἀνδρὸς οὐδενὸς
φρόνημα δέισασ', ἐν θεοῖσι τὴν δίκην
δώσειν.

ἐπεὶ πλείων χρόνος
ὄν δεῖ μ' ἀρέσκειν τοῖς κᾶτω τῶν ἐνθάδε.

It is clear that Antigone buries the dead out of affection certainly, but as well because of the consequences, and not as the result of any 'principle', any sense of moral obligation. She is led on by the enticing prospect of renown among the dead,^c and the living,^d a hope such as can rob any sanction of its deterrent value, by making one unable to conceive that one will lose, and have to pay the penalty.^e One is caught up in delusion, in the feeling that some miracle will save one, that one will not really have to pay for an action, a delusion which, as the Chorus point out, is only the forerunner of disaster.^f

ἀ γὰρ δὴ πολὺπλαγκτος ἔλ-
πις πολλοῖς μὲν ὄνασις ἀνδρῶν,
πολλοῖς δ' ἀπάτα κουφονόων ἐρώτων·
εἰδότες δ' οὐδὲν ἔρπει,
πρὶν πυρὶ θερμῷ πόδα τις προσαύσῃ.
σοφία γὰρ ἔκ του
κλεινὸν ἔπος πέφανται,

a. 63ff.
f. 615ff.

b. 458ff., 74f.

c. 897ff.

d. 502ff.

e. above p205,
117f.

τὸ κακὸν δοκεῖν ποτ' ἔσθλόν
τῷδ' ἔμμεν ὅτῳ φρένας
θεὸς ἄγει πρὸς ἅταν.

It is just such a passion, just such a mirage of glory, which possesses Antigone.^a

ἔτι τῶν αὐτῶν ἀνέμων αὐταὶ
ψυχῆς ῥιπαὶ τήνδε γ' ἔχουσιν.

For though at the start she may in a grand gesture of self-sacrifice have welcomed death, a death which, it will be noted, she expects to bring her honour,^b when it comes to facing the actual consequences of her action, then, as Creon remarks,^c

φεύγουσι γάρ τοι χοῖ θρασεῖς, ὅταν πέλας
ἦδη τὸν "Αἰδην εἰσορῶσι τοῦ βίου.

For it becomes increasingly clear that like many who break laws or rules in the interests of 'higher' objectives, she had been expecting in her heart of hearts that this would excuse her, and that she would not have to pay the penalty and be put to death. For there is no question here of her action being the result of devotion to a principle of behaviour, where suffering the consequences of an illegal action is part of the sacrifice of self-interest. She was doing what she had expected would exempt her from suffering those consequences, so that when she discovers that in fact she has to face them, she feels that she is being unjustly treated. For her action is not right in itself, but because it has good consequences, so that since her fate does not tally with her valuation of her action as 'good', either she is wrong in thinking her action good, because she is

a. 929f.

b. 97.

c. 580f.

going to suffer for it, and suffering shows that one has made a mistake, or they are wrong to put her to death, in which case they will suffer for it.^a

ἀλλ' εἰ μὲν οὖν τὰδ' ἐστὶν ἐν θεοῖς καλὰ,
παθόντες ἂν ξυγγοῖμεν ἡμαρτηκότες·
εἰ δ' οἶδ' ἄμαρτάνουσι, μὴ πλείω κακὰ
πάθοιεν ἢ καὶ δρωσιν ἐκόδικως ἐμέ.

In doing this action she had thought to please men and particularly the gods, and that, like Croesus or Nicias, she expected some reward for this could not be more clearly expressed than in her last words.^b

λεύσσετε, Θήβης οἱ κοιρανίδαί,
τὴν βασιλειδᾶν μούνην λοιπὴν,
οἷα πρὸς οἷων ἀνδρῶν πάσχω,
τὴν εὐσεβίαν σεβίσασα.

But the gods have averted their faces,^c her action has not paid off, she has, like Agamemnon and as the Chorus foretold, been the victim of ἄτη and as such can expect and receives no sympathy from them.^d

προβᾶσ' ἐπ' ἔσχατον θράσους
ὑψηλὸν ἐς Δίκας βάθρον
πολὺ προσέπαισας, ὧ τέκνον...
σεβειν μὲν εὐσεβειά τις,
κράτος δ', ὅτῳ κράτος μέλει,
παραβατὸν οὐδαμᾶ πέλει,
σὲ δ' αὐτόγνωτος ὤλεσ' ὄργα.

But this is not the whole of the story. So far Antigone's action has not paid off, and Creon has proved his ability to enforce his will and to take what reprisals he likes on his enemies. But if, as in the case of Agamemnon, the repercussions of an action make it unprofitable, then one

a. 925ff.

b. 940ff.

c. 922f.

d. 852ff., 872ff.

is forced to recognise that one made a mistake, and so has been ἄδικος. For it is only if one does meet disaster that one is proved to have acted, and one's victim proved to have been treated, ἄδικως, as is clearly implied by Antigone's threat. As always it is the consequences to the individual of his action which make it a mistaken one, so that when Creon admits that he was wrong to have disobeyed the accepted tradition of burying the dead,^a

δέδοικα γὰρ μὴ τοὺς καθεστῶτας νόμους
ἄριστον ἢ σῶζοντα τὸν βίον τελεῖν,

he does so not because of any abstract principle, any personal conviction independent of the consequences that it is right to bury the dead, but because he is obviously going to suffer for it. In the first place he has jeopardised the state, on the safety of which his prestige as a ruler rests, because the gods who protect the city have been angered by the defiling of their altars,^b and secondly the train of events set in motion by his edict and the anger of the gods of the dead will result in the death of his own son.^c His change of mind is not due to the promptings of 'conscience' and to the acceptance that his action is wrong in principle. It is the result of running in to a brick wall. To go on is to court disaster. He has, however bitter the humiliation, to admit defeat and yield to a superior power, to what he cannot overcome, ἀνάγκη.^d

Κρ. Ἔγνωκα καὶ τὸς καὶ ταρασσομαι φρένας·
τό τ' εἰκαθεῖν γὰρ δεινόν, ἀντιστάντα δὲ'
ἄτη πατάξαι θυμὸν ἐν δεινῷ πάρα...
καὶ ταῦτ' ἐπαινεῖς καὶ δοκεῖς παρειαθεῖν;
Χο. ὅσον γ', ἄναξ. τάχιστα· συντέμνουσι γὰρ
θεῶν ποδώκεις τοὺς κακόφρονας Βλάβαι.

a. 1113f.

b. 1015ff.

c. 1064ff.

d. 1095ff., 1102ff.

Κρ. οἴμοι· μόλις μὲν, καρδίας δ' ἐξίσταμαι
τὸ δρᾶν· ἀνάγκη δ' οὐχὶ δυσμαχητέον.

Like Agamemnon, what Creon admits to is miscalculation, and it is clear that he buries the dead because he must, and not because he thinks it right in itself. When he is too late to avert the disaster, the lesson is as always that,^a

πολλῶ τὸ φρονεῖν εὐδαιμονίας
πρῶτον ὑπάρχει· χρὴ δὲ τὰ γ' ἔς θεοὺς
μηδὲν ἀσεπτεῖν· μεγάλοι δὲ λόγοι
μεγάλας πληγὰς τῶν ὑπεραύχων
ἀποτείσαντες
γῆρα τὸ φρονεῖν ἐδίδαξαν.

Crime is crime because it does not pay.

It can be seen that in this play the considerations aroused by the question of the burial of the dead are those of personal prestige and profit, and that the play is a study of what happens when the interests of two such strong characters as Creon and Antigone clash. The plight of the dead man tends to drop into the background, and the humanity or inhumanity of burying the dead as such is given little or no thought. In the Ajax however a somewhat more tolerant approach is introduced. Menelaus and Agamemnon have forbidden Ajax' burial for similar reasons to those given by Creon, namely personal prestige and revenge on the one hand,^b

εἰ γὰρ βλέποντος μὴ ἴδυνήθημεν κρατεῖν,
πάντως θανόντος γ' ἄρξομεν, κἂν μὴ θέλης,
χερσὶν παρευθύνοντες. οὐ γὰρ ἔσθ' ὅπου
λόγων ἀκοῦσαι ζῶν ποτ' ἠθέλησ' ἑμῶν.

and on the other the necessity for showing that the 'good' man wins and the

a. 1349ff.

b. 1067ff.

'bad' loses.^a

ἐκ τῶνδε μέντοι τῶν τρόπων οὐκ ἄν ποτε
κατάστασις γένοιτ' ἄν οὐδενὸς νόμου,
εἰ τοὺς δίκην νικῶντας ἐξωθήσομεν
καὶ τοὺς ὀπισθεν ἐς τὸ πρόσθεν ἄξομεν.

But when Odysseus comes on the scene and hears the causes of the quarrel with Teucer, he does not, as Teiresias does in the Antigone, frighten Agamemnon into a change of heart, but reasons with him on the grounds that since Ajax was the best warrior after Achilles, to dishonour him in this way is doing more than one has the right to do, that is is being unjust.^b

ὥστε οὐκ ἄν ἐνδίκως γ' ἀτιμάζοιτό σοι.

Until now a man has done to his enemy what he liked, and only considered himself wrong to do so if the consequences were more than he could stand. What is now being suggested is that personal animosity can go too far, in that a man like Ajax, even though he be an enemy, has because of his ἀρετή an inalienable right to compassion and decent treatment.^c

τὸν ἄνδρα τόνδε πρὸς θεῶν
μὴ τλῆς ἄθραπτον ὧδ' ἀναλγήτως βαλεῖν·
μηδ' ἢ βία σε μηδαμῶς νικησάτω
τοσόνδε μισεῖν ὥστε τὴν δίκην πατεῖν.

Admittedly this may only be a more explicit expression of the same sort of aversion as was felt to Achilles' treatment of Hector, in that it was going too far, and indeed, since the argument is closely connected with the fact that to deny burial is against divine law,^d this may well be only the old warning that excess meets disaster. Nevertheless I think it can be argued that Odysseus is here suggesting that Agamemnon should allow a

a. 1246ff.

b. 1342.

c. 1332ff.

d. 1343f.

regard for justice to restrain him from what he both wishes to do and can do, with not quite so much emphasis on the sanctions if he does not, and more on the rights of the other man which should^a be respected.

ἄνδρα δ' οὐ δίκαιον, εἰ θάνοι,
βλάπτειν τὸν ἔσθλόν, οὐδ' ἔαν μισῶν κυρῆς.

That this suggestion is rather out of the ordinary is perhaps evidenced by Agamemnon's obviously rather surprised reaction to Odysseus' own refusal to go on hating Ajax after his death.^b

οὐ γὰρ θανόντι καὶ πρὸς ἐμβῆναί σε χρῆς;

Instead of being forced like Creon to yield to ἀνάγκη, Agamemnon is being persuaded or asked to yield to another opinion of his own accord. To yield however is still to admit defeat and incur loss of face, and these old values are not so easily cast aside. Thus it is that Agamemnon's main objections to Odysseus' suggestion are that he as ruler cannot afford for the sake of prestige to be seen not to enforce his rules,^c

κλύειν τὸν ἔσθλόν ἄνδρα χρῆ τῶν ἐν τέλει,

that one normally harms one's enemies and helps one's friends,^d

μέμνησ' ὅποι' ὤφω φωτὶ τὴν χάριν δίδωσ...
τί ποτε ποήσεις; ἐχθρὸν ᾧδ' αἰδῆ νέκυν;

and finally, but most important, that if one does not so harm one's enemies, this implies an inability to do so, and is thus the opposite of ἀρετῆ, δειλία.^e

ἡμᾶς σὺ δειλοὺς τῆδε θήμερα φανεῖς.

It is not surprising that for all Odysseus' efforts to make δικαιοσύνη sound attractive,^f

παῦσαι· κρατεῖς τοι τῶν φίλων νικώμενος,

it cannot prevail against the stronger motives of prestige and revenge. Though Agamemnon may allow the burial, he does it as a personal favour to Odysseus, and not because his values and attitude towards Ajax have changed.^a

ἀλλ' εὔ γε μέντοι τοῦτ' ἐπίστασ', ὡς ἐγὼ
σοὶ μὲν νέμοιμ' ἄν τῆσδε καὶ μείζω χάριν,
οὔτοσ δὲ κάκεῖ κἀνθάδ' ὦν ἔμοιγ' ὁμῶς
ἔχθιστος ἔσται.

In the Ajax it is being suggested that a man of Ajax' stature does not deserve the worst dishonour even though he comes into the hands of an enemy. In the Suppliants of Euripides this attitude of tolerance towards others is given a wider application. The Thebans give orders that the Argive dead are not to be buried by Theseus for the reasons met before, that to honour them by burial is to make nonsense of any distinction between right and wrong,^b

οὐ δ' ἄνδρας ἐχθροὺς καὶ θανόντας ὠφελεῖς,
θάπτων κομίζων θ' ὕβρις οὐς ἀπωλεσεν;

This Theseus refuses to do partly because it is the normal custom to bury the dead,^c partly because the defeat of the Argives is sufficient proof that they were wrong to attack (for there is here no question of differentiating between two men who have met the same fate, but between two states where the victory of one has been decisive enough),^d and partly because the desecration of the dead appears to him to have no point,^e

τί μὴ γένηται; μὴ κατασκάψωσι γῆν
ταφέντες ὑμῶν; ἢ τέκν' ἐν μυχῶ χθονὸς
φύσωσιν, ἐξ ὧν εἴσι τις τιμωρία;

a. 1370ff.

b. 494f., cf. 504f.

c. 526f.

d. 527ff.

e. 543ff.

a point also made by Teiresias in the Antigone.^a

ἀλλ' εἶκε τῷ θανόντι, μηδ' ὀλωλότα
κέντει. τίς ἀλκὴ τὸν θανόντ' ἐπικτανεῖν;

These arguments deal with the normal attitudes to burial based on custom, prestige or revenge, but then Theseus goes on to appeal to what may be termed 'common humanity' in the following way.^b

ἀλλ', ὦ μάταιοι, γνῶτε τὰνθρώπων κακά·
παλαίσμαθ' ἡμῶν ὁ βίος· εὐτυχοῦσι δὲ
οἳ μὲν τάχ', οἳ δ' ἔσαῦθις, οἳ δ' ἤδη βροτῶν,
τρυφᾶ δ' ὁ δαίμων, πρόσ τε γὰρ τοῦ δυστυχοῦς,
ὡς εὐτυχῆση, τίμιος γεραίρεται,
ὅ τ' ὄλβιος νιν πνεῦμα δειμαίνων λιπεῖν
ὑψηλὸν αἴρει. γνόντας οὖν χρεὼν τάδε
ἀδικουμένους τε μέτρια μὴ θυμῷ φέρειν
ἀδικεῖν τε τοιαῦθ' οἷα μὴ βλάψαι πόλιν.

Again there may be here the idea of μηδὲν ἄγαν, and the evils of human life have certainly been a commonplace from Homer onwards. Nevertheless it is here suggested that instead of personal prestige and revenge being pursued, the fact that all are human, all subject to the same ups and downs of fortune, should foster a fellow-feeling for the other person and restrain one from harming him and the community too much.^c For in this play it is not only the right of the ἐσθλός, but of every fellow human being to a certain degree of consideration which is being argued.

But this does not mean that this is the only reason which prompts Theseus to accord the Argives the rites of burial. The herald had come bringing orders from Creon to the ruler of another state, an assumption of superiority and an insult to which Theseus rises at once.^d

a. 1029f.

b. 549ff.

c. above p66ff.

d. 518ff.

οὐκ οἶδ' ἐγὼ Κρέοντα δεσπόζοντ' ἐμοῦ
οὐδὲ σθένοντα μεῖζον, ὥστ' ἀναγκάσαι
δρᾶν τὰς Ἀθήνας ταῦτ'· ἄνω γὰρ ἂν ῥέοι
τὰ πράγμαθ' οὕτως, εἰ 'πιταξόμεσθα δῆ.

The question of prestige is still very much involved, as is made abundantly clear by the reasons he gives at the end of his speech for burying the dead.^a

εἶμι καὶ θάψω βίᾳ.
οὐ γάρ ποτ' εἰς Ἑλληνας ἐξοισθήσεται
ὡς εἰς ἔμ' ἐλθὼν καὶ πόλιν Πανδίοιο
νόμος παλαιὸς δαιμόνων διεφθάρη.

The effect on public opinion and on his standing as an ἀγαθός of his being unable to protect the traditional custom is still a very strong, if not in fact the strongest, consideration.

A contrast and comparison between these plays shows that though the old values of prestige and profit are still very much alive, and still likely to be the most conducive to action, there is now existing side by side with them a more tolerant approach, which at the expense of self-promotion allows more room for the rights and claims of others. It is felt that the aggressive, suspicious, easily offended and self-protective attitude which competition encourages is out of place, at any rate within the state; that one can and should afford to lower one's guard, and view the other person as another human being like oneself with a right to consideration, and not as an enemy, a rival, and someone to be exploited if and because he is weaker. Thus it is that there is found at the beginning of the Heraclidae a contrast between two very different types of citizen.^b

a. 560ff.

b. 2ff.

ὁ μὲν δίκαιος τοῖς πέλας πέφυκ' ἀνὴρ,
ὁ δ' ἔς τὸ κέρδος λῆμ' ἔχων ἀνειμένον
πόλει τ' ἄχρηστος καὶ συναλλάσσειν βαρύς,
αὐτῷ δ' ἄριστος.

The one is δίκαιος, that is considerate of his neighbours and not going beyond the limits imposed by gods laws and customs, and the other self-seeking, difficult to get on with and harmful to the community; and it is to be noted that the approval of Iolaus lies clearly with the former and not the latter. It is here suggested that within the state it is the δίκαιος ἀνὴρ who is preferable, and not the successful but selfish man. The latter is only a danger and harmful liability to the community, an idea which was also expressed, though in a way oddly prophetic of the modern split between private and public morality, by Theseus in the Supplices.^a

ἀδικεῖν τε τοιαῦθ' οἷα μὴ βλάψαι πόλιν.

There is therefore some indication of a growing feeling that the person who does not harm others is a valuable member of society, but it can only be said that this feeling is at all strong, or at all sufficiently firmly established to override the traditional respect accorded to success and power, if the strongest terms of praise and censure, that is those which indicate the strongest approval and disapproval of society, are found clearly used, without any personal ulterior motive, of those who do not harm others, that is the δίκαιοι. For the highest terms of approval ἀρετὴ, ἀγαθός have always denoted success, ability and superiority, and as such can easily be transferred to the competitive aspects of city life

such as politics. But such are the overtones of the words that they can only be transferred to non-competitive spheres with a great strain on the normal connotation, so that it is highly significant to find that on a few occasions these highly emotive and powerful value words are thus transferred to express approval not of the successful but of the δίκαιος ἀνὴρ. Thus in Herodotus in a passage which has already been noted as incorporating some of the most up-to-date thought on constitutions,^a it is said of tyranny^b καὶ γὰρ ἂν τὸν ἄριστον ἀνδρῶν πάντων σπάνια ἐς ταύτην τὴν ἀρχὴν ἐκτὸς τῶν ἐωθότων νοημάτων σήσειε. There is here a clear use of ἀγαθός in the new connotation. For though by traditional values it was the successful sole ruler who preempted the epithet ἀγαθός,^c here it is said that if even an ἄριστος gained power he would be corrupted by it, so that he is obviously called ἄριστος before he gains this tyranny. He must therefore be esteemed and valued 'of the best' not because of his success, but because of his concern and respect for the rights of others. Nor is there any indication that the transference of the term is the result of any persuasive definition or 'smear tactics'. This substitution of the term ἄριστος for that of δίκαιότατος, which Herodotus accepts quite as happily as the anachronistic discussion, merely reflects the values of his source, whether one person or a school of thought, which places more importance on a man's δικαιοσύνη than on his success. So too in the description of the effects of στάσις Thucydides says that the majority preferred to be κακοῦργοι and be called δεξιοὶ than be ἀγαθοὶ and be called ἀμαθεῖς.^d He is thus using ἀγαθός not of the wilful successful man, but of the

a. above p.106. b. III.80.3. c. above p.190. d. III.82.7.

peaceful and law-abiding one. Again in another passage in Herodotus Xerxes is replying to Achaemenes' criticism of Greek jealousy and envy of success, and says,^a πολίτης μὲν πολίτη εὖ πρήσσοντι φθονέει καὶ ἔστι δυσμενὴς τῆ σιγῆ, οὐδ' ἂν συμβουλευομένου τοῦ ἀστοῦ πολίτης ἀνὴρ τὰ ἄριστά οἱ δοκέοντα εἶναι ὑποθέοιτο, εἰ μὴ πρόσω ἀρετῆς ἀνήκοι.

Relationships between guest-friends, that is citizen and non-citizen, as he goes on to say, are good because there is no competition between them. But between fellow citizens the situation is quite different, and it is only the ἀγαθοί who willingly helps another. 'Αρετή is thus used in the new way to denote not the success of the man who uses his superior intelligence and know-how to his own ends, but the consideration of the man who gives another a helping hand to his own loss. For it is also made clear here what has been emphasised above,^b that the normal relationship between citizens was still largely competitive, so that to help and advise another citizen was like giving away trade secrets. Naturally enough, as it is remarked,^c σπάνιοι δέ εἶσι οἱ τοιοῦτοι.

Even though they be few, there are those men such as the small farmer in Euripides' Electra who do not make capital out of another's weakness and misfortune, and to these men there are some such as Orestes who are prepared to give the highest praise, expressed in the term ἄριστος,^d and in this play, as Adkins points out,^f there is much more evidence of the novelty of these new values. For it had always been very clear who the ἀγαθός was, because of such easily recognised criteria as good birth, wealth and military or other prowess. Now however,^e

a. VII.237.2.
e. 367f.

b. above p.209f. c. VII.237.2.
f. M.and R.p.176f.

d. 380ff.

οὐκ ἔστ' ἀκριβὲς οὐδὲν εἰς εὐανδρίαν·
ἔχουσι γὰρ ταραγμὸν αἰ φύσεις βροτῶν,

for it has become obvious to Orestes that these qualities are no longer the ones which make a person ἀγαθός as a citizen, but rather those of a man such as this. The old criteria are of no use in deciding whether a man is ἀγαθός in this new sense,^a

πῶς οὖν τις αὐτὰ διαλαβὼν ὀρθῶς κρινεῖ;
πλοῦτω; πονηρῶ γ' ἄρα χρῆσεται κριτῆ.
ἢ τοῖς ἔχουσι μηδέν; ἀλλ' ἔχει νόσον
πενία, διδάσκει δ' ἄνδρα τῆ χρεῖα κακόν.
ἀλλ' εἰς ὄπλ' ἔλθω; τίς δὲ πρὸς λόγχην βλέπων
μάρτυς γένοιτ' ἂν ὅστις ἐστὶν ἀγαθός;
κράτιστον εἰκῆ ταῦτ' ἔαν ἀφειμένα,

since it is not these which make a man a good citizen, for obviously this particular man is neither wealthy, of good birth nor a warrior. It must be something other than this which makes a man ἀγαθός in this new sense, something connected not with external parade, but with the character and inner quality of the man.^b

οὐ μὴ φρονήσεθ', οἱ κενῶν δοξασμάτων
πλήρεις πλανᾶσθε, τῆ δ' ὀμιλίᾳ βροτοῦς
κρινεῖτε καὶ τοῖς ἡθεσιν τοὺς εὐγενεῖς;
οἱ γὰρ τοιοῦτοι καὶ πόλεις οἰκοῦσιν εὖ
καὶ δῶμαθ'· αἱ δὲ σάρκες αἱ κεναὶ φρενῶν
ἀγάλματ' ἀγορᾶς εἰσιν. οὐδὲ γὰρ δόρυ
μᾶλλον βραχίων σθENAPOC ἀσθενοῦς μένει·
ἐν τῆ φύσει δὲ τοῦτο κὰν εὐψυχία.

This passage shows the new values in operation, and the recognition that the prosperous and successful man was not necessarily the best citizen, that is the easiest person to have dealings with and the most useful to the

a. 373ff.

b. 383ff.

city, as Iolaus would put it, but rather the unassuming and considerate man, the δίκαιος ἀνὴρ . More than that it also shows the difficulties which these new ideas were running up against, difficulties which are raised in the discussions of human behaviour now making their appearance. For it becomes evident that one of the problems exercising the minds of some part of society at any rate was what sort of man the 'good' man was, how one could recognise one and how one could become one. For before, when ability and success had been the criteria, the ἀρετὴ of the victorious general, the leading statesman and the wealthy and influential member of the upper class was self-evident. But now since the new ἀρετὴ was no longer the prerogative of the upper class, and not proved by what a man did so much as by what he did not do to others, this sort of ἀρετὴ, that of the δίκαιος ἀνὴρ, was not determined by what was seen to happen to him,^a

ἀνθρώποις δ' αἰὲν
ὁ μὲν πονηρὸς οὐδὲν ἄλλο πλὴν κακός,
ὁ δὲ ἔσθλός ἐσθλός, οὐδὲ συμφορᾶς ὑπο
φύσιν διέφθειρ', ἀλλὰ χρηστός ἐστ' αἰεί,

and so is not easily recognised, as Creon points out.^b

ἀλλ' ἐν χρόνῳ γνώσῃ τὰ δ' ἀσφαλῶς, ἐπεὶ
χρόνος δίκαιον ἄνδρα δείκνυσιν ἴσως,
κακὸν δὲ καὶ ἐν ἡμέρᾳ γνοίης μῆ.

The δίκαιος ἀνὴρ far from gaining the immediate reward of fame, which success automatically brings with it, is, because his ἀρετὴ is one of restraint and so largely negative, likely to go unnoticed and unsung, or even to incur infamy as the result of his δικαιοσύνη. Thus in the Hippolytus the δικαιοσύνη of Hippolytus in refusing to betray Phaedra

would never have come to light, and so would have resulted in his dying *δυσκλεής*, because everyone would naturally believe Phaedra's allegations, had not Artemis come, as she herself says,^a

ἀλλ' ἔς τὸδ' ἦλθον παιδὸς ἐκδεῖξαι φρένα
τοῦ σοῦ δικαίαν, ὡς ὑπ' εὐκλείας θάνη.

In this play all ends well in that the hero is not deprived of his good reputation, but he can be counted lucky. For it is the essence of *δικαιοσύνη* that it is to one's own loss, and it is the sacrifice of gain or reputation with no hope of that sacrifice being recognised which is the severest test of and stumbling block to the true practice of *δικαιοσύνη*. It is not surprising therefore that since the whole outlook of the average Greek was governed by what happened to him, and the effect of that on public opinion, the idea that these mattered not at all, and that one should be *δίκαιος* for the sake of being *δίκαιος* was not easily accepted. The immense respect accorded to success and the shame incurred at yielding to another could not be eradicated in one day, and the rarity of the instances where *ἀρετή* is used to extol *δικαιοσύνη*, except of course in the works of Plato who has a sermon to preach, shows that these values were not held by the majority of Greeks. It is even less surprising that since public opinion in general was not behind these new values, and given the traditional regard for that public opinion, the average individual Greek was not likely, as did Hippolytus, prefer to die *δυσκλεής* rather than break a promise, that is be *ἄδικος*.

Though the majority may not have ascribed to these new values, it is

a. 1298f.

clear from the instances given above that at any rate a small minority did hold them, so that here at any rate there is some sign of that devotion to the principles of justice and the common good which was seen to be essential to the value of the Sophists' attack on tradition. But though this is so, it was also suggested that since this attack was not on a particular system of values, but on tradition or conformity as such, that is as an imposition of a certain standard of action from without, the devotion to the principles of justice had to be the result of a personal conviction, independent of consequences, of the need to be just. For if tradition and the pressure it brings to bear is broken down, being just depends entirely on the individual's will to be so. It is therefore with this in mind that the situation described in the Philoctetes must be approached. Odysseus has brought Neoptolemus to Lemnos with the intention of using him to get Philoctetes' bow by deceit. Normally an action was only considered wrong in so far as it had consequences unfortunate for the agent, so that if one could get away with deceit and aggression, one felt no shame, since it was only failure to achieve one's objective which involved loss of face. Neoptolemus however is by nature averse to underhand practices, as Odysseus knows,^a

ἔξοιδα, παῖ, φύσει σε μὴ πεφυκότα
τοιαῦτα φωνεῖν μηδὲ τεχνᾶσθαι κακά,

so that when in the passage discussed earlier^b Odysseus suggests that he should abandon δικαιοσύνη in favour of success,^c

a. 79f.

b. above p. 99f.

c. 81ff.

ἀλλ' ἠδὺ γάρ τι κτήμα τῆς νίκης λαβεῖν,
τόλμα· δίκαιοι δ' αὖθις ἐκφανοῦμεθα. κ.τ.λ.,

Neoptolemus replies,^a

ἐγὼ μὲν οὐκ ἂν τῶν λόγων ἀλγῶ κλύων,
Δαερτίου παῖ, τούσδε καὶ πράσσειν στυγῶ·
ἔφυν γὰρ οὐδὲν ἐκ τέχνης πράσσειν κακῆς,
οὔτ' αὐτὸς οὔθ', ὡς φασιν, οὐκφύσας ἐμέ.

He is naturally δίκαιος, and is following in his father's footsteps, an important point, as will be seen later. It is noticeable moreover that this δικαιοσύνη is a limited one. It applies only to deceit and lies, and does not extend to force. He is quite prepared to fight Philoctetes for the bow, that is to take advantage of his weakness.^b

ἀλλ' εἴμ' ἐτοῖμος πρὸς βίαν τὸν ἄνδρ' ἄγειν
καὶ μὴ δόλοισιν· οὐ γὰρ ἐξ ἐνὸς ποδὸς
ἡμᾶς τοσοῦσδε πρὸς βίαν χειρώσεται.

The idea that might is right has by no means died out. The potential victim still does not claim respect simply because he is weaker. What has happened is that while success is still the aim, there are now certain means which a man like Neoptolemus will not use. The situation is in fact that found in the story about Heracles attributed to Prodicus by Xenophon. Heracles is the prototype of the men for whom the undertaking of tasks, the protection of the weak, and other such acts of gallantry is a proof and sign of their power and ability, that is of their ἀρετή. In this story Heracles is represented as still undecided what sort of life to lead, whether he is to take the

a. 86ff.

b. 90ff.

easy road to success by seeking only what is pleasant and taking the fruits of other persons' toil,^a ἔὰν δέ ποτε γένηται τις ὑποψία σπάνεως ἀφ' ὧν ἔσται ταῦτα... οἷς ἂν οἱ ἄλλοι ἐργάζωνται, τοῦτοις σὺ χρήσει, οὐδενὸς ἀπεχόμενος ὅθεν ἂν δυνατὸν ἦ τι κερδαίνειν, or whether to struggle, fight and earn his success.^b τῶν γὰρ ὄντων ἀγαθῶν καὶ καλῶν οὐδὲν ἄνευ πόνου καὶ ἐπιμελείας οἱ θεοὶ διδόνουσιν ἀνθρώποις. It is clear that Heracles is not deciding whether to be δίκαιος or ἄδικος, but is making the choice between the undistinguished and unmanly sort of life,^c and the active display of prowess, with all the honour and esteem which it brings with it.^d καὶ οἱ μὲν νέοι τοῖς τῶν πρεσβυτέρων ἐπαίνοις χαίρουσιν, οἱ δὲ γεραίτεροι ταῖς τῶν νέων τιμαῖς ἀγάλλονται... δι' ἐμὲ φίλοι μὲν θεοὶς ὄντες, ἀγαπητοὶ δὲ φίλοις, τίμιοι δὲ πατρίσιν. In the same way Neoptolemus is not deciding whether to take the bow is δίκαιον or ἄδικον but whether the means to the desired end will bring him into disrepute.^e

βοῦλομαι δ', ἄναξ, καλῶς
δρῶν ἔξαμαρτεῖν μᾶλλον ἢ νικᾶν κακῶς.

For it is not the taking of the bow and the attacking of a defenceless man which holds him back, since he is prepared to use force, but the way in which he will have to take it, that is by using lies and deceit. At this he sticks, for as his question to Odysseus implies, he considers that telling untruths is dishonourable.^f

οὐκ αἰσχρὸν ἡγῆ δῆτα τὰ ψευδῆ λέγειν;

a. D.K.84.B.2.25.

b. 28.

c. 30-31.

d. 32-33.

e. Phil.94f.

f. 108.

To this extent he is δίκαιος in that he will not use any and every means to success, and will not take the advantage he could of another's weakness in this particular way. In this respect his view may be contrasted with the normal attitude to telling untruths, namely that it was the consequences, the advantages and disadvantages to the liar, which made it right or wrong and a matter for pride or shame, an attitude which is represented by the reply of Odysseus.^a

οὐκ, εἰ τὸ σωθῆναί γε τὸ ψεῦδος φέρει.

Since therefore it is not the taking of the bow which worries Neoptolemus, but whether he can do it honourably, it is not surprising that when the consequences of his taking the bow are the enticing ones of destroying Troy and all the honour that will bring him, his fears vanish.^b

Οδ. σοφός τ' ἄν αὐτὸς κάγαθὸς κεκλητῆ' ἄμα
Νε. ἴτω. ποήσω, πᾶσαν αἰσχύνην ἀφείς.

Though however he is momentarily won over, once he has the bow in his hands, that is has accomplished his aim, he feels unhappy and uneasy about the whole thing, and eventually, as Odysseus fears,^c

χώρει σύ· μὴ πρόσλευσσε, γενναῖός περ ὦν,
ἡμῶν ὅπως μὴ τὴν τύχην διαφθερεῖς,

comes back to make amends by giving back the bow.^d

λύσων ὅσ' ἐξήμαρτον ἐν τῷ πρὶν χρόνῳ.

a. 109.cf. Hdt.III.72.4., above p.101.
c. 1068f.

b. 119f.
d. 1224.

It can be seen that Neoptolemus is acting according to values not normally in force. For generally one would acknowledge mistake (ἔξήμαρτον) only if an action, such as that of Agamemnon's in taking Briseis, failed as the result of miscalculation, that is invited disaster, so that like Agamemnon one would make amends to avoid that disaster and failure. Neoptolemus however acknowledges mistake and makes amends not because he has failed, or is likely to fail, in an undertaking, nor because the consequences are going to make his action unprofitable, since he has the bow in his hands and with it Troy can be taken, but simply because he has deceived someone. In this limited sense he, in contrast to Odysseus, prefers to be just rather than successful,^a

ἀλλ'εἰ δίκαια, τῶν σοφῶν κρείσσω τάδε,

and is willing to face the wrath of the whole Greek army on the side of justice.^b

Οδ. στρατὸν δ' Ἀχαιῶν οὐ φοβῆ, πράσσων τάδε;
Νε. ξὺν τῷ δικαίῳ τὸν σὸν οὐ ταρβῶ φόβον.

It looks therefore as if there may be here just that sense of moral obligation, that conviction, independent of the consequences of the action, that one should not deceive another, and just that feeling of guilt and 'bad conscience' which occurs when one fails to observe or obey it, to

a. 1246.

b. 1250f.

find which is the object of this discussion of Greek values. But it was pointed out earlier that though the majority of Greeks still held to the traditional values, there was clearly a minority for whom the 'good' man, the ἀγαθός, was the δίκαιος ἀνὴρ, the one who preferred justice to success at the expense of others. Moreover it was seen that Neoptolemus was his father's son as regards his values. It is highly significant therefore that Neoptolemus' reaction to telling lies is always closely connected with a feeling of shame, expressed in terms of αἰσχύνη and cognate words. Thus it will be remembered that he had asked Odysseus,^a

οὐκ αἰσχρὸν ἤγῃ δῆτα τὰ ψευδῆ λέγειν;

It would seem that as a result of his upbringing and character he has come to accept the standards of that small minority, at least with regard to telling lies, so that its opinion means as much to him as that of the main body of public opinion to the average Greek. Just as the latter fears defeat and failure because of what people will say, so Neoptolemus fears to tell lies because it is αἰσχρόν, because he will lose face and feel shame before those of his own group and outlook. When he repents of having taken the bow, his uneasiness is caused both by the fact that he has done something out of character,^b

ἅπαντα δυσχέρεια, τὴν αὐτοῦ φύσιν
ὅταν λιπὼν τις δρᾷ τὰ μὴ προσεικότα,

resulting in a natural revulsion from what one has always disliked, and even more significantly by the fact that^c

αἰσχρὸς φανοῦμαι· τοῦτ' ἀνιῶμαι πάλαι.

a. 108.

b. 902f.

c. 906.

He does not say that he is ashamed because what he had done was wrong in itself, which could be the expression of a guilty conscience, but that he will be shown up as αἰσχροῦς, as a failure worthy of the highest censure, which expresses that dread of what people will say when they find out, which is perhaps one of the worst torments (ἀνιῶμαι) of those of previously good character who have gone astray. It is the fact that what he has done is αἰσχρόν that most distresses him. The facts he must tell Philoctetes are αἴσχιιστ' ἔπων,^a the deed he did was done by^b

ἀπάταισιν αἰσχροῦς ἄνδρα καὶ δόλοισι ἔλων,

and the bow is his because^c

αἰσχροῦς γὰρ αὐτὰ κού δίκη λαβὼν ἔχω,

so that he must^d

τὴν ἁμαρτίαν
αἰσχρὰν ἁμαρτῶν ἀναλαβεῖν πειράσομαι.

Once he has repaired the damage however he can again hold up his head and be his father's son.^e

Φι. τὴν φύσιν δ' ἔδειξας, ὦ τέκνον,
ἐξ ἧς ἔβλαστες, οὐχὶ Σισύφου πατρός,
ἀλλ' ἐξ Ἀχιλλέως, ὃς μετὰ ζώντων θ' ὄτ' ἦν
ἤκου' ἀριστα, νῦν τε τῶν τεθνηκότων.
Νε. ἦσθην πατέρα τὸν ἄμὸν εὐλογοῦντά σε
αὐτόν τ' ἔμ'.

It is clear that Neoptolemus holds his values because of his upbringing and character, and follows them through fear of the disapproval of those whose opinion he most prizes. There can be seen working in his case that pressure to conformity with a certain set of values which

Adrastus describes in particular reference to martial courage.^a

τὸ γὰρ τραφῆναι μὴ κακῶς αἰδῶ φέρει·
αἰσχύνεται δὲ τὰ γὰθ' ἀσκήσας ἀνὴρ
κακὸς γενέσθαι πᾶς τις. ἡ δ' εὐανδρία
διδασκός, εἶπερ καὶ βρέφος διδάσκεται
λέγειν ἀκούειν θ' ὧν μάθησιν οὐκ ἔχει.
ἂ δ' ἂν μάθη τις, ταῦτα σώζεσθαι φιλεῖ
πρὸς γῆρας. οὕτω παῖδας εὖ παιδεύετε.

So too in the Symposium Phaedrus suggests,^b φημὶ τοίνυν ἐγὼ ἄνδρα ὅστις ἐρᾷ, εἴ τι αἰσχρὸν ποιῶν κατάδηλος γίγνοιτο ἢ πάσχων ὑπότιτου δι' ἀνανδρίαν μὴ ἀμυνόμενος, οὐτ' ἂν ὑπὸ πατρὸς ὀφθέντα οὕτως ἀλγῆσαι οὔτε ὑπὸ ἐταίρων οὔτε ὑπ' ἄλλου οὐδενὸς ὡς ὑπὸ παιδικῶν. The same sort of situation is found too in the case of Socrates and his followers. They go away captivated by his personality and values, but as the reaction of one of them to meeting him again shows, they feel shame not because they have done wrong, but because they fear his censure, so that he is a living reproach to them.^c πέπονθα δὲ πρὸς τοῦτον μόνον ἀνθρώπων, ὃ οὐκ ἂν τις οἴοιτο ἐν ἐμοὶ ἐνεῖναι, τὸ αἰσχύνεσθαι ὄντινοῦν· ἐγὼ δὲ τοῦτον μόνον αἰσχύνομαι. σύνοιδα γὰρ ἐμαυτῷ ἀντιλέγειν μὲν οὐ δυναμένῳ ὡς οὐ δεῖ ποιεῖν ἂ οὔτος κελεύει, ἐπειδὴν δὲ ἀπέλθω, ἡττημένῳ τῆς τιμῆς τῆς ὑπὸ τῶν πολλῶν. δραπετεύω οὖν αὐτὸν καὶ φεύγω, καὶ ὅταν ἴδω, αἰσχύνομαι τὰ ὠμολογημένα. Though therefore the values to which a Neoptolemus or an Alcibiades try to conform are those of justice, this is not necessarily the mark of a sense of moral obligation, since the other main requisite of such a sense is, it was emphasised, the personal conviction of the need to be just. For as was stressed earlier, the Sophists in attacking tradition

a. Eur. Suppl. 911ff.

b. 178 d

c. 216 a

were not attacking the content, or value scheme, of any particular tradition, but conformity to tradition itself. What they are criticising is blind and unquestioning obedience to a set of values because of external pressures, which stifles free thinking and progressive ideas. This criticism can, it was pointed out earlier, apply equally to any value scheme, not only to standing one's ground and putting up a fight through fear of public censure, but also to going to Church on Sundays because of what people would think if one did not, as was the situation once in more recent times. Any set of values can be followed through shame, that is through φόβος ἐπὶ προσδοκίᾳ ἀδόξιας as Plato defines it,^a and this is what has happened in the case of Neoptolemus. It is however precisely this imposition of a standard from without which the Sophists would put an end to, and clearly without it someone like Neoptolemus would have no guide to action. Telling lies and being deceitful is still wrong for him because other people think it wrong and will therefore censure him for it. What the removal of external guides to action requires, and what is being sought in this discussion, is a personal conviction, based on reasoning, of the need to follow a set of values, and this Neoptolemus shows no signs of possessing. He is clearly following the values because of public opinion, in this case that of a small minority, and not because he has persuaded himself that they are right in themselves.

Any uneasiness which Neoptolemus feels in doing or having done what he does is due to his fear of the consequences of that action, to his consciousness of doing or having done something which meets with sanctions

a. Def. 4.16.

and is therefore wrong for that reason. He has a 'guilty conscience' in the sense that he knows that what he is doing or has done will, if he is found out, get him into trouble and expose him to the condemnation of others for doing what they consider wrong, for breaking a standard of conduct imposed from without himself. This is however quite different from a sense of obligation to do something based on what one is convinced by reasoning is right or wrong in principle. For in this case any uneasiness about doing or not doing, or about having done or not having done, something is due not to the fear of the consequences of the action or inaction, but to the knowledge that one is doing or has done something wrong in itself, regardless of the consequences. This means that one is uneasy or 'has a conscience' in the sense that whether or not one is found out, one condemns oneself for doing what one considers oneself to be wrong, for breaking a self-imposed standard of conduct.

It can be seen that the term 'conscience' can be used in two ways which differ in one essential point. For in the one case it is used of the consciousness of being culpable in the eyes of, and according to the standards of, others. But in the other case it is used of the obligation to follow one's own standards, and of the sense of self-condemnation and failure in one's own eyes when that obligation is not met. Thus to take some concrete examples, if a man were to abscond from the army, he might have a 'guilty conscience' in the sense that he would always know, and be afraid, that if he were found he would have to pay the penalty imposed by authority on all deserters. He would not however be 'conscience stricken' about absconding unless he was convinced in his own mind that absconding

was wrong in principle, so that to have absconded, because it represented a failure to maintain his own standards, caused him to feel small in his own eyes, even if he was not found. For a man may acknowledge that he has broken one of the rules of the society to which he belongs, if for example he smuggles something through customs, but not 'have a conscience about' having done so if he does not see anything intrinsically wrong in his action. In another situation however a man may fail to guide a blind person across the street because he is in a hurry, and then feel 'conscience stricken' about it, because even though he knows that no one can ever know, he has failed in his own estimation because it is his own rule of behaviour to help others.

There is this essential difference between the two uses of the term 'conscience', in that one expresses mere acknowledgment of culpability according to standards imposed from without, and the other depends on a personal standard of right and wrong, independent of what other people think or do. Neoptolemus has a 'guilty conscience' in the former sense, but it is the existence of 'conscience' in the latter sense, namely a personal integrity independent of consequences and of what others may say, which is now being sought, and it is with this distinction between the two in mind that the passage in Euripides' Orestes must be approached, in which Orestes expresses his reaction to having killed his mother. His natural αἰδώς before her,^a has been overcome only by the command of the gods, and when after the deed is done he comes to Menelaus, his distress is so obvious that one of Menelaus' first questions is,^b

a. Eur. El.967ff.

b. Or.395.

τί χροῖμα πάσχεις; τίς σ' ἀπόλλυσιν νόσος;
to which the reply comes,^a

ἡ σύνεσις, ὅτι σύνοιδα δεῖν εἰργασμένος.

In a discussion of the terms σύνεσις and conscientia Zucker considers that this and other passages are evidence that the concept of conscience was known to the Greeks, and found its expression in the phrase συνειδέσθαι τι ἑαυτῷ and cognate words.^b It is however none too clear from the article what he means by 'conscience', whether, according to the distinction drawn above, simply the consciousness of culpability, or the being conscience stricken as the result of a personal standard of right and wrong. The fact that he connects the phrase συνειδέσθαι τι ἑαυτῷ with 'morals', and that he contrasts the line from Euripides just quoted with a passage in Aristophanes' Thesmophoriazysae,^c

ἐγὼ γὰρ αὐτὴ πρῶτον, ἵνα μὴ ἄλλην λέγω,
ξύνοιδ' ἑμαυτῇ πολλὰ δεῖν',

which he considers denotes only consciousness (ich weiss von mir)^d, all this would tend to show that he regards the Euripidean passage as expressing 'conscience' in the sense of being conscience stricken, and as expressing it in the words σύνεσις, ὅτι σύνοιδα δεῖν εἰργασμένος.

It has however been shown that the phrase συνειδέσθαι or συγγινώσκειν τι ἑαυτῷ is used by Herodotus to denote an admittance to oneself that some fact about oneself or one's action is true, and in particular, when that fact is to one's discredit, a recognition that one is in a vulnerable position because one is or has done something that will

a. 396.

b. Syneidesis-Conscientia, Jenaer Akademische Reden, Heft 6, 1928.

c. 476f.

d. op.cit.p.8. note 12.

meet with the condemnation and reprisals of others. The phrase denotes the acceptance of the opinion of another person or of society in general about oneself, the recognition that one is or has done wrong in their eyes. It is clear that of the two sense of conscience, this phrase expresses not the being conscience stricken as a result of personal standards of behaviour, but the consciousness of culpability in the eyes of others. Thus to take but one of the many examples of its use after Herodotus, Cephalus describes the reaction of men to the approach of death in the following way,^a

ὑποψίας δ' οὖν καὶ δείματος μέστος γίνεται καὶ ἀναλογίζεται ἤδη καὶ σκοπεῖ εἴ τινα τι ἠδίκησεν. ὁ μὲν οὖν εὕρισκων ἑαυτοῦ ἐν τῷ βίῳ πολλὰ ἀδικήματα καὶ ἐκ τῶν ὕπνων, ὥσπερ οἱ παῖδες, θαρὰ ἐγειρόμενος δειμαίνει καὶ ζῆ μετὰ κακῆς ἐλπίδος. τῷ δὲ μηδὲν ἑαυτῷ ἄδικον συνειδῶτι ἠδεῖα ἐλπίς ἀεὶ πάρεστι καὶ ἀγαθὴ γηροτρόφος. A distinction is here drawn between the man who finds (εὕρισκων) many ἀδικήματα in his life, and the one who is conscious of (ἑαυτοῦ συνειδῶτι) no such ἀδικήματα. The phrase is used as the counterpart of εὕρισκω, that is of finding out, discovering or recognising something about oneself, in this case some misdemeanour, something forbidden by law or here the gods. It denotes the recognition that one is in the wrong in accordance with some external standard or code, in just the same way that one may discover a certain action of one's own to have been illegal, that is wrong in the eyes of the law, though one was unaware of it at the time. Personal standards have nothing to do with the situation, since the action is wrong because the gods say so, and will therefore punish it. The uneasiness experienced is, as is made particularly

a. Plato, Rep. 330 e 4

clear in this passage, caused by fear of the consequences of an action, ὑποφίας δ' οὖν καὶ δείματος μεστὸς γίγνεται, and by a guilty conscience, κακὴ ἐλπίς.

It is therefore a consciousness of innocence or culpability which is denoted by the phrase συνειδέσθαι τι ἑαυτῷ, a consciousness which is accompanied respectively by relief, ἡδεῖα ἐλπίς, or anxiety, κακὴ ἐλπίς, so that it carries much the same connotation as our phrases 'clear' and 'guilty' conscience. It is in this light too that other examples from the Fourth Century quoted by Zucker should be viewed. Thus the fragment of Aristophanes,^a

τὸ μὴ συνειδέσθαι γὰρ αὐτοῦ τῷ βίῳ
ἀδίκημα μηδὲν ἡδονὴν πολλὴν ἔχει,

indicates nothing more than that to be conscious of having done nothing wrong in the eyes of the laws or the gods for instance is to be free from the fear of the sanctions of the laws and the gods, and is in this sense a pleasure, a freedom from anxiety. So too there is no proof that in the passage from 'Isocrates',^b μηδέποτε μηδὲν αἰσχρὸν ποίησας ἔλπιζε λήσειν· καὶ γὰρ ἂν τοὺς ἄλλους λάθῃς, σεαυτῷ συνειδήσεις, the phrase αἰσχρὸν ποίησας has any reference to a personal standard of conduct, and to self-condemnation. The rest of the passage goes on to suggest the right standard of behaviour, and that consists of fearing the gods, revering one's parents, honouring one's friends, obeying the laws and seeking those pleasures which are approved of, are μετὰ δόξης, that is all those rules which, as has been shown, are commonly followed because of the sanctions if they are not. This passage again need denote no more than the consciousness of

a. fab. inc. 42b. Com. Fr. III.p.149.
cf. Isoc. III.59.

b. 'Isoc.' I.16.

culpability, and the fact that even if no one else knows, it will always be on one's mind and a constant source of worry, as is pointed out in another passage.^a εἰδότες ὅτι περὶ τὰ κεκρυμμένα τῶν πραγμάτων ἀναγκαῖόν ἐστι πολλοὺς φόβους γίνεσθαι.

Since συνειδέναι τι ἑαυτῷ in the passages discussed clearly designates consciousness or awareness of some fact about oneself, there appears to be no reason for attributing to the line in the Orestes any other meaning than that Orestes is aware or conscious of having done something which everyone, including himself, considers δαίνα, and indeed this is how Zucker himself translates it, die Einsicht, weil ich mir nahmlich bewusst bin, Furchtbares vollbracht zu haben. There is no need to make συνειδέναι carry any connotation not in accord with normal usage, nor since σύνεσις is used as the noun equivalent of the whole phrase, as the explanatory ὅτι σύνοιδα δαίνα εἰργασμένοσ shows, to make it bear the meaning 'conscience' as is given to it in Liddell and Scott. σύνεσις is here used as the equivalent of συνείδησις, the meaning of which is likewise 'consciousness', as is shown by its use in Democritus.^b ἔνιοι θνητῆς φύσεως διάλυσιν οὐκ εἰδότες ἄνθρωποι, συνειδήσει δὲ τῆς ἐν τῷ βίῳ κακοπραγμοσύνης, τὸν τῆς βιοτῆς χρόνον ἐν ταραχαῖς καὶ φόβοις τάλαιπυρέουσι. So too a word closely linked in idea with these words, namely σύνοια, is used bearing the same connotation of consciousness of Hermione in the Andromache.^c

δέσποινα γὰρ κατ'οἶκον, Ἑρμιόνην λέγω,
πατρός τ' ἐρημωθεῖσα συννοία θ' ἄμα,
οἷον δέδρακεν ἔργον Ἀνδρομάχην κτανεῖν
καὶ παῖδα βουλεύσασα, κατθανεῖν θέλει,

a. Isoc. III.52.

b. D.K.68.B.297.

c. 804ff.

πόσιν τρέμουσα, μὴ ἀντὶ τῶν δεδραμένων
ἐκ τῶνδ' ἀτίμως δωμάτων ἀποσταλῆ,
ἢ κατὰ νῆ κτείνουσα τοὺς οὐ χρὴ κτανεῖν.

She had planned to murder Andromache and her son, and it is the realisation of the consequences of what she has done, that she will suffer at the hands of her husband for doing 'what she should not' in his eyes, which causes her to wish for death. It is again extending the connotation of σύννοια rather too far to give it the meaning of remorse,^a and certainly too far to give it that of conscience.^b Words and phrases connected with or akin to σύνειδέναι denote no more than that one is aware of culpability or innocence, with the accompanying carefree attitude or anxiety mentioned above. For it is always fear of the consequences which causes any malaise about a past action, a fear which, as was seen, lies also behind the term ἐνθύμιον. The deed lies on one's mind and makes one apprehensive about the future, as is clearly brought out in the passage of Thucydides describing the reaction of the soldiers to the eclipse of the moon. Until then the soldiers had been quite happy about withdrawing from Syracuse. It only became 'wrong' because the eclipse showed divine disapproval, so that to go ahead was to court disaster at their hands.^c καὶ οἱ Ἀθηναῖοι οἳ τε πλείους ἐπισχεῖν ἐκέλευον τοὺς στρατηγοὺς ἐνθύμιον ποιοῦμενοι. It is clear that there is here no question of a personal standard of behaviour, but only of superstitious fear, and at no stage is ἐνθύμιον ποιεῖσθαι used of being conscience stricken.

It is clear from all this that all that the Euripidean line expresses

a. Liddell and Scott. s.v.
c. VII.50.4.

b. W.H.S.Jones, Conscience, Encyclopaedia
of Religion and Ethics.

is Orestes' realisation of the dreadful nature of what he has done, and so differs from the passage in the Thesmophoriazusae where the same phrase occurs^a, only in that whereas Mnesilochus obviously feels no qualms about what 'she' has done, Orestes confesses to a great malaise.^b When therefore Menelaus fails to understand what Orestes means by saying in answer to his asking him what disease has attacked him that it is *ισύνεσις*, this is not because as Zucker suggests the word is used strangely. Orestes is obviously 'ill', and what Menelaus cannot grasp is that this illness is purely internal or mental, due to an awareness of the full horror of what he has done. As has been seen the Greeks were not inclined to attribute anything extraordinary about themselves or their actions, or any mistake or mental aberration to themselves, but to say that something must have happened to them. Thus in particular Agamemnon was seen to attribute his *ἄτη* to the gods.^c So here Orestes is clearly 'not himself',^d

ὦ θεοί, τίς αὖτε λυέσσω; τί τίνα δέδορκα νερτέρων;

so in Menelaus' eyes something external to him, some νόσος, must be destroying him.^e

τί χρῆμα πάσχεις; τίς σ' ἀπόλλυσιν νόσος;

The explanation of Orestes that it is something internal, something 'on his mind', is incomprehensible to him, and so he is only happy when Orestes describes it as a λύπη which is destroying him, so that he can immediately explain it as externally caused by divine agency, and therefore curable.^f

Ορ. λύπη μάλιστά γ' ἢ διαφθείρουσά με—

Με. δεινὴ γὰρ ἡ θεός, ἀλλ' ὅμως ἰάσιμος.

a. 476f. above p. 243.
e. 395.

b. Or. 398.
f. 398f.

c. above p. 135f.

d. Or. 385.

It is Orestes' explanation of the cause of his disquiet as something internal which is the novelty, for the passage shows that deeper insight into the psychological causes of human action which was mentioned earlier,^a and can be paralleled by another situation found in the Hippolytus. Phaedra is tormented by her repressed love for Hippolytus, and as Dodds points out,^b her nurse cannot understand her disquiet, and so asks if it is due, as Menelaus does in the Orestes, to some external thing, to some pollution. When Phaedra describes it as a purely mental μίασμα, she too cannot grasp this idea, but understands it as a magical incantation by enemies.^c

Τρ. ἀγνώστῳ μὲν, ὧ ἀπαῖ, χεῖρας αἵματος φορεῖς;

Φα. χεῖρες μὲν ἀγναί, φρὴν δ' ἔχει μίασμά τι.

Τρ. μῶν ἐξ ἐπακτοῦ πημονῆς ἐχθρῶν τινος;

There is in the passage in the Orestes no evidence that the concept of conscience, of being conscience stricken, is present in the expressions σύνεσις and συνειδέσθαι τι ἑαυτῷ. It is not the case that Orestes, though convinced that it is wrong in principle to kill one's mother, was unable to restrain himself from doing so. If anything he was convinced, with a good deal of prompting from the gods, that he was right in this particular instance to do so. What has happened is that he has been forced to do something he naturally did not want to do, and when it has been done, is like Neoptolemus overcome by the horror of it all, and it is the awareness of the dreadful nature of the deed which plays upon his mind, and drives him near to madness. σύνεσις and συνειδέσθαι mean here as elsewhere only

a. above p.63ff. b. The Greeks and the Irrational, p.56.

c. Hipp.316ff.

awareness or consciousness, and of the other two uses of σύνεσις recorded by Liddell and Scott as meaning 'conscience', in the fragment of Menander^a,

ὁ συνιστορῶν αὐτῷ τι κἄν ἢ θρασύτατος
ἢ σύνεσις αὐτὸν δειλότατον εἶναι ποιεῖ,

there is equally no proof of the word meaning anything other than consciousness or awareness (συνιστορῶν), and it is clearly related to those passages describing the fear of punishment mentioned above. Indeed as has been pointed out to me the fragment bears a very close resemblance to the famous line in Hamlet,^b

Conscience doth make cowards of us all.

The other passage, that in Polybius,^c οὐδεὶς γὰρ οὕτως οὔτε μάρτυς ἐστὶ φοβερὸς οὔτε κατήγορος δεινὸς ὡς ἡ σύνεσις ἢ ἐγκατοικοῦσα ταῖς ἐκάστων ψυχαῖς, is considered to be in all probability a gloss, and though the idea that σύνεσις lies on the heart is akin to that in many other passages, the lack of context to this passage makes the assigning of any precise meaning to the word impossible.

σύνεσις, συνειδέναι and related words and phrases denote only awareness or consciousness, particularly of culpability, and this is true of all the uses of them found at this time. But one passage should perhaps be discussed in detail,^d εὔ δ' ὄστε ὅτι οὐκ ἄν ποτέ ἦλθον εἰς τὴν πόλιν, εἴ τι ξυνήδη ἑμαυτῷ τοιοῦτον· νῦν δὲ πιστεύων τῷ δικαίῳ...μηδὲν αὐτῷ συνειδῶτι ἀνόσιον εἰργασμένῳ μηδ' εἰς τοὺς θεοὺς ἡσεβηκότι· ἐν γὰρ τῷ τοιούτῳ ἤδη καὶ τὸ σῶμα ἀπειρηκὸς ἡ ψυχὴ συνεξέσωσεν, ἐθέλουσα ταλαιπωρεῖν διὰ τὸ μὴ ξυνειδέναι ἑαυτῆ· τῷ δὲ ξυνειδῶτι τοῦτο αὐτὸ πρῶτον πολέμιόν ἐστιν· ἔτι γὰρ καὶ τοῦ σώματος ἰσχύοντος ἡ ψυχὴ προαπολείπει, ἡγουμένη

a. Fab Inc. fr.86., Fr. Com. IV.p.257.
d. Ant.V.93.

b. III.i.83.

c. XVIII.43.13.

τὴν τιμωρίαν οἱ ἤκειν ταύτην τῶν ἀσεβημάτων. ἐγὼ δ' ἑμαυτῷ τοιοῦτον οὐδὲν ξυνειδῶς ἤκω εἰς ὑμᾶς, since Gernet in his note on this passage refers to the passage in the Orestes and says,^a 'Ces conceptions et considerations psychologiques ne sont pas de date très ancienne; il n'a pas encore dans ce passage de terme abstrait pour désigner la 'conscience': Euripide paraît le premier à employer ainsi le mot σύνεσις (Or. 396) à une occasion qui fait justement penser à notre texte'. It has been shown above that σύνεσις carries no such connotation of 'conscience'. Moreover it is doubtful whether there is anything in this passage from Antiphon which implies any conception or expression of being conscience stricken, or that the phrase συνειδέσθαι ἑαυτῷ conveys any new idea. The defendant says that he would not have returned to the city 'me sentant coupable' as Gernet himself translates it. This is a normal use of the phrase, denoting the awareness of being culpable for something ἀνόσιον, for disrespect to the gods, that is of having done something wrong according to an external code of behaviour. He then goes on to say that such freedom from culpability is preferable, because the spirit is ready to endure the difficulties of standing trial, even though the body may shun them. Of the one who is conscious of culpability however it is said that even if (ἔτι γὰρ καὶ) his body is ready to endure these difficulties, his spirit fails him because he feels that those very difficulties are a punishment for what he has done, and so avoids them. There is here as Gernet suggests evidence of that deeper psychological observation mentioned above, but it is an observation of the effects of the fear of punishment on a man who has

a. Ant. ed. Budé, p.135.

incurred the sanctions of some rule or law, and not of the effects of being conscience stricken. There is no question here of the deed committed being considered wrong in itself, and therefore causing the agent to condemn himself. The reaction to illegal action is as always fear of the consequences, and does not justify any reference to conscience. As Demosthenes points out in a similar observation to that of Antiphon,^a τάληθές ἰσχυρόν, καὶ τούναντίον ἀσθενές τὸ συνειδέσθαι πεπρακόσιν αὐτοῖς τὰ πράγματα. τοῦτο παραιρεῖται τὴν θρασύτητα τὴν τούτων, τοῦτ' ἀποστρέφει τὴν γλῶτταν...σιωπᾶν ποιεῖ. Consciousness of culpability creates a lack of confidence to face a jury, and the whole idea behind these passages is closely connected with the fear of punishment expressed in the Fourth Century passages discussed above.^b

It can be seen that of the two senses of 'conscience', namely that of being conscious of culpability before externally imposed rules and regulations, and that of being conscience stricken due to personally imposed standards, σύνεσις, συνειδέσθαι are connected with the former. Their use in any passage therefore implies no more than that a person is aware of what other people will say of him or do to him because of what he has done. It does not indicate in itself that personal conviction of what is right and wrong, and the resulting self-judgment independent of public opinion and other consequences, which is being sought. One passage in Antiphon however where this phrase is found is noticeable, because in it there does appear to be some advice against doing wrong coupled with a certain degree of independence of public opinion.^c εἰ δ' ἄρα τις καὶ ἀναγκάζοιτο

a. Dem.XIX.208.

b. above p. 244ff.

c. Ant.VI.1.

κινδυνεύειν, τοῦτο γοῦν ὑπάρχειν, ὅπερ μέγιστον ἐγὼ νομίζω ἐν πράγματι τοιοῦτω, αὐτὸν ἑαυτῷ συνειδέειν μηδὲν ἐξημαρτηκότι, ἀλλ' εἴ τις καὶ συμφορὰ γίγνοιτο, ἄνευ κακότητος καὶ αἰσχύνης γίγνεσθαι, καὶ τύχη μᾶλλον ἢ ἀδικία. The phrase ἑαυτῷ συνειδέειν μηδὲν ἐξημαρτηκότι means as always not being conscious of having done any wrong action, that is one which incurs sanctions, in this case those of the laws. What is unusual is that to have this clear conscience is considered expedient because then, if the case does, despite one's innocence, happen to go against one, one need not feel any disgrace or shame, ἄνευ κακότητος καὶ αἰσχύνης γίγνεσθαι. Normally as was shown earlier defeat in a court of law, because it was a defeat and an inability to get way with an action and to prevail over an adversary, was always considered degrading, because people could see that one had come off worse. To suggest that such a defeat need bring no such disgrace is to suggest that one should ignore what others will certainly say about one, so that there is proposed here a self-judgment or self-assessment which is independent of what happens to one, and of the judgment of others based upon it. The person with a clear conscience need feel no shame or disgrace in his own eyes, because he knows he has done nothing wrong.

It will however be appreciated that such a self-assessment independent of public opinion need not necessarily have any connection with conscience in the sense of a personal standard of behaviour. All that need be implied by the passage quoted above is that if one has done nothing illegal, then even if one loses one's case, and others assume from what happens to one that one has done wrong, one will know oneself that one had not done wrong,

and so did not deserve their assessment of one. Such a suggestion to ignore public opinion is in this case to suggest a means of consoling oneself for undeserved loss of reputation, undeserved because it results from an eventuality, in this instance conviction in a court of law, which is the result not of a deliberate action on one's part, but of bad luck, of something beyond one's control (τύχη μᾶλλον ἢ ἀδικία). One consoles oneself for what one feels is an unfair assessment by telling oneself that what others say or think does not matter, because they 'do not understand or appreciate' the true situation. One is not saying that one does not think that what one has done is disgraceful, although other people do, because one has one's own standard of behaviour and one's own code of values, but that accepting the general standards, one can in this particular instance ignore the censure normally attaching to acts which meet with disaster, because, though others may not know it, that disaster was the result of accident, not of any fault of one's own. Thus to take as a concrete example the situation in the passage just quoted, it is not being suggested that when one is found guilty of a capital charge one need not be ashamed because one does not think that what one has done is disgraceful, as others do, but that granted that it is disgraceful to be found guilty of such an action, one need not feel ashamed in this particular instance because though convicted by some mischance, one was not in fact guilty of it.

Such independence of public opinion has nothing to do with any personal conviction of what behaviour is right and what wrong in principle, but only with the fairness of the application in a particular instance of

the normal terms of assessment in any sphere of action, as is made clear by a passage in Herodotus extremely close in thought and expression to the passage in Antiphon.^a τὸ γὰρ εὖ βουλευέσθαι κέρδος μέγιστον εὐρίσκω ἔδον· εἰ γὰρ καὶ ἐναντιωθῆναί τι θέλει, βεβούλευται μὲν οὐδὲν ἥσσον εὖ, ἔσσωται δὲ ὑπὸ τῆς τύχης τὸ βούλευμα· ὁ δὲ βουλευσάμενος αἰσχροῶς, εἴ οἱ ἡ τύχη ἐπίσποιτο, εὐρημα εὐρηκε, ἥσσον δὲ οὐδὲν οἱ κακῶς βεβούλευται. Just as in Antiphon it was considered best to have a clear conscience, because then even if disaster occurred, one need not feel ashamed, so here it is considered best to have laid good plans, because then even if disaster occurs, one can still say that the plan was good, that is one need not be ashamed of it. Again as in the passage in Antiphon, public opinion, that is the normal assessment of people and actions, is being discounted, since a plan, like everything else, was always valued by its outcome, so that if disaster occurred, the plan was obviously a bad one. It is however perhaps even clearer in this passage that this independence of public opinion has nothing to do with conscience and personal standards of behaviour. What is being advocated here is not δικαιοσύνη but cleverness and foresight with a view to competitive success. It is being advocated because then one will at least have the consolation of knowing oneself, whatever other people think, that any disaster which occurs is not one's own fault, but the result of chance, and that any success which someone finds who has not bothered to plan ahead is again mere chance. This ignoring of public opinion and the normal assessment of an action by its outcome is an attempt not to set up new and personal standards of behaviour, but to

a. VII.10.δ.2.

soften that feeling of unfairness when one has done one's best to follow the accepted standards, whether that of the laws, as in the case described in Antiphon, or that of being competitively successful, as in the case described in Herodotus, only to be 'done down' by some piece of bad luck. The victim of this bad luck feels that the result does not do him credit, and so eases his sense of frustration by telling himself that what others think does not matter, because they do not really understand, an attitude commonly described as 'sour grapes'.

Disregard for public opinion and the normal assessment of an action can result simply from the feeling that this opinion, based as it is on the result of that action alone, does not take into account what one is 'really' like, and may be compared with the attitude of Agamemnon to mistake and disaster. It was seen that he attributed his action in taking Briseis to ἄτη, that is to something outside him, because he did not feel that it was 'really' he who had done it, that is that it was not typical of him. In just the same way one may say that any eventuality does not reflect one's true nature, because it is due to something independent of one, that is τύχη. Thus on one occasion in Thucydides the Spartans have been defeated, and defeat as has been pointed out results in loss of face. They therefore point out to the Athenians that they need not think this defeat is typical of them, and that it is the result of their own weakness. It is only a freak occurrence, which will not happen again.^a καίτοι οὔτε δυνάμει ἐνδεία ἐπάθομεν αὐτὸ οὔτε μείζονος προσγενομένης ὑβρίσαντες, ἀπὸ δὲ τῶν αἰεὶ ὑπαρχόντων γνώμη σφαλέντες, ἐν ᾧ πᾶσι τὸ αὐτὸ ὁμοίως

a. IV.18.2-3.

ὑπάρχει. ὥστε οὐκ εἰκὸς ὑμᾶς διὰ τὴν παροῦσαν νῦν ῥώμην πόλεώς τε καὶ τῶν προσγεγεννημένων καὶ τὸ τῆς τύχης οἶεσθαι αἰεὶ μεθ' ὑμῶν ἔσεσθαι.

On another occasion likewise when they have been defeated, their commanders attempt to console their men for that defeat, and bolster up their morale, by pointing out,^a ξυνέβη δὲ καὶ τὰ ἀπὸ τῆς τύχης οὐκ ὀλίγα ἐναντιωθῆναι, καὶ πού τι καὶ ἡ ἀπειρία πρῶτον ναυμαχοῦντας ἔσφηλεν. ὥστε οὐ κατὰ τὴν ἡμετέραν κακίαν τὸ ἡσῶσθαι προσεγένετο, οὐδὲ δίκαιον τῆς γνώμης τὸ μὴ κατὰ κράτος νικηθῆναι, ἔχον δέ τινα ἐν αὐτῷ ἀντιλογίαν, τῆς γε ξυμφορᾶς τῷ ἀποβάντι ἀμβλύνεσθαι, νομίσαι δὲ ταῖς μὲν τύχαις ἐνδέχεσθαι τοὺς ἀνθρώπους, ταῖς δὲ γνώμαις τοὺς αὐτοὺς αἰεὶ ὀρθῶς ἀνδρείους εἶναι, καὶ μὴ ἀπειρίαν τοῦ ἀνδρείου παρόντος προβαλλομένους εἰκότως ἂν ἔν τινι κακοῦς γενέσθαι. They like Agamemnon are not really responsible for their defeat. It is not the result of some fault in themselves, οὐ κατὰ τὴν ἡμετέραν κακίαν, but of external circumstances, that is chance. A man is not to be judged by what happens to him, since all have bad luck on occasion, but by his resolution, his γνώμη. Because therefore the Spartans have always been the best soldiers, they cannot believe that a defeat is really due to themselves, but must be the result of something external to them, the circumstances or τύχη.

It can be seen that what is happening is that though the normal standards imposed by society are still accepted, there is now a demand for a refinement of them, by drawing a distinction between those actions which reflect, or are the result of, one's resolution, that is what one wants to do, and those which do not or are not, in that they are governed

a. II.87.2-3.

by forces beyond one's control. Thus the Spartans are saying in effect that they accept that defeat is disgraceful, but only if it is the result of a person's resolution, that is if he is deliberately cowardly. They are in fact using a variety of the persuasive definitions discussed above,^a where one defended one's position by distinguishing who was 'really' good and who 'really' bad. Moreover it can be seen that in any sphere of action, not only in the competitive one, where no one intends to fail, but also in the ethical one, resolution or intent is not a sufficient basis of evaluation. For as was pointed out by the Corinthians, in words which could be applied to any situation, one's plans, resolutions or intentions may be all very fine in theory, but it is in the execution of them that one comes to grief.^b

πολλὰ γὰρ κακῶς γνωσθέντα ἀβουλοτέρων τῶν ἐναντίων τυχόντα κατωρθώθη, καὶ ἔτι πλείω καλῶς δοκοῦντα βουλευθῆναι ἐς τούναντιον αἰσχροῦς περιέστη· ἐνθυμεῖται γὰρ οὐδεὶς ὁμοῖα τῇ πίστει καὶ ἔργῳ ἐπεξέρχεται, ἀλλὰ μετ' ἀσφαλείας μὲν δοξάζομεν, μετὰ δέους δὲ ἐν τῷ ἔργῳ ἐλλείπομεν. This passage therefore is a refined version of the similar one in Herodotus,^c in that a plan which fails is not said still to be good, but only to have seemed good. For to say that any action was due to τύχη is in fact to offer that common excuse for failure, 'I did not mean to', and is an attempt to avoid the normal sanctions of externally imposed rules.

Nevertheless there are these signs of a growing independence of public opinion, in particular adverse opinion, and of the idea that if one knows oneself that one does not merit that adverse criticism, then the best thing to do is to ignore public opinion all together. Thus by the

a. above p.77f. b. Thuc.I.120.5. cf.above p.82. c. VII.10.8.2.,above p.255.

time of Isocrates, Philip is described as being completely careless of his reputation, and needing to be reminded of the advantages of having a good one.^a ἴσως οὖν ὑπολαμβάνεις μικροψυχίαν εἶναι τὸ τῶν βλασφημούντων καὶ φλυαρούντων καὶ τῶν πειθόμενων τοῦτοις φροντίζειν, ἄλλως θ' ὅταν καὶ μηδὲν σαυτῷ συνειδῆς ἔξαμαρτάνων. χρὴ δὲ μὴ καταφρονεῖν τοῦ πλήθους, μηδὲ παρὰ μικρὸν ἠγεῖσθαι τὸ παρὰ πᾶσιν εὐδοκιμεῖν, ἀλλὰ τότε νομίζειν καλὴν ἔχειν καὶ μεγάλην τὴν δόξαν καὶ πρέπουσαν καὶ σοὶ καὶ τοῖς προγόνοις. κ. τ. λ. It can be seen immediately that this attitude towards public opinion is radically different from that obtaining in Homeric and much later times. But though one may, like Philip, ignore and despise the opinion of the common herd, because one is sufficiently self-assured and self-sufficient to be indifferent to what others think, this does not necessarily mean that one has a conscience and a sense of moral obligation based on personal standards of right and wrong. To be indifferent to public opinion need only imply that if one fails in any way and does not live up to what others expect, then one simply shrugs one's shoulders and says 'So what?'. One is denying the right of others to pass judgment on one's actions, but one is not thereby necessarily replacing their standards and judgment by personal standards and self-judgment. Thus in the fragment of Euripides quoted by Zucker,^b

τί δ' αἰσχρόν, ἦν μὴ τοῖσι χρωμένοις δοκῆ;

though as he points out responsibility for the standard of behaviour is here laid upon the individual, it does not necessarily follow that this responsibility is fulfilled. One may certainly say that one does not

a. V.79.

b. Nauck 19.

think something disgraceful just because others think it is, but there need not be much if anything that one does think disgraceful anyway, so that to reject other people's standards can amount to rejecting all standards whatsoever.

Just as therefore to be conscious of culpability did not in itself imply the existence of conscience, in the sense of a personal standard of behaviour, so too to be indifferent to public opinion does not in itself imply the existence of conscience. It is the replacing of standards imposed only from without by personal ones based on a reasoned conviction of what is right and wrong, and the consequent self-judgment based on being conscious not of liability to sanctions in the form of public censure, legal penalty or divine wrath, but of failing to live up to those standards, which is the only true indication of conscience and of a sense of moral obligation. It can be seen therefore that this sense of duty or moral obligation is conspicuously lacking in the passages which have been discussed. But in one case such a sense of moral obligation does seem to make its appearance, namely in that of Socrates. He, as has already been pointed out, was unusual in that he preferred to suffer harm or injustice than do it, and it becomes clear from Plato's description of him and his actions that this was a firmly held personal conviction, held independent of consequences and sanctions, and based on his own ideas of right and wrong.^a οὐδ' ἄν τις ἑαυτὸν τάξῃ ἡγησάμενος βέλτιστον εἶναι ἢ ὑπ' ἄρχοντος ταχθῆ, ἐνταῦθα δεῖ, ὡς ἐμοὶ δοκεῖ, μένοντα κινδυνεύειν, μηδὲν ὑπολογιζόμενον μήτε θάνατον μήτε ἄλλο μηδὲν πρὸ τοῦ αἰσχροῦ. Because he is personally convinced that

a. Apol. 28 d

to do injustice is the worst thing and not to suffer it, this becomes for him a personal standard of behaviour which he feels obliged to follow, whatever the cost and whether he wants to or not, if he is not to feel ashamed in his own estimation. Thus in the Apology he is represented as describing his reaction to the commands of the Thirty to bring a man to Athens to face an unjust penalty of death in the following way.^a τότε μέντοι ἐγὼ οὐ λόγῳ ἀλλ' ἔργῳ αὖ ἐνεδειξάμην ὅτι ἐμοὶ θανάτου μὲν μέλει, εἰ μὴ ἀγροικότερον ἦν εἰπεῖν, οὐδ' ὀτιοῦν, τοῦ δὲ μηδὲν ἄδικον μηδ' ἀνόσιον ἐργάζεσθαι, τούτου δὲ τὸ πᾶν μέλει. He refuses to do something unjust not because like most Greeks he will get into trouble if he does, since rather the trouble will come if he does not, nor because like Neoptolemus he fears the opinion of the minority group to which he belongs, but because it is his personal and independent conviction that to do injustice is wrong in principle. Since it is wrong in principle, no external considerations of consequences or sanctions can make it right, so as Socrates says he simply^b ὥχομην ἀπιὼν οἴκαδε even though καὶ ἴσως ἂν διὰ ταῦτα ἀπέθανον.

Clearly Socrates has worked out for himself principles and standards of behaviour which he follows simply because he considers it the right thing to do regardless of whether it results in disaster and regardless of what other people think. There are here therefore the pre-requisites of that sense of moral obligation or conscience which is being sought, namely an independence of externally imposed standards and of public opinion, and in its place a personal standard and self-judgment, and that, at any rate

a. 32 c

b. 32 d

from Plato's description, we have in Socrates an example of such a conscience or sense of duty and moral obligation emerges clearly from the Crito. In this dialogue Socrates and Crito are depicted discussing whether Socrates should escape from prison, or stay and face the sentence of death. It has already been seen that Socrates was considered a 'queer fish', in that his views did not coincide with those of the majority of Greeks, and it is evident from the discussion that here too, though Socrates may be acting according to conscience and on principle, in so doing he is acting in a way in which no normal Greek would act in his sane mind. Thus when Crito comes to suggest that Socrates escape from prison, the points and arguments he brings forward, far from being those of an unusually unscrupulous man, are those which are completely in keeping with the values of the average Greek as they have been described above. His first point is that apart from the fact that he will lose a close friend,^a ἔτι δὲ καὶ πολλοῖς δόξω, οἳ ἐμὲ καὶ σὲ μὴ σαφῶς ἴσασιν, ὡς οἶός τ' ὄν σε σώζειν εἰ ἤθελον ἀναλίσκειν χρήματα, ἀμελῆσαι. καίτοι τίς ἂν αἰσχίων εἴη ταύτης δόξα ἢ δοκεῖν χρήματα περὶ πλείονος ποιεῖσθαι ἢ φίλους; As always an action is viewed in the light of its effect on public opinion. To have a friend is to accept him into the circle of one's dependents, those on the protection of whom one's claim to ἀρετή rests. To fail to do so is to lose face than which there is nothing worse. For Socrates' failure to escape places Crito in a bad light, which he, Crito, cannot allow to happen. Secondly Crito points out that for Socrates to remain in prison is to allow himself to be killed, and this he says,^b οὐδὲ δίκαιόν μοι δοκεῖ

a. 44 b

b. 45 c

ἐπιχειρεῖν πρᾶγμα, σαυτὸν προδοῦναι, ἐξὸν σωθῆναι, καὶ τοιαῦτα σπεύδεις
περὶ σαυτὸν γενέσθαι ἅπερ ἂν καὶ οἱ ἐχθροὶ σου σπεύσαιέν τε καὶ
ἔσπευσαν σὲ διαφθεῖραι βουλόμενοι. Again in keeping with the values
described above to fail to protect oneself is to lose all claim to ἀρετή,
and to let it be seen that one's enemies can do as they will with one. To
allow oneself to be killed is to betray oneself and to fail to do oneself
justice and claim one's full rights (οὐδὲ δίκαιον). Again it is the effect
of an action on one's reputation, this time that of Socrates, which matters,
and so Crito sums the whole situation up by saying,^a χρὴ δέ, ἅπερ ἂν ἀνὴρ
ἀγαθὸς καὶ ἀνδρεῖος ἔλοιτο, ταῦτα αἰρεῖσθαι, φάσκοντά γε δὴ ἀρετῆς διὰ
παντὸς τοῦ βίου ἐπιμελεῖσθαι. ὡς ἔγωγε καὶ ὑπὲρ σοῦ καὶ ὑπὲρ ἡμῶν τῶν
σῶν ἐπιτηδεύων αἰσχύνομαι μὴ δόξῃ ἅπαν τὸ πρᾶγμα τὸ περὶ σὲ ἀνανδρία
τινὶ τῇ ἡμετέρα πεπρᾶχθαι...καὶ τὸ τελευταῖον δὴ τουτί, ὥσπερ κατάγελως
τῆς πράξεως, κακία τινὶ καὶ ἀνανδρία τῇ ἡμετέρα διαπεφευγέναι ἡμᾶς
δοκεῖν, οἵτινές σε οὐχὶ ἐσώσαμεν οὐδὲ σὺ σαυτόν, οἶδόν τε ὄν καὶ
δυνατὸν εἶ τι καὶ μικρὸν ἡμῶν ὄφελος ἦν. Staying in prison is not only
a bad thing, but, and this is clearly Crito's trump card, is^b αἰσχρόν.
ταῦτα οὖν, ὦ Σώκρατες, ὄρα μὴ ἅμα τῷ κακῷ καὶ αἰσχρῷ ἦ σοί τε καὶ ἡμῖν.

By all the normal standards and values Socrates should escape from
prison, and had he done so, he would not have earned public censure, but if
anything approval because he had shown his ability to defend himself, and
not allow others to get away with an act of aggression. But though Crito's
behaviour is clearly governed by considerations of one's standing and
reputation, Socrates' behaviour, as has already been suggested, is equally

clearly governed by unchanging principles, principles accepted in their own right independent of public opinion or any other consequence. This is brought out particularly clearly in Socrates' first reply to Crito, which is worth quoting at some length because it is a statement of what has been shown to be the main requisite of the existence of conscience.^a ὡς ἐγὼ οὐ νῦν πρῶτον ἀλλὰ καὶ ἀεὶ τοιοῦτος οἶος τῶν ἐμῶν μηδενὶ πείθεσθαι ἢ τῷ λόγῳ ὃς ἂν μοι λογιζομένων βέλτιστος φαίνεται. τοὺς δὲ λόγους οὕς ἐν τῷ ἔμπροσθεν ἔλεγον οὐ δύναμαι νῦν ἐκβαλεῖν, ἐπειδὴ μοι ἤδε ἡ τύχη γέγονεν, ἀλλὰ σχεδὸν τι ὅμοιοι φαίνονται μοι, καὶ τοὺς αὐτοὺς πρεσβεύω καὶ τιμῶ οὕσπερ καὶ πρότερον· ὧν ἔὰν μὴ βελτίω ἔχωμεν λέγειν ἐν τῷ παρόντι, εὔλοισι ὅτι οὐ μὴ σοι συγχωρήσω, οὐδ' ἂν πλείω τῶν νῦν παρόντων ἢ τῶν πολλῶν δύναμις ὥσπερ παῖδας ἡμᾶς μορμολύττηται, δεσμοὺς καὶ θανάτους ἐπιπέμπουσα καὶ χρημάτων ἀφαιρέσεις. Although like Philip he may despise ἢ τῶν πολλῶν δόξην^b, he puts in place of them values and standards of his own,^c οὐ τὸ ζῆν περὶ πλείστου ποιητέον ἀλλὰ τὸ εὔζῆν, and for him as has already been seen and as is repeated and emphasised here εὔζῆν is δικαίως ζῆν.^d To do what is δίκαιον is right in principle, regardless of anything else, so that all that remains is to decide whether or not to escape from prison is δίκαιον.^e He gets Crito to agree that two specific things are not δίκαιον, namely to pay back harm for harm, a view which he particularly says the majority do not hold,^f οὐδὲ ἀδικούμενον ἄρα ἀνταδικεῖν, ὡς οἱ πολλοὶ οἴονται, ἐπειδὴ γε οὐδαμῶς δεῖ ἀδικεῖν, and to break an agreement or promise.^g ΣΩ. πότερον ἂν ἄν τις ὁμολογήσῃ τῷ δίκαια ὄντα ποιητέον ἢ ἐξαπατητέον; ΚΡ. ποιητέον. He then shows

a. 46 b-c

b. 44 c et passim

c. 48 b

d. ibid.

e. ibid.

f. 49 c-d

g. 49 e

that in running away from prison he would be doing just that, in that he would be repaying by injustice the unjust judgment which the Athenians passed upon him,^a and would be breaking the tacit agreement he had made by remaining an Athenian citizen to abide by the laws of the state.^b For unlike Antigone who was seen to have expected not to have to pay the penalty for doing what authority disapproved of, because she thought she was in the right, Socrates, though he feels that the penalty is undeserved,^c does not think that this gives him the right to avoid it. He has done what he considered right in principle, regardless of consequences, so that if it meets with the disapproval of authority it does not mean that he was wrong or that they are wrong, as Antigone felt. Their disapproval and imposition of a penalty makes no difference to the fact that what he did was right in itself, and that he did what he thought right makes no difference to the fact that it was disapproved of by authority and so must be paid for as part of the sacrifice of self-interest. For unlike the majority of Greeks, who as has been shown regarded the laws as unwelcome restraints to be obeyed only of necessity, and to be evaded whenever possible, Socrates puts forward an idea, here elaborated probably for the first time, that the laws safeguard the existence of a community as a community, so that they are there not to be broken, but to be accepted as the price or condition of membership of that community. For to belong to any society or community large or small is to be prepared to accept the rules of that society and to accept some limitation on one's will and pleasure.^d

a. 50 c , 51 c

b. 51 e

c. Apol 36 b ff.

d. Crito 51 e

ὅς δ' ἂν ὑμῶν παραμείνη, ὁρῶν ὃν τρόπον ἡμεῖς τὰς τε δίκας δικάζομεν καὶ τᾶλλα τὴν πόλιν διοικοῦμεν, ἤδη φαρὲν τοῦτον ὁμολογηκέναι ἔργῳ ἡμῶν ἃ ἂν ἡμεῖς κελεύωμεν ποιῆσειν ταῦτα. To break the laws or rules whenever it suits that will and pleasure is not only to undermine the whole fabric of society,^a ἄλλο τι ἢ τοῦτω τῷ ἔργῳ ᾧ ἐπιχειρεῖς διανοῆ, τοὺς τε νόμους ἡμᾶς ἀπολέσαι καὶ σύμπασαν τὴν πόλιν τὸ σὸν μέρος; ἢ δοκεῖ σοι οἶδόν τε ἔτε ἐκείνην τὴν πόλιν εἶναι καὶ μὴ ἀνατετραφῆθαι, ἐν ᾗ ἂν αἱ γενόμεναι δίκαι μηδὲν ἰσχύωσιν ἀλλὰ ὑπὸ ἰδιωτῶν ἄκυροί τε γίγνωνται καὶ διαφθείρωνται; but is also to break the agreements and conditions of membership.^b ἄλλο τι οὖν... ἢ συνθήκας τὰς πρὸς ἡμᾶς αὐτοὺς καὶ ὁμολογίας παραβαίνεις. One can of course attempt to change the laws if one disapproves of any of them in principle, or even leave the society all together if the whole set-up is to one's distaste.^c But to break a law because it does not suit one to obey it, is to put one's own interests before those of the community as a whole, and to claim to have more than is one's due, δίκαιον, by acting not as one of many who are all subject to the same rules, as children to a parent, but as an individual independent of them, as equal to equal.^d One should obey the rules, decrees or laws of a society not, as most Greeks did, because one meets with reprisals and sanctions if one does not, but because as a member of that society one has undertaken or agreed to do so, and is therefore morally obliged and duty bound to do so whatsoever the consequences to oneself.^e καὶ σέβεσθαι δεῖ καὶ μᾶλλον ὑπεῖκειν καὶ θωπεύειν πατρίδα χαλεπαίνουσα ἢ πατέρα, καὶ ἢ πείθειν ἢ ποιεῖν ἃ ἂν κελεύῃ, καὶ πάσχειν... ποιητέον ταῦτα, καὶ τὸ δίκαιον οὕτως ἔχει, καὶ οὐχὶ ὑπεικτέον οὐδὲ ἀναχωρητέον οὐδὲ λειπτέον

a. 50 a-b

b. 52 d-e

c. 51 d

d. 50 e, 51 a

e. 51 b-c

τὴν τάξιν, ἀλλὰ... πανταχοῦ ποιητέον ἂν κελεθῆ ἡ πόλις καὶ ἡ πατρίς, ἢ πείθειν αὐτὴν ἢ τὸ δίκαιον πέφυκε· βιάζεσθαι δὲ οὐχ ὄσιον οὔτε μητέρα οὔτε πατέρα, πολὺ δὲ τούτων ἔτι ἥττον τὴν πατρίδα.

