

**SOLON WRITES BACK:
ANOTHER READING OF *DÍKĒ*
IN ANCIENT HELLENIC POETS***

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***Abstract:** Departing from the idea of *dikē* [justice], present in Homeric poetry and the different perspectives developed in the poems attributed to Hesiod, I highlight some of the significant adjustments of that concept made by Solon in his historical context. In my discussion, I read some of his political poems – mainly frs. 4 and 36 *W.*¹ –, focusing on his allusions to writing. My purpose is to suggest new ways of comprehending *dikē* in Solon's poetry to reclaim his importance in the Hellenic tradition of thinking about justice and writing.*

***Keywords:** Justice; Solon; Hesiod; Homer; morality.*

**SÓLON ESCREVE DE VOLTA:
OUTRA LEITURA DE *DÍKĒ* NOS ANTIGOS POETAS HELÊNICOS**

***Resumo:** Partindo da ideia de *dikē* [justiça] presente na poesia homérica e das diferentes perspectivas desenvolvidas nos poemas atribuídos a Hesíodo, buscamos destacar alguns dos significativos ajustes feitos por Sólon a esse conceito em seu próprio contexto histórico. Em nossa argumentação, lemos alguns de seus poemas políticos — principalmente os frs. 4 e 36 *W.*¹ —, atentