

MORAL AND LEGAL ASPECTS OF AGGRESSION
AND DEFENCE IN HOMER

By

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[ΛΕΥΚΗ ΣΕΛΙΔΑ]

Human * experience, in so far as we can understand it, is for the most part determined by necessity, and as Aristotle has already remarked in the 7th book of his *Politica* (1329 b 25): «σχεδὸν μὲν οὖν καὶ τὰ ἕλλα δεῖ νομίζειν εὐρῆσθαι πολλάκις ἐν τῷ πολλῷ χρόνῳ, μᾶλλον δ' ἀπειράκις. Τὰ μὲν γὰρ ἀναγκαῖα τὴν χρεῖαν διδάσκειν εἰκὸς αὐτὴν, τὰ δ' εἰς εὐσχημοσύνην καὶ περιουσίαν ὑπαρχόντων ἤδη τούτων εὐλογον λαμβάνειν τὴν αὐξήσιν· ὥστε καὶ περὶ τὰς πολιτείας αἰεσοῦν δεῖ τὸν αὐτὸν τρόπον». Thus it may not seem strange that legislation also — even if it may rather be connected with the εὐσχημοσύνη of life (the beauty or superior quality, of life) — constitutes a secondary result of necessity, because it tries to define the limits of individual or communal activity, to check human malice, to specify the relations between man and woman, parents and children, free men and slaves, and on a larger scale between one city and another. The laws of Hammurabi and of Moses, those of Solon and of Gortys revolve around these and other more specific axes, which result from the special structure of each society.

Homer's work is the most ancient written document of some length in the Greek language — even though the Mycenaean Linear B tablets represent an addition of up to 500 years — and we find in it various kinds of information of a legal character which we may consider both a result of his personal experience of life in various societies and cities in Asia Minor and Greece, as well as the heritage of a long oral tradition and collective memory. We are not sure whether they repeat the exact wording of contemporary or earlier documents — although this may not be excluded in the case of oaths, prayers and the like; we may be sure, however, that they reflect the spirit both of his epoch and of previous generations. Justice is administered and wrong-doings redressed through men who know the customs and the θέμιστες; and since there is war being waged between Greeks and Trojans, there are also various instances of contact between the two parties involved, or even of truce solemnly or informally stipulated, depending on the importance of the matter in question. There are also frequent allusions to wrong-doings and wrong-doers and to the culprit of a transgression, and to the responsibility of

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Paris: international law emerges thus from the practice of the common law. When Paris is ready to fight a duel with Menelaus in the third book of the *Iliad*, solemn oaths are sworn in the presence of Priam and Agamemnon¹; but when both parties want a truce to bury their dead, it is simply on the basis of a message from Priam to Agamemnon — transmitted by Idaios the herald — that the truce is carried out². A last truce is arranged privately — actually, between a king and a victorious chieftain — for burying Hector. It was Achilles who first inquired about the length of time Priam needed for this purpose (Ω 656-8)³, and Priam asked for a twelve-day truce, which was granted (Ω 660-70). No such arrangement was necessary for Patroclus' burial; Hector was already slain and the Trojans deprived of the will for any attack; besides, victors do not need truces.

We do not intend to elaborate on these cases, but we must say a few words about the first and the second. The first in its wording and construction reminds us of inscribed documents (pacts, agreements of various kinds) with similar structure, ideas or even words, drawn up between cities in the following centuries; Paris says: «Make all the troops sit down and let me meet the formidable Menelaus between the two armies and fight him for Helen and her wealth. *The one who wins and proves himself the better man can carry off the lady to his own house, goods*

1. Γ 103 ff.: οἴσετε ἄν', ἕτερον λευκόν, ἑτέρον δὲ μέλαιναν,
Γῆ τε καὶ Ἑλλάω· Διὶ δ' ἡμεῖς οἴσομεν ἄλλον·
ἄξετε δὲ Πριάμοιο βίην, ὄφρ' ὄρκια τάμνη

Γ 245 ff.: Κήρυκες δ' ἀνά ἄστν θεῶν φέρον ὄρκια πιστά,
ἄργε δύο καὶ οἶνον ἑύφρονα, καρπὸν ἀρούρης . . .

2. Η 372 ff.: (Priam speaking).
ἠῶθεν δ' Ἰδαῖος Ἴτω κοίλας ἐπὶ νῆας
εἰπέμεν Ἀτρεΐδης, Ἀγαμέμνονι καὶ Μενελάω,
μῦθον Ἀλεξάνδροιο, τοῦ εἵνεκα νεῖκος ὄρωρε (cf. νν. 362-4)
καὶ δὲ τόδ' εἰπέμεναι πυκινὸν ἔπος, αἶ κ' ἐθέλωσι
παύσασθαι πολέμοιο δυσηχέος, εἰς ὃ κε νεκροῦς
κήρομεν ὕστερον αὐτε μαχησόμεθ' εἰς ὃ κε δαίμων
ἄμμε διωκοίγη, δώη δ' ἑτέροισί γε, νίκηη.

Idaios combines the proposal of Paris and of Priam in 385-397 and brings back Agamemnon's answer (408-411) in one verse (416 Ἰδαῖος δ' ὄφρ' ἦλθε καὶ ἀγγελίην ἀπέειπε).

3. ἀλλ' ἄγε μοι τόδε εἰπέ καὶ ἀτρεκέως κατάλεξον,
ποσσῆμαρ μέμονας κτερεῖζέμεν Ἐκτορα δίον,
ὄφρα τέως αὐτός τε μένω καὶ λαὸν ἐρύκω;

and all, *while the rest make a treaty of peace*, by which we stay in deep-soiled Troy and the enemy sails home to Argos where the horses graze and Achaean land of lovely women» (Γ 68 - 75)¹. Menelaus seems to accept the terms because he does not discuss them; with a slight word-variation of the main proposal of Paris he says: «*One of us must die*² — Fate has already marked him out for death — and then *the rest of you will soon be reconciled*»³, and goes on to define the procedure of the sacrifice and the oath (103-110), part of which we have already mentioned⁴. Idaios goes to fetch Priam and repeats to him a summary of the proposed plan (Γ 251-58).

The oath is administered by Agamemnon with solemn and magic ceremonial (τάμνε τρίχας 237, χειῖρας ἀνασχών 275, ὑμεῖς μάρτυροί ἐστε, φυλάσσετε δ' ὄρκια πιστά 280), with invocation of Zeus and the great natural forces, Sun, Earth, Rivers, the Underworld, etc., and with the final formulation of the pact, in a way which seems more explicit and more systematic, so as to show that the procedure is not invented for the first time on this occasion by the poet⁵, but that its clauses repeat a custom or have been memorized from a prayer collection of the epoch, if such one existed at the time:

Zeῦ πάτερ Ἰδηθεν μεδέων, κύδιστε, μέγιστε,
Ἡέλιός θ', ὃς πάντ' ἐφορᾷς καὶ πάντ' ἐπακούεις
καὶ ποταμοὶ καὶ γαῖα, καὶ οἱ ὑπένεοθε καμόντας
ἄνθρωποις τίνυσθον ὅστις κ' ἐπίορχον ὁμόσση,
ὑμεῖς μάρτυροί ἐστε, φυλάσσετε δ' ὄρκια πιστά

1. Γ 68-75 ἄλλους μὲν κάθισον Τροῶας καὶ πάντας Ἀχαιοὺς,
αὐτῶν ἔμ' ἐν μέσσω καὶ ἀρηίφιλον Μενέλαον
συμβάλετ' ἀμφ' Ἑλένη καὶ κτήμασι πᾶσι μάχεσθαι
ὀπιότερος δέ κε νικήσῃ κρείσσων τε γένηται,
κτῆμαθ' ἔλῶν εἴ πάντα γυναῖκά τε οἴκαδ' ἀγέσθω·
οἱ δ' ἄλλοι φιλότῃτα καὶ ὄρκια πιστά ταμόντες
ναίοντε Τροίην ἐριβώλακα, τοὶ δὲ νεέσθων
Ἄργος ἐς ἱππόβοτον καὶ Ἀχαιίδα καλλιγύναικα.

2. The English version of the texts is mostly from E.V. Rieu's, *The Iliad; The Odyssey* (Penguin books).

3. Γ 101-102: ἡμέων δ' ὀπιότερῳ θάνατος καὶ μοῖρα τέτυκται
τεθναίῃ· ἄλλοι δὲ διακρινθεῖτε τάχιστα.

4. See p. 336, note 1.

5. SIGMUND CYBICHOWSKI, *Das antike Völkerrecht*, Breslau 1907, pp. 45 ff., analyzes the oaths of the Γ of the *Iliad* and speaks of «Staatsvertrag»: «Wie ein Staats-vertrag in grauer Vorzeit geschlossen wurde, lässt sich mit Hilfe des homerischen Epos feststellen, da die Förmlichkeiten nicht erfunden haben können».

εἰ μὲν κεν Μενέλαον Ἀλέξανδρος καταπύρνη,
 αὐτὸς ἔπειθ' Ἑλένην ἐχέτω καὶ κτήματα πάντα,
 ἡμεῖς δ' ἐν νήεσσι νεώμεθα ποντοπόροισιν
 εἰ δέ κ' Ἀλέξανδρον κτείνῃ ξανθὸς Μενέλαος,
 Τροῶας ἔπειθ' Ἑλένην καὶ κτήματα πάντ' ἀποδοῦναι. (Γ 276-85)¹.

However, at this point Agamemnon unexpectedly — and without previous consultation with anyone, Greek or Trojan — adds a clause which may seem right and just considering later and even contemporary practice, which, however, was not discussed before: that concerning war-reparations on the part of the Trojans:

τιμὴν δ' Ἀργείοις ἀποτινέμεν ἢν τιν' ἔοικεν,
 ἢ τε καὶ ἔσσομένοισι μετ' ἀνθρώποισι πέληται.
 εἰ δ' ἄν ἐμοὶ τιμὴν Πριάμος Πριάμοιό τε παῖδες
 τίειν οὐκ ἐθέλωσιν Ἀλεξάνδροιο πεσόντος,
 αὐτὰρ ἐγὼ καὶ ἔπειτα μαχήσομαι εἵνεκα ποινῆς
 αὔθι μένων, ἧὸς κε τέλος πολέμοιο κίχέω (Γ 286-91):

with these last words he proceeds to the sacrifice.

The strange thing is that there is not even the remotest hint here that someone considered this clause arbitrary or unexpected²: nobody reacts. I suppose that neither the poet nor his audience thought the clause strange or unfair. I am inclined to explain it as a common practice between belligerents³, if we may connect it — as we should in my view — with two passages in the *Iliad* which speak of the terms of besiegers for lifting the blockade of a city. The first we read in the description of the shield of Achilles (Σ 509-12)⁴, the second is a passing thought of Hector

1. Cf. E. SCHWYZER, *Dial. gr. exempla epigr. pot.* (DGE., No 173 [300-280 B.C.], an oath from Tauris): Ὁμνῶ Δία, Γᾶν, Ἄλιον, Παρθένον, Θεοὺς Ὀλυμπίους καὶ Ὀλυμπίας καὶ ἥρωας ὅσοι πόλιν καὶ χώραν καὶ τεῖχη ἔχοντι τὰ Χερσονησιῶν . . .

2. The Scholia B (ed. Dindorf, vol. III, Oxford) at this verse note: ἔθος γὰρ ἦν τοῖς παρακαθημένοις (this seems to mean here «those who were besieging a city», cf. Polyb. 9, 11A, 2) αἰτεῖν καὶ πρόστιμα· καὶ οὐ δίκαιον τοῖς προκατάρξαντας ἐπ' ἴσης ἀπαλλάττεσθαι. Ὁ μὲν οὖν Μενέλαος σπεύδων ἀπολαβεῖν τὸ γόναιον οὐδὲν περὶ τούτων φησὶν· ὁ δὲ μεγαλοφυῶς ὀρίζει τὸ ἐπιτίμιον. Agamemnon does not forget the sanctions even when — at the end of the 3rd book, 456-60 — he is addressing the Trojans to announce the victory of Menelaus, to claim back Helen and to demand the payment of the sanctions.

3. In a previous mention of this clause («The Technical and Formular Aspects of the Spartan Rider», *Europa, Festschrift für Ernst Grumach*, 1967, p. 310), I considered the clause «arbitrary», which it is not, as it seems now.

4. Τὴν δ' ἐτέρην πόλιν ἀμφὶ δύο στρατοὶ ἦντο λαῶν,

in danger (X 114-21)¹. In the first passage, the on-coming imaginary enemies are considering either to destroy the city (and have all the goods and the men as slaves) or to agree to accept half of the wealth of the city as ransom in order to leave it in peace (ἤε διαπραθέειν ἢ ἄνδιχα πάντα δάσασθαι, Σ 511)²; in the second, Hector thinks for a moment of delivering Helen to Achilles with all the goods Paris had carried away from Sparta, and then of *dividing* in two all the wealth of Troy *without concealing anything* (μή τι κατακρύψειν, ἀλλ' ἄνδιχα πάντα δάσασθαι, X 120)³.

It is not unreasonable therefore to suppose that Agamemnon, the poet, and all present at the oaths had in mind such a procedure when he added that unexpected clause. Yet it is worth noticing that in the discussion about a truce for the burial of the dead (in H 345-420), which we have mentioned before, the Trojans envisage the possibility of giving back Helen and the goods; but the idea is instantly rejected by Paris who is willing to give back the goods — but not Helen — and to add others from among his own (καὶ αἰκοθεν ἄλλ' ἐπιθεῖναι, H 364).

The cases we have discussed show the familiarity of the poet with inter-city relations, which we could consider as events of international character in the cases mentioned; but this does not exhaust the subject. We have in the same passages and in others manifest indications that the idea of aggression was clearly defined, and the responsibility for it clearly attributed. Time and again we hear of the ἀρχὴ Ἀλεξάνδρου, πῆματος or νείκεος, that is, of the beginning of the misadventure or of the conflict, or of the man who first began the wrong-doings. Menelaus, very naturally, is the first to stress the responsibility of Paris from the very moment he accepts his challenge:

τεύχεσι λαμπόμενοι, δίχα δέ σφισιν ἦνδιανε βουλή,
ἤε διαπραθέειν ἢ ἄνδιχα πάντα δάσασθαι,
κτῆσιν ὄσσην πολίεθρον ἐπήρατον ἐντός ἔεργεν'

1. καὶ οἱ ὑπόσχωμαι Ἑλένην καὶ κτήμαθ' ἅμ' αὐτῇ,
πάντα μάλ' ὄσσα τ' Ἀλέξανδρος κοίλῃς ἐνὶ νηυσὶν
ἠγάγετο Τροίηνδ', ἢ τ' ἐπλετο νείκεος ἀρχή,
δωσέμεν Ἀτρεΐδῃσιν ἄγειν, ἅμα δ' ἀμφὶς Ἀχαιοῖς
ἄλλ' ἀποδάσσεσθαι, ὅσα τε πτόλις ἦδε κέκευθε
Τρωσὶν δ' αὖ μετόπισθε γερούσιον ὄρκον ἔλωμαι
μή τι κατακρύψειν, ἀλλ' ἄνδιχα πάντα δάσασθαι...

2. On the difficulties of interpretation since antiquity, cf. Scholia A (ed. G. Dindorf, Oxford) vol. IV.

3. In Scholia BT (ed. Dind. Oxford vol. VI, Σ, 511) we read: ἢ ἄνδιχα] ἦν ἔθος, ὡς καὶ Ἐκτωρ φησί, ἐμή τι κατακρύψαι etc.

κέκλυτε νῦν καὶ ἐμοῖο· μάλιστα γὰρ ἄλγος ἰκάνει
 θυμὸν ἐμὸν, φρονέω δὲ διακρινθῆμεναι ἤδη
 Ἄργείους καὶ Τρῶας, ἐπεὶ κατὰ πολλὰ πέπασθε
 εἵνεκ' ἐμῆς ἔριδος καὶ Ἀλεξάνδρου εἵνεκ' ἀρχῆς (Γ 97-100).

The sentence is significantly echoed by Hector in the passage alluded to before about the restitution of Helen to the Greeks, and of every thing that Paris brought away with him to Troy in his hollow ships when he sowed the seeds of this Achæan war (ἢ τ' ἔπλετο νεῖκεος ἀρχή, X 116). There is an allusion to the same fact in the second of the common prayers which Trojans and Achæans alike address to Zeus: ὀππότερος τάδε ἔργα μετ' ἀμφοτέροισιν ἔθηκε, τὸν δὲ ἀποφθίμενον δῦναι Ἄιδος εἶσω (Γ 320-23).

There is also another allusion to the ἀρχὴ πῆματος in the *Odyssey*, when Demodocos sings about the otherwise unknown quarrel between Odysseus and Achilles; Agamemnon was pleased because the best of the Achæans quarrelled, as the oracle of Delphi had told him when he crossed its marble threshold to consult it, in those days when *the beginning of the disaster* was unrolling between Trojans and Greeks according to the will of Zeus (τότε γὰρ ῥα κυλίνδετο πῆματος ἀρχή / Τρωσί τε καὶ Δαναοῖσι Διὸς μεγάλου διὰ βουλᾶς; θ 81-2). The idea of ἀρχή is connected even with the ships, which have their share of responsibility by becoming ἀρχέκακοι (beginning mischief, E 63) not only to the Trojans but also to their builder (or to his son)¹. Provocation of evil is thus shown as something which does not end with the punishment of the man directly responsible for it but goes beyond him to the city and to those who even unknowingly have somehow participated in the act².

1. There is a problem of text and interpretation here (E 59-68) as to who is the father of Phereclos killed by Meriones in this passage: is he Τέκτων, son of Harmon, or rather Ἀρμονίδης the τέκτων (!)? In the second case Harmonides built the ships for Paris, which started the trouble for the Trojans and for himself (the builder), because his son, Phereclos, has been slain; in the first, Phereclos himself must be the builder of the ships and be slain. ALLEN reads: τέκτονος υἱὸν Ἀρμονίδεω; LEAF: Τέκτονος υἱόν . . . (s. also note there).

2. In the passage discussed, after ἀρχεκάκους, αἱ πᾶσι κακὸν Τρώεσσι γέγοντο οἱ τ' αὐτῶ, follows: ἐπεὶ οὐ τι θεῶν ἐκ θέσφατα ἦδη (E 63-4), to which the Scholia A (ed. Dind. Oxford vol. iv) give two explanations, one of a common visit of Menelaus and Paris to Delphi, and a second which reads: Ἑλλάνικος δὲ φησι χρησμὸν δοθῆναι τοῖς Τρωσὶν ἀπέχεσθαι μὲν ναυτιλίας, γεωργία δὲ προσέχειν, μὴ τῇ θαλάσσει χρώμενοι ἀπολέσωσιν ἑαυτούς τε καὶ τὴν πόλιν. Heliodor (*Aith.* 1, 9) speaks of an ἀρχέκακον γύναιον and Sophocles (*Ajax* 933-4 [lyr.] of Time: χρόνος ἀρχῶν πημάτων).

These are the disastrous effects of the contagiousness of *hybris* and injustice even to innocent or unsuspecting people, perhaps the most cruel aspect of human tragedy, so masterly grasped and expressed by Solon, the Tragedians, Herodotus in his various narratives, by Thucydides in his orations; Hesiod, in what are probably the most beautiful verses of his *Works and Days*, shows how Justice ($\Delta\iota\kappa\eta$), dragged whithersoever bribed judges lead her, weeps, thus bringing lasting disaster to the city¹.

The responsibility of Paris is underlined again by Menelaus during the duel after he is preparing to throw, in his turn, the spear at Paris and is addressing a prayer to Zeus with these words: «Grant me revenge, King Zeus, on Paris, because he was the first to do me wrong» ($\delta\ \mu\epsilon\ \pi\rho\acute{o}\tau\epsilon\rho\omicron\varsigma\ \kappa\acute{\alpha}\kappa'\ \epsilon\sigma\theta\epsilon\gamma\epsilon$; Γ 351). However, as the duel is inconclusive and Paris is seeking safety in his palace, a treacherous episode, in fact a violation of the oaths, takes place amidst the confusion, a violation strongly denounced by the Greeks, who claim to be victorious. Zeus, at the instigation of Hera, sends Athene to the battle-field to induce the Trojans to violate the truce by attacking the Achaeans²; the adjective $\pi\rho\acute{o}\tau\epsilon\rho\omicron\iota$ with the verb $\epsilon\sigma\theta\epsilon\gamma\epsilon\iota\omega$ are crucial words. This new episode with Pandaros as its central hero has been carefully prepared by the poet in the third book, through the first of the two common prayers we mentioned, on the part of anonymous Trojan and Achaean warriors ($\omega\delta\epsilon\ \delta\acute{\epsilon}\ \tau\iota\varsigma\ \epsilon\dot{\iota}\pi\epsilon\sigma\kappa\epsilon\nu\ \text{'}\text{Α}\chi\alpha\iota\omega\acute{\nu}\ \tau\epsilon\ \text{Τ}\rho\acute{\omega}\omega\acute{\nu}\ \tau\epsilon$, Γ 279), just after the solemn oaths have been formulated by Agamemnon and minutes before the duel of Menelaus with Paris takes place; libations are made and cruel sanctions are invoked against those —not *him*— who first should violate the oaths;

Ζεῦ κούδιστε μέγιστε καὶ ἀθάνατοι θεοὶ ἄλλοι,
ὀππότεροι πρότεροι ὑπὲρ ὄρκια πημήνειαν
ὦδέ σφ' ἐγκέφαλος χαμάδις ῥέοι ὡς ὕδρ' οἴνος
ἀντῶν καὶ τεκέων, ἄλοχοι δ' ἄλλοισι δαμεῖεν (Γ 298-301).

Pandaros becomes thus the instrument of divine intrigue; he wounds Menelaus and causes Agamemnon to denounce the perjury of the Trojans

1. *Op.* 213-47 (τῆς δὲ Δίκης βόθος ἐλκομένης!); *ib.* 240-1 πολλάκι καὶ ζύμπασα πόλις κακοῦ ἀνδρὸς ἀπήνρα, ὅστις ἀλιτρίνη καὶ ἀπάσθαλα μηχανάται; cf. also Π 386-92.

2. Δ 64 - 7 . . σὺ δὲ (i. e. Zeus) θῆσσον Ἀθηναίῃ ἐπιτεῖλαι

ἔλθειν ἐς Τρώων καὶ Ἀχαιῶν φύλοπι ἀίνην,

πειρᾶν δ' ὡς κε Τρῶες ὑπερκάδαντας Ἀχαιούς

ἄρξωσι πρότεροι ὑπὲρ ὄρκια δηλήσασθαι.

ib. 70-2 αἶψα μάλ' ἐς στρατὸν ἔλθ' ἐμετὰ Τρῶας καὶ Ἀχαιούς.

πειρᾶν δ' ὡς κε Τρῶες etc.

— not of one Trojan (ὡς σ' ἔβαλον Τρῶες, κατὰ δ' ὄρκια πιστὰ πάτησαν. / οὐ μὲν πως ἔλιον πέλει ὄρκιον αἰμά τε ἀρνῶν / σπονδαί τ' ἄκριτοι καὶ δεξιὰ ἧς ἐπέπιθμεν, Δ 157-9).

His indignation and anger at this blatant transgression of the oaths culminates in the grim prophecy, which will echo bitterly in the mouth of Hector a little later (in his encounter with Andromache, Z 447-9), about the inevitability of the future destruction of the sacred Ilium, of Priam, and of his people (Δ 163-68)¹. It is Agamemnon again who exhorts the soldiers to fight the Trojans, arguing that Zeus will help the Achaeans and will make those who violated the oaths first (πρότεροι ὑπὲρ ὄρκια δηλήσαντο, Δ 234 - 9) prey to the vultures. Idomeneus, exhorted by Agamemnon to fight bravely, assures him that victory is near because the Trojans have violated the oaths (Δ 266-71); here πρότεροι is omitted in the first part of the sentence of Idomeneus — as it was also in the denunciation of Agamemnon — but a now verb σὺν δ' ὄρκι' ἔχευαν (Δ 269), a variation of κατὰ δ' ὄρκια πιστὰ πάτησαν Δ 157, has been used. Moreover πρότεροι and δηλήσαντο increase the effect in the following verse: τοῖσιν δ' αὖ θάνατος καὶ κήδε' ὀπίσσω/ἔσσειτ', ἐπεὶ πρότεροι ὑπὲρ ὄρκια δηλήσαντο Δ 270-1².

I would venture to see in this enlargement of responsibilities another instance of the mastery of the poet to shift the focus from Menelaus-Helen-Paris to Agamemnon-Priam, from Achaeans to Trojans, and to show that the guilt involves Priam and the Trojans also, who not only

1. *Εὖ γὰρ ἐγὼ τόδε οἶδα κατὰ φρένα καὶ κατὰ θυμόν·
ἔσσειται ἡμῶν δὲ ἂν ποτ' ὀλόγη Ἴλιος ἰσθὴ
καὶ Πριάμοιο καὶ λαὸς εὐμμελίῳ Πριάμοιο,
Ζεὺς δέ σφι Κρονίδης ὑψίζυγος αἰθέρι ναίων
αὐτὸς ἐπισσείησιν ἐρεμνὴν αἰγίδα πᾶσι
τῆσδ' ἀπάτης κοτέων· τὰ μὲν ἔσσειται οὐκ ἀτέλεστα.*

2. We give here both passages for comparison: Agamemnon says (Δ 234 ff.):
*'Αργεῖοι, μὴ πῶ τι μεβλίετε θούριδος ἀλκῆς·
οὐ γὰρ ἐπὶ ψευδέσσι πατήρ Ζεὺς ἔσσειτ' ἀρωγός,
ἀλλ' οἱ περ πρότεροι ὑπὲρ ὄρκια δηλήσαντο,
τῶν ἦτοι αὐτῶν τέρενα χροῖα γῦπες ἔδονται,
ἡμεῖς αὐτ' ἀλόχους τε φίλας καὶ νήπια τέκνα
ἄξομεν ἐν νήεσσιν, ἐπὶν πτολίεθρον ἔλωμεν.*

Idomeneus says (Δ 266 ff.): *'Ατρεΐδη . . .*

*/ 268 ἀλλ' ἄλλους ὄτρυνε κίρη κομόωντας Ἀχαιοὺς,
ὄφρα τάχιστα μαχώμεθ', ἐπεὶ σὺν γ' ὄρκι' ἔχευαν
Τρῶες· τοῖσιν δ' αὖ θάνατος καὶ κήδε' ὀπίσσω
ἔσσειτ', ἐπεὶ πρότεροι ὑπὲρ ὄρκια δηλήσαντο.*

protected the culprit, but added also their own impiety and perjury to his original disrespect of hospitality, giving thus the episode a deeper moral and legal significance¹.

The responsibility of the first offender influences also the conduct of men and Gods in the poems: Odysseus advises Agamemnon with carefully selected words to make peace with Achilles; he says, in fact, that nobody can blame even a king if he is willing to appease a soldier, in the event that he, the king, has angered the other first (οὐ μὲν γάρ τι νεμεσσητὸν βασιλῆα/ἄνδρ' ἀπαρέσασθαι, ὅτε τις πρότερος χαλεπήγη, Γ 182-3); and when Hermes meets Priam going to the camp of the Achaeans to ransom the body of Hector, he offers himself as a companion to the old king because neither Priam nor the old man who accompanies him can protect himself from a man who may attempt to do them harm first (ἄνδρ' ἀπαμόνασθαι, ὅτε τις πρότερος χαλεπήγη, Ω 369). The verse in this form, which seems to be formulaic (ἀπαρέσασθαι in the case of Odysseus is a happy variation of ἀπαμόνασθαι), comes in two more instances in the *Odyssey*, both in the mouth of Telemach. In the first, he complains to Eumaios, who tactfully suggests that the stranger (Odysseus) be received in the palace (instead of the dwellings of Eumaios), that he cannot receive the stranger in the palace because he is young and not yet sure of his strength to resist a man who may do him harm first (αὐτὸς μὲν νέος εἰμι καὶ οὐπω χερσὶ πέποιθα / ἄνδρ' ἀπαμόνασθαι, ὅτε τις πρότερος χαλεπήγη, π 71-2).