Since these are the principles or λόγοι which Socrates held throughout his life, and now still holds, and since they are principles, that is things which are considered right in themselves and not because of what others think, or of what happens to one, no other considerations can prevail against them.^a ἀλλ', ὦ Σώκρατες, πειθόμενος ἡμῖν τοῖς σοῖς τροφεῦσι μήτε παῖδας περὶ πλείονος ποιοῦ μήτε τὸ ζῆν μήτε ἄλλο μηδὲν πρὸ τοῦ δικαίου, ἵνα εἰς "Αἰδοῦ ἐλθὼν ἔχῃς πάντα ταῦτα ἀπολογήσασθαι τοῖς ἐκεῖ ἄρχουσιν· οὔτε γὰρ ἐνθάδε σοι φαίνεσθαι ταῦτα πράττοντι ἄμεινον εἶναι οὐδὲ δικαιότερον οὐδὲ ὀσιώτερον... οὔτε ἐκεῖσε ἀφικομένῳ ἄμεινον ἔσται. Admittedly the laws suggest that having led a just life here he will be able to give a better account of himself in the next life, in the same way that Antigone hoped to please the gods of the underworld by burying the dead. That the expediency of not escaping is here taken into consideration cannot be denied. He feels that he will be better off in the next life if he does no wrong in this, and more than that, he points out both here and especially in the Apology that none of the alternatives to death would be tolerable. But though advantage and self-interest are included among the many factors that induce him to remain in prison, it is clear at any rate from this dialogue that Socrates is facing death not just for these reasons, but because of his basic convictions and principles. When the sanctions are removed, in that he could escape scot-free from

prison, he does not as other Greeks take advantage of the fact, but feels morally obliged as an Athenian citizen to abide by the Athenian laws and decisions.^a

D. Conclusion

In the case of Socrates there is evidence of the existence of conscience and a sense of duty and moral obligation, but as will have become evident from what has been discussed earlier, he was by no means representative of the average Greek, but was rather the exception which proved the rule, and regarded as an oddity by other Greeks. For the vast majority of them judged what was right and what wrong in the light of external standards. They did not, as Socrates was the first to complain, have any basic, general and unchanging principles of behaviour, by which to decide for themselves what was right or wrong, but accepted the valuation placed on their actions by others, whether men or gods. They did not like Socrates say 'I am staying in prison because I think it is right and it is a principle of mine to keep an agreement', but like Euthyphro said, 'I am prosecuting my father because the gods approve and say I should'. Like Euthyphro they are unable to explain why an action is approved by the gods, that is they are unable to generalise and form any principle by which to judge what is right and what wrong. They can only quote a list of specific actions known to be disapproved of by men or gods, and which therefore incur their censure, anger and reprisals. It was therefore precisely against this conformity to externally imposed standards through fear of public

opinion and other sanctions which the Sophists were attacking as being a barrier to progress, initiative and the freedom of the individual. But since if these external standards are invalidated it is only self-restraint and a personal sense of duty and moral obligation which will prevent a man from being completely self-willed and self-seeking, and since as has just been indicated this was conspicuously lacking among the Greeks with one recorded exception, then to attack these standards and remove those external pressures and sanctions, and thereby open the way to lawlessness, is clearly subversive of society and community life. For society, as has been pointed out, depends for its existence as a society on the individual being either willing or obliged to limit his will and accept the conditions of membership.

In this sense the attack of the Sophists on tradition can be said to be highly subversive, and it is just this danger which Plato realised, and tried to remedy by setting up absolute standards to be imposed upon the ignorant masses through the rule of the only man capable of comprehending them, namely the philosopher. But it can be seen that Plato is only perpetuating just that situation of blind obedience to some external standard or code which the Sophists were attempting to break down. For it will be remembered that in attacking tradition they were not attacking a specific set of values, nor attempting to replace it by another, but were trying to get men to recognise the general principles behind the accepted values, so as to be able to judge for themselves what was right in any particular set of circumstances. To set up absolute standards and blame the Sophists for not doing so, is not only to run counter to their

whole aim of freeing men from blind and unreasoning conformity, but also to accuse them of what they were never guilty of encompassing, namely the complete repudiation and rejection of any and every standard of behaviour. They did not indeed preach conformity, but neither did they preach lawlessness. They encouraged men to free themselves from tradition, not by disregarding all rules and regulations, but by allowing their own judgment to decide what was the best means of following the general principles behind the accepted values. It was because these general principles were not widely recognised or understood, because men did not act on principle but according to expediency, and not because there was any attack on rules and regulations as such, that the attack of the Sophists on tradition was subversive. In the light of this conclusion it will be seen that Socrates was no more and no less to blame than the other Sophists in this matter. That he was concerned with ethics, that is with the relationships and rules of behaviour obtaining between members of a community, and not with politics or litigation, does not make his views and attitude any less subversive than that of any other Sophist in any other sphere. By suggesting that it was not always right to prosecute a murderer or give back a deposit, he is like the other Sophists trying to get men like Euthyphro to look behind the specific injunction to a general principle of behaviour. But since these principles were in this sphere as in all others generally not recognised, then by demolishing the only barrier against lawlessness, he like the other Sophists is promoting ideas equally if not more subversive in that it is in the last resort the state of the relationships between the members of a society which determines

that society's success or failure.

Though the attack upon conformity was not an attack upon the basic principles behind the accepted values, because this attack was upon the traditions, rules and regulations which, in the absence of a sense of moral obligation among the Greeks as a whole, kept Greek society reasonably intact, it was dangerous in that it could result at best in confusion, and at worst in a complete rejection of all rules and regulations. For it will be remembered that though such Sophists as Gorgias advocated breaking the letter of tradition while keeping its spirit, Antiphon attacked law and tradition both in letter and spirit as barriers to self-promotion, and that in this he was followed by such extremists as Thrasymachus and Callicles. Granted this danger however it may well be asked whether it was any more than a purely theoretical and academic one. Thrasymachus and Callicles are indeed extreme in their views, but it will be remembered that far from being completely unrepresentative of the average Greek attitude to νόμος, they are only expressing it in more than usually outspoken terms. For the average Greek as has been indicated accepted a limit to his will and obeyed rules and regulations only because he must, and because the only alternative was disaster in one form or another. The only thing which prevented him from throwing off all restraint, and from being completely self-willed and self-seeking even in ordinary circumstances, was not any unwillingness to do so, or any principles of justice and the good of others, but, as Callicles only too clearly points out, lack of courage and the fear of getting hurt.^a If

a. Gorgias 483 c, 484 a cf. Thrasymachus, Rep. I. 344 b f.

therefore the attack on convention, rules and regulations was to be in any actual way subversive, it was just those sanctions which the average Greek considered ultimate, namely loss of reputation and disaster resulting from human and divine reprisals, which would have to lose in fact and not just in theory their deterrent value. The facts however show, as has been seen, that the average Greek was not prepared to stand out against these sanctions, so that just as he was not willing to be δίκαιος if it meant loss of reputation or death or any other disaster, so too he would be equally unwilling to break any code or regulation if he stood to lose by it.

Though therefore the licence to break rules and regulations may sound in theory subversive, in practice, because of the normal standards of behaviour, it was not likely to be so. Thus though it may be suggested that because the laws exist only νόμῳ, by convention, they can be ignored in one's own interests, since as has been seen the average Greek saw nothing wrong in breaking the law if he could get away with it, but if he knew that he would suffer for it was not fool enough to break it for the sake of breaking it, such a suggestion was likely to have but little effect on the prevailing situation. In the same way, though, when sure of success, the Athenians may scoff at the Melians' idea that the gods disapprove of ἀδικία, the Greeks in general did not lightly ignore actual signs of divine anger, as the reactions to the mutilation of the Hermae and to the eclipse of the moon in Sicily show. So too though there may be signs of a growing independence of public opinion, as in the case of a Phrynichos or a Socrates or a

Philip, the majority of Greeks were by no means indifferent to $\delta\delta\xi\alpha$. Again therefore though the suggestion of Athens that the Melians surrender, regardless of public opinion, and the suggestion of Odysseus that Neoptolemus be unjust for a couple of hours, sound highly subversive, in fact so great is the fear of what people will say, that these suggestions fall on deaf ears. For though it is only fear of consequences which makes a Greek 'just', that is obedient to laws and regulations, it is that same fear which also prevents him being completely 'unjust', that is lawless and self-seeking.

It would seem therefore that the attack of the Sophists on tradition did not in fact have quite such a detrimental effect on or prove to be quite so subversive of the existing situation as Plato's attacks on them would lead one to assume. For that same regard for consequences and sanctions which resulted in the absence of the personal standards or principles necessary for the complete success of the Sophists' ideas also prevented them from being completely subversive. Admittedly their ideas gave rise to abuses and to the reactionary movement described above, but they would appear to have had little or no long term detrimental effects on the general standard of behaviour, but if anything the reverse. For against any destructive influence their views may have had must be offset the more liberal approach towards, and greater insight into, human affairs which the attack on tradition encouraged. For until now, since a man was judged according to external standards in the light of what he was seen to do or what was seen to happen to him, it was only those things that were important,

so that he was viewed only from outside as it were as ὁ δράσας or ὁ πάσχων . But now that more emphasis is being laid on the ability of each man to control his own destiny and form his own judgment as to what is right and what wrong in any situation, because that man is now being viewed not simply as a follower or violater of a set standard of behaviour, but as one trying to make his own way and form his own standards, it is his aims and motives, his hopes and fears and the way in which he achieves his ambitions which assume importance. Before this a man was considered right or wrong, good or bad, according as he did or did not live up to the exspectations of others, a black and white distinction which tended to result in a 'holier than thou' attitude to the failings of others. Now disaster and injustice are seen to be the result of the failure of men to govern the circumstances in which they find themselves, a failure not found in this or that individual, but common to all mankind. For to Herodotus and the men of his time and outlook history as the record of human affairs is a matter of individuals who fail and deserve their misfortune, but to Thucydides and men of his outlook, history is a study of mankind in all its weakness, a study which condemnatory but yet sympathetic can be a possession for all time.

Notes to Part III

1. I find this sentence particularly difficult to interpret for two main reasons. In the first place there seems to be some doubt as to what is meant by the term νόμος, whether the rule referred to, namely that concerning a second vote, or to the specific decision about Mytilene. Gomme for instance seems to think that it is the latter, for he says in a note on this passage: 'Kleon, as has often been pointed out, is confusing ψηφίσματα with νόμοι; the laws of Athens would not be affected by the rescinding of an executive decree. He does so of set purpose; it is one of his ways of bullying and confusing the issue.' (Thucydides Vol. 2. p.300.) In view however of the fact that a second debate was very likely a violation of a procedural law, Cleon could equally well be arguing about the enforcement of such laws on all occasions, a supposition which is supported by the first words of Diodotos. (III.42 l.) οὔτε τοὺς προθέντας τὴν διαγνώμην αὐθις περὶ Μυτιληναίων αἰτιῶμαι, οὔτε τοὺς μεμφομένους μὴ πολλάκις περὶ τῶν μεγίστων βουλευέσθαι ἐπαινῶ. It is conceivable therefore that Cleon is attacking the non-enforcement of laws as much as the rescinding of particular decrees. In the second place, it appears uncertain what is meant by the term ἀκίνητος, whether he is talking about the changing or the enforcement of νόμοι, that is whether the term is the exact opposite of ἄκυρος or not, a question the answer to which depends on the interpretation given to νόμοι. If on the one hand he is talking about decisions or decrees, then he would probably be referring to the changing of them, but if he is talking about laws such as that concerning the taking of a second vote, then he is probably referring to the enforcement of them, which is not taking place at this time. It may well be of course that he is attempting to cover both cases in the one sentence, so that the ambiguity is intended.
2. Such criticism is of course common in Greek literature, e.g. Aes. P.V. 224f., 324.; Hdt. I.59.1., V. 78., 92.; Soph. O.T. 873ff., Ant. 58f.; Thuc. III.62.3., VI.59.2., I.17.; Eur. Suppl. 444ff., Phoen. 549ff.; Anon. Iambl. 7.12., 14.
3. Other examples: Hdt. III.142.3., V.37.2.; Thuc. III.82.8.; Eur. Suppl. 433f., Phoen. 535f.
4. Other examples: Thuc. III.37.1., VI.89.5., (cf. phrase οἶον ὄχλος φιλεῖ ποιεῖν, IV.28.3., VI.63.2.); Eur. Suppl. 412ff.
5. Other examples: Thuc. III.82.8., VI.89.5., VI.54.5.

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