In the second, Telemach after having arranged the axes tries to stretch the bow but is refrained by a negative nod from his father; although the situation is different here, he repeats the same argument with a slight variation at the beginning of the first verse (ἦ ἐν νεώτερος instead of αὐτὸς μὲν νέος); the argument may not seem fitting at first sight, but it is so if we look closer at the succession of Telemach's thoughts: my father forbids me to try; I would probably disturb his plans, but I would not be able to stretch the bow anyway: «alas, I am still too young (to use such a weapon and) to protect myself from an unexpected attack» (φ 132-3; cf also πρότεροι γὰρ ἀεικέα μηχανόωντο υ 394; the phrase ἐπὶ προτέροισι κακοῖσιν in χ 264 seems to be only temporal not causal).

The formulaic expression ἄνδρ' ἀπαμόνασθαι, ὅτε τις πρότερος χαλε-

1. Cf. also N.G.L. HAMMOND, «Personal Freedom and its Limitations in Oresteia», *J.H.S.* 85, 1965, 49.

πήγη¹ becomes thus a result of the widespread conviction of the Greek world that the individual or the community were entitled to defence if attacked, and that he who was attacking first was a wrong-doer. Thus ἀμύνειν, ἀμύνεσθαι, ἀπαμύνεσθαι are frequent words in Homer and afterwards to designate the protection from an attack and the right of defence or resistance to it². In this connection we are probably able to understand the gravity of violating hospitality in general and in the case of Paris in particular, an instance which, as we have seen above, is connected with the ἀρχὴ πῆματος. Hospitality was and is in most countries an act of multiple generosity towards an ordinarily unknown person; he might have fled his country for political reasons, because he has killed someone³, or for other more or less serious reasons. He probably does not know the town he has arrived in, the land, anybody; he does not know where to find shelter or food, he probably cannot communicate through language. He is as helpless as a child and he is protected as a child; he is accepted therefore with open arms. If he respects this multiple relation he becomes a friend, a trusted person, and may even become a part of the family through fraternization. If he does not, he is condemned; it is him who has violated the benefaction and cut himself off from the new community into which he has been accepted; he has violated the unwritten laws of heaven and merits every condemnation: he has started the wrong, he will suffer the consequences⁴.

1. The only vague reference to our subject in K. LATTE's article <Der Rechtsgedanke im archaischen Griechentum>, *Antike und Abendland* 2, 1946, 63 - 76 is contained in this phrase (p. 75): «alle diese Neuerungen setzen voraus, dass der Verletzte selber zu klagen imstande war», which leads to juridical considerations and measures in the post-homeric period. We may add here another aspect of obligation related to πρότερος, that of responding with good acts to the good received from another person, an obligation which may last for generations: Penelope accuses Antinoos, one of the suitors, that he has planned to kill Telemach, the son of his father's saviour: ἢ οὐκ οἶσθ' ὅτε δεῦρο πατήρ τεός ἔκετο φεύγων / δῆμον ὑποδδείσας; δὲ γὰρ κεχολώατο λήην, / σύνεκα ληιστῆρσιν ἐπισπόμενος Ταφίοισιν / ἤμαχε Θεσπρωτούς... / τὸν δ' ἔθελον φθῖσαι . . . / ἀλλ' Ὀδυσσεὺς κατέρυκε καὶ ἔσχεθεν ἱεμένους περ. / τοῦ νῦν οἶκον ἄτιμον ἔδειξ, μνῖα δὲ γυναῖκα / παιδά τ' ἀποκτείνεις (π 424-32).

2. Cf. the concise formulation of Thucydides (3, 56, 2), who puts in the mouth of the Plataeans these words: ὀρθῶς τε ἐτιμωρησάμεθα κατὰ τὸν πᾶσι νόμον καθεστῶτα, τὸν ἐπιόντα πολέμιον ὄσιον εἶναι ἀμύνεσθαι (concerning the attack of the Thebans at the beginning of the war).

3. On homicide cf. R. J. BONNER and GERTRUDE SMITH, *The Administration of Justice from Homer to Aristotle*, 1, 15 ff.; 53 ff.; *ib.* 2, 192-231.

4. On the importance of hospitality and its multiple aspects in Homer, cf. E. WOLF, *Griechisches Rechtsdenken* 79; 98 ff.; K. LATTE, *o.c.*, p. 67.

We must therefore admit that the idea was not new in the Greek world or in Greek thought. Homer has not invented it. Hesiod also is aware of this right of defence against a man who makes an offence first, even if that man be his own father: Uranos hides his children in the depths of Gaia, his mother and wife, who suffers for it; she incites the children to punish him because he first conceived the unseemly deed (*πρότερος γὰρ ἀεικέα μήσατο ἔργα; Th. 166*); Kronos accepts this grim task with the same excuse (*ἐπεὶ πατρός γε δυσωνύμου οὐκ ἀλεγιζῶ / ἡμετέρου· πρότερος γὰρ ἀεικέα μήσατο ἔργα; Th. 171-2*). Again between Gods, we find another instance in the *Hymn to Apollo* where Hera, angered because Zeus himself has given birth to Athena, considers herself dishonoured, and threatens him with equal retaliation: that is, to give birth to a child without his participation (however, she takes care to assure the Gods and Goddesses who were present that nobody else would participate in this conception either. *ib. 325a - 330*). She invokes her right of defence because Zeus was the first to dishonour his wife: *κέκλυτέ μευ πάντες τε θεοὶ πᾶσαί τε θέαιναι, / ὥς ἔμ' ἀτιμάζειν ἄρχει νεφεληγερέτα Ζεὺς / πρῶτος, ἐπεὶ μ' ἄλοχον ποιήσατο κεδνὰ εἰδυῖαν; (311-3)*.

I do not know whether we should point out that here the poet uses *πρῶτος* instead of *πρότερος* either because he does not know the Homeric and Hesiodic tradition (this would sound strange in view of this special Hymn, which has been considered homeric by Thucydides), or because the poet wants to indicate through the superlative the gravity of the injustice of Zeus from the point of view of Hera; in any case the combination of *πρῶτος* with *ἀρχειν* seems to increase the artistic effect.

The faith in the right of man as an individual or as a community¹ to resist attack and punish the attacker has not been lost in the generations after Homer. Herodot begins his *Histories* by trying to find out who was responsible for the differences between Europe and Asia, and goes on to narrate the rape of Io by the Phoenicians, then the rape of Europe by *some* Greeks, and then that of Medea by Jason. In the next generation, Paris of Troy having heard of this wrong-doing came to Greece with ships, in order to procure himself a wife, in the certainty that he would not be punished; because Jason also had not been punished. The Greeks having mobilized an army to have Helen back were, according to Herodot's Persian sources, to be blamed, and to assume the respon-

1. For the belief in the responsibility of the clan or community, see K. LATTE, *l.c.* 70-71, 75; FAUSTO CODINO, *Einführung in Homer*, p. 97 ff.

sibility for the Trojan war; for this reason the Persians undertook the expedition against Greece.

Significantly enough, Herodot puts in the mouth of the Persians the same words we have heard in Homer: ἄρχειν and προτέρους (προτέρους [viz. τοὺς Ἕλληνας] γὰρ ἄρξαι στρατεύεσθαι ἐς τὴν Ἀσίην ἢ σφέας [viz. τοὺς Πέρσας] ἐς τὴν Εὐρώπην; 1,4,1); after which, a very sober statement follows, that «abducting women is a deed of unjust men, but mobilizing an army to rescue them is an act of foolish men; judicious men do not care about women who have been abducted» (τὸ μὲν γὰρ ἀρπάζειν γυναῖκας ἀνδρῶν ἀδίκων νομίζουσιν ἔργον εἶναι, τὸ δὲ ἀρπασθεισέων σπουδὴν ποιήσασθαι τιμωρέσιν ἀνοήτων, τὸ δὲ μηδεμίαν ὥρην ἔχειν ἀρπασθεισέων σωφρόνων; 1,4,2).

It is difficult to know whether Herodot mentally connected his narration with what we have seen in Homer about the right of Menelaus to punish the offender. What is out of the question, however, is that he also considers the first offender responsible for the wrong-doing, because in the following chapter of the same book he says that he cannot express his opinion on mythical acts, yet he knows who was the first to begin committing wrongs against the Greeks (τὸν δὲ οἶδα αὐτὸς πρῶτον ὑπάρξαντα ἀδίκων ἔργων ἐς τοὺς Ἕλληνας, τοῦτον σημήνας προβήσομαι . . . ; 1,5,3).

To add another case from another people in a distant area, we refer to the argument of the *legati* of the Trans-Rhenan Germans whom Caesar is preparing to attack; characteristically enough they use the word *priores* (=πρότεροι) and invoke a custom transmitted through the generations (*consuetudo a maioribus tradita*): *Germanos neque priores populo Romano bellum inferre neque tamen recusare, si lacessantur, quin armis contendant, quod Germanorum consuetudo haec sit a maioribus tradita, quicumque bellum inferant, resistere neque deprecari*; *De bell. gall.* 4,7).

It is not within the scope of the present paper to continue the research into other historians or inscribed documents. Only to show how complicated the matter becomes in later times and how sophistication necessarily results from difficult situations we refer to two episodes, one from Thucydides, the other from inscriptions. In the short speech the Corinthians delivered to the Athenian commanders in Sybota in the Corinthian - Corcyraean episode, they say: «you are doing wrong, O Athenians, because you start the war and you dissolve the pacts» (ἀδικεῖτε, ὦ ἄνδρες Ἀθηναῖοι, πολέμου ἄρχοντες καὶ τὰς σπονδὰς λύοντες; 1, 53, 1), to which charge the Athenians reply: «we do not start the war nor do we dissolve the pacts, we only help the Corcyraeans here, who are our allies» (οὔτε ἄρχομεν πολέμου . . . οὔτε τὰς σπονδὰς λύομεν, Κερκυραίοις δὲ τοῖσδε ξυμμάχοις οὔσι βοηθοὶ ἦλθομεν; 1,53,4).

The contention or possibly the legal point is that the Athenians do not break the pact as Athenians; because in this particular situation they are no longer Athenians; they are allies of the Coreyraeans and only in this capacity do they fight against the Corinthians, who have attacked them.

The other is an epigraphic document found in Hierapytna (Hierapetra) in East Crete and containing a pact between the Hierapytnians and the Rhodians (c. 220 B. C.?). The pact is very extensive (103 lines of about 50 letters each) and contains many provisions, but we stop to look at the one which is connected with our subject and resembles the citation from Thucydides. There are various clauses about reciprocal assistance etc. between the two cities, one of which is rather peculiar (l. 35-38): that if there is war between the Rhodians and another city which is allied with the Hierapytnians, there will be two possibilities: if the Rhodians are attacked the Hierapytnians will help despite their alliance with the other city; if, on the contrary, the Rhodians are the aggressors, then the Hierapytnians are not obliged to assist. The difference from Thucydides seems here to be that the new alliance with the Rhodians, being a defensive one, becomes stronger than the older, if the new ally is defending himself from an attack in which an old ally has participated. In this case the old ally ceases to be an ally. Here also *κατάρχειν πολέμου* is the formular locution (SCHWYZER, *DGE*, N° 288, l. 35-39 *εἰ δέ κα συστ(ᾶ)ι πόλεμος Ῥοδίοις ποτί τινα τῶν ἐν συμμαχίᾳ ἔόντων Ἱεραπυτνίοις, εἰ μὲν/κα πολεμῶντ(α)ι Ῥόδιοι, ἀποστελλόντων τὴν συμμαχίαν Ῥοδίοις/Ἱεραπύτνιοι, εἰ δέ κα πολεμῶντι κατάρξαντες πολέμου, μὴ ἐπάναγκες ἔστω Ἱεραπυτνίοις ἀποστέλλειν συμμαχίαν Ῥοδίοις*).

There is yet something to be said about the first offenders in Homer, those who tacitly or explicitly recognize their guilt.

How do they behave or what have they to say to discharge themselves or to alleviate their position? They are very interesting from the psychological point of view; they are tragic characters, honestly admitting their faults; however, as always happens with human imperfection, they tend to discharge themselves from the final responsibility by transferring the blame to someone else: the Gods decided this way and sent to man his folly. They are however willing to repent and to make reparations where this is possible. The words *ἄτη*, sometimes also *ὑβρις*¹, with the verb *ἄδομαι*, the adjective *αἴτιος* - *αἰτίη* with *αἰτιόωμαι* recur frequently on these occasions. When Achilles tells his mother about

1 On the legal aspect of *hybris* in Homer cf. K. LATTE, *o.c.* 64 (with reference to W. SCHULZE, *Kl. Schriften* 197 ff.).

his misfortune and begs her to ask the assistance of Zeus against Agamemnon, he adds: «thus Agamemnon will see his ἄτη, because he has offended the most valiant of the Achaeans»: [ἕφρα] γυνῶ δὲ καὶ Ἄτρεΐδης εὐρὺ κρείων Ἀγαμέμνων/ῆν ἄτην, ὅ τ' ἄριστον Ἀχαιῶν οὐδὲν ἔτισεν; A 411-2).

A little before, speaking to Athena he tells of the *hybris* of Agamemnon: τίπτ' αὖ αἰγιόχοιο Διὸς τέκος εἰλήλουθας;/ῆ ἵνα ἕβριον ἕδῃ Ἀγαμέμνωνος Ἄτρεΐδαο; A 202-3); to which Athena replies that she is interested in both of them; yet Achilles will receive a multiple retribution ἕβριος εἵνεκα τῆσδε (A 213-14). This offence against Achilles torments Agamemnon who frequently speaks about the aberration which caused him to act foolishly against Achilles: ὦ γέρον (to Nestor), οὐ ψεῦδος ἐμὰς ἄτας κατέλεξας / ἀασάμην, οὐδ' αὐτὸς ἀναίνομαι . . . (I 115-6); and a little further: ἀλλ' ἐπεὶ ἀασάμην φρεσὶ λευγαλέησι πιθήσας, ἅψ ἐθέλω ἀρέσαι (119-20). Again, in the reconciliation scene with Achilles he speaks of the ἄγριος ἄτη which Zeus, Moira and the Erinyes, who comes in the dark, put into his soul (φρεσίν) when he deprived Achilles of his γέρας. But how could he react? He was not the culprit; it is (a) God who carries things into effect, Ἄτη the old daughter of Zeus, who ἄᾶται all men, the cursed one (οὐλομένην, T 85-91). To alleviate his torment, he finds another alibi so as to add another consolation to his misfortune: even Zeus, the strongest of Gods and men, had once lost control of himself (ἄᾶσατο, T 95) and had been deceived by the frauds of Hera when Alkmene was about to give birth to the strong Heracles (T 95-99); and he goes on to explain in strong words why he insisted on the wrong decision even in the presence of the heavy losses inflicted on the Argives near the ships by the Trojans; he is now willing to make peace with Achilles and to give him rich presents (T 134-8). Helen also speaks about her guilt and of the aberration (ἄτη) of Alexander (Z 355-7), but she takes care to insert a word about the Gods who τὰδε κακὰ τεκμήραοντο (Z 349). The same idea is repeated by the poet in the third person when he is explaining the attitude of the Gods towards Troy (Ω 27-29). Back in Sparta, Helen looks happily at the past and tells of a daring exploit of Odysseus in Troy; yet she speaks all the same about the ἄτη sent to her by Aphrodite, and of her repentance (δ 259-62). Penelope also refers to the ἄτη of Helen with gentle words, that ἄτη which started also the misfortune of the couple (ψ 222-4).

Paris himself does not explicitly confess his ἄτη; only indirectly by accepting Hector's accusation does he seem to recognize his guilt. First, when Hector incites him to the duel and inveighs against him

by saying . . . γυναῖκ' εὖειδέ' ἀνήγερος/ἐξ ἀπίης γαίης, νυὸν ἀνδρῶν αἰχμητάων, / πατρί τε σῶ μέγα πῆμα πόληϊ τε παντί τε δήμῳ, / δυσμενέσσι μὲν χάρμα, κατηφείην δὲ σοὶ αὐτῷ; (Γ 48-51); to which Paris answers moderately and admits his fault ("Ἔκτορ, ἐπεὶ με κατ' αἴσαν ἐνεΐκεσας οὐδ' ὑπὲρ αἴσαν, Γ 59 - 75). The second occasion presents itself when Hector returns to the city and after meeting his mother goes to meet Paris who has fled the camp after the duel; his words are milder now but none the less more explicit about the guilt of Paris: (σέο δ' εἵνεκ' αὐτῆ τε πτόλεμός τε / ἄστν τόδ' ἀμυιδέδηε, Ζ 328-9); to which Paris repeats again the verse ἐπεὶ με κατ' αἴσαν etc. (Ζ 333), which is a tacit recognition of his guilt; his own ἄτη is implied behind the words of Hector and his own admission.

In several other instances the poet underlines the ἄτη of many heroes (Dolon, Oineus, Ajax son of Oileus, Metaneira, the Centaur Eurytion, etc.).

Dolon tells of the πολλαὶ ἄται through which Hector deceived him (Κ 391). Phoenix tells of the distraction of Oineus who did not mention Artemis in a sacrifice honouring the Gods; angered at him, the Goddess sent a wild boar which devastated the land (Ι 536-39). Menelaus tells of the ἄτη of Ajax son of Peus who μέγ' ἀάσθη, and although shipwrecked and on a cliff he boasted that he would nevertheless go back to his land even against the will of the Gods; Poseidon struck the edge of the cliff on which he clung, and he went down to the bottom of the sea (δ 502-09). Metaneira is afraid of the fate of her baby Demophon when she sees Demeter put him above the fire to make him immortal; her scream thwarts the miracle, and this is a very foolish act (*Hy. Cer.* 245-6 ἀάσθη μέγα θυμῷ; 258 μήκιστον ἀάσθης). Even Odysseus, the clever one, admits that he has been twice struck by ἄτη, the first time when he tells Aiolos what his companions and sleep did to him and to the bag containing the winds (κ 68-9 ἀασάν μ' ἔταροι τε κακοὶ πρὸς τοῖσι τε ὕπνος σχέπλιος), and when he sleeps for the second time as his companions slaughter and roast the cows of Helios; he accuses Zeus and other Gods that they lulled him into the cruel sleep (Ζεῦ πάτερ ἠδ' ἄλλοι μάκαρες θεοὶ αἰὲν ἔόντες, / ἦ με μάλ' εἰς ἄτην κοιμήσατε νηλεῖ ὕπνῳ, / οἱ δ' ἔταροι μέγα ἔργον ἐμητίσαντο μένοντες, μ 371-3).

On the other hand it seems rather natural that the most beautiful and most frivolous of the Goddesses acknowledges her great foolishness after she has slept with a mortal; the precedent Eos-Tithonos makes her reluctant to ask Zeus to make Anchises immortal (νῦν δὲ δὴ οὐκέτι μοι στόμα χεῖσεται ἔξονομῆναι / τοῦτο μετ' ἀθανάτοισιν, ἐπεὶ μάλα πολλὸν ἀάσθη, *Hy. Ven.* 252-3).

*Ατη also seized the Centaur Eurytion in the palace of Peirithus, because he got drunk and went crazy causing damage to the house of his host, to the great consternation of the heroes: οἶνος ἄασε; ἄασεν οἶνω; φρεσὶν ἤσιν ἀασθείς; ὀχέων ἦν ἄτην; ἀεσίφρονι θυμῷ are concurrent homo-synonymic expressions in this passage of eight verses (φ 295-302) and show the troubled condition of the Centaur.

How ἄτη is working we learn from two passages in the *Iliad*: in the first (I 501-512) Phoenix holds his pathetic speech and tells of the Prayers—limping, shrivelled, sideways-looking daughters of Zeus—whose task is to follow ἄτη and try to heal the damage caused by her. The man (seized by ἄτη) who hears and respects the Prayers when they are near him benefits from their intervention and his wishes are fulfilled; if on the other hand anyone rejects their intervention they go to Zeus and beg him to pursue through ἄτη the impious man so that he stumbles and is punished. In the second passage (Ω 480-3) we learn how ἄτη seizes a man, who after he has slain a fellow countryman flees his homeland to take refuge in the house of a rich man: (he is so distraught that) «they see him with astonishment; such was the astonishment of Achilles on seeing Priam in his tent» (ὥς δ' ὅτ' ἔν' ἄνδρ' ἄτη πυκινὴ λάβη, ὅς τ' ἐνὶ πάτρῃ / φῶτα κατακτείνας ἄλλων ἐξέκετο δῆμον / ἄνδρός ἐς ἀφνειοῦ, θάμβος δ' ἔχει εἰσορόωντας, / ὥς Ἀχιλλεύς θάμβησεν ἰδὼν Πρίαμον θεοειδέα, Ω 480-3; a good interpretation of the difficult passage in LEAF, *Il.* II, p. 570).

*Ατη does not seem to be the final stage in this exploration of human aberration; ἄτη is the instrument of someone (God or man), who is holding the levers, who is the αἴτιος. Thus, αἴτιος, αἰτία becomes the magic word to which the tragic person who has committed an injustice or a fatal error first, takes refuge. The alibi he needs for his own consolation is already there: I am not to be blamed; the fault is not mine: someone or something else is responsible for it. The cases are frequent—as frequent as difficult situations are—and the expressions somewhat formulaic: σοὶ δ' οὐ νότ' ἀοιδαὶ / αἰτιοί, ἀλλὰ ποθὶ Ζεὺς αἴτιος, ὅς τε δίδωσιν / ἀνδράσιν ἀλφηστῆσιν ὅπως ἐθέλησιν ἐκάστω, Telemach says to his mother (α 347-9), who complains about the mournful song of Phemius. «The fault is not with the suitors», Antimoos tells Telemach, «but with your mother, who is very astute» (σοὶ δ' οὐ τι μνηστῆρες Ἀχαιῶν αἰτιοὶ εἰσὶ, / ἀλλὰ φίλη μήτηρ, ἣ τοι περὶ κέρδεα οἶδεν, β 87-8). Hephaistos, complaining to the Gods after the flagrant adultery of his wife with Ares, says: «I cannot blame anyone else but my parents» (ἀτὰρ οὐ τι μοι ἄλλος αἴτιος, / ἀλλὰ τοκῆε δόω, θ 311-2). Odysseus in Hades address

the soul of Ajax with flattering words and adds that «no one else is to blame, but that bitter foe of the Danaan army who brought you to your doom» (λ 558-60; cf. also χ 48-9 Eurymachus addressing Odysseus; χ 154 - 6 Telemach explaining to his father that he had left the door open; *Hy. Merc.* 278-6; 382-3 Hermes to Apollo and Zeus; *Hy. Cer.* 77 - 9 Helios to Demeter; Α 152-4 Achilles to Agamemnon; Τ 408-10 Xanthos [the horse] speaking to Achilles; Φ 273-6 Achilles [to Zeus] when in danger in the river Scamandros).

The connection of αἴτιος with ἄτη is implicit in the words of Priam to Helen (Γ 164-5 οὐ τί μοι αἰτία ἐσσί, θεοὶ νύ μοι αἰτιοὶ εἰσιν, / οἷ μοι ἐφόρμησαν πόλεμον πολύδακρυον Ἀχαιῶν), if we try to remember the ἄτη of Paris (Ζ 356, Ω 28) which refers to the same act; and in the words of Poseidon who blames Agamemnon for dishonouring the son of Peleus (Ν 111-3 ἀλλ' εἰ δὴ καὶ πάμπαν αἰτιός ἐστιν / ἦρωες Ἀτρεΐδης, εὐρὺ κρείων Ἀγαμέμνων, / οὐνεκ' ἀπητίμησε ποδώκεα Πηλεΐωνα) if we connect them with the words of Achilles and Patroclus (Α 411-2 — Π 273-4 γνῶ δὲ καὶ Ἀτρεΐδης εὐρὺ κρείων Ἀγαμέμνων / ἦν ἄτην, ὅ τ' ἄριστον Ἀχαιῶν οὐδὲν ἔτισεν) and of Agamemnon himself (Τ 88 οἷ τέ μοι εἰν ἀγορῆ φρεσὶν ἐμβαλον ἄγριον ἄτην; 136 οὐ δυνάμην λελαθέσθ' ἄτης, ἧ πρῶτον ἀάσθην), where there is an exact correspondence of words (αἴτιος - ἄτη) and of facts (ἀπητίμησε - οὐδὲν ἔτισεν).

It is not the purpose of this paper to exhaust such a large and interesting subject¹ or to discuss the dangerous problem of divine intervention and human responsibility, on which eminent scholars have failed to agree; what I hope to have shown even by this rough outline is that a system and a hierarchy of values were already established in private or communal and international relations in the homeric poetry. Certainly, it is not easy to understand human actions and reactions in so early an epoch; however, if we have correctly interpreted the texts we have examined here, the wrong of the first offender and the right of the attacked or injured person or community to resist the

1. It is impossible to enter here in the much discussed subject of free decision or of constriction, which lies outside our present scope; on this see BR. SNELL, *Die Entdeckung des Geistes* p. 117 ff. N.G.L. HAMMOND, *o.c.* 42-55. A. LESKY, <Decision and Responsibility in the Tragedy of Aeschylus>, *J.H.S.* 86, 1966, 78, 85; Α. ΣΚΙΑΔΑΣ, <Ἀνθρωπίνη εὐθύνη καὶ θεία ἐπέμβασις εἰς τὴν πρῶτον ποίησιν>, *Ἐπιστ. Ἐπετ. Φιλολ. Σχ. Πανεπ. Ἀθ.* 17, 1966-67, 438-60 (with extensive literature; on αἴτιος p. 448, n. 2; on Δίκη, ἄτη 452 ff.). G.M.A. GRUBE, <Zeus in Aeschylus>, *A.J.P.* 91, 1970, 43-51.

attack, denounce the culprit, and very likely to collect indemnity was already an established fact; it probably goes back to the natural impulse of man not to let himself become a victim of an aggressive animal or an aggressive and irresponsible man.

The road from a society without *θέμιστες* or a communal assembly¹, such as the society of the Cyclops («a fierce, uncivilized people who never care to plant our plough, who have neither assemblies where decisions are taken nor laws, but live in caverns on the top of the high mountains; each man is a law-giver to his children and wives, and nobody cares for his neighbour», ι 106-15) has been a long one even for Homer.

On the other hand through Hesiod's third generation of men (*Op.* 145 ff.) who were interested only in war and attack, did not eat wheat etc., and through Aeschylus' generosity of Prometheus who brought the homo insipiens from darkness and misery to light and illuminated life, as well as through Sophocles' Hymn to Man and Progress, in *Antigone* and more specifically through the myth of Protagoras, we follow the constant effort of the Greeks to understand the perennial and often ill-fated struggle of man to dominate nature and to become better than animals and better than himself. Intelligence and dexterity, evolution and progress were for them the potent instruments for the perfectibility of man and for the painful ascension towards self-restraint and justice so that they might—through peaceful cooperation and coexistence—not be destroyed: «ὅτ' οἶν ἀθροισθεῖεν, ἡδίκουν ἀλλήλους ἅτε οὐκ ἔχοντες τὴν πολιτικὴν τέχνην, ὥστε πάλιν σκεδαννόμενοι διεφθείροντο». The remedy was to grant man «αἰδῶ καὶ δίκην, ἔν' εἶεν πόλειων κόσμοι τε καὶ δεσμοὶ φιλίας συναγωγῶν» (Plat. *Prot.* 322 b - c).

That the law went so far as to become unjust, and instead of being a bond of friendship between men has sometimes developed into an organ of conflicting interests and tyranny, is again another interesting problem, which is also beyond the scope of the present paper.

1. On *θέμις*, *ἀθέμιστος* and related notions see E. WOLF, *o.c.* 1, 28 etc., 59, 84, 99, 104 ff., 116. R.J. BONNER - G. SMITH, *o.c.* 1, 9 ff. etc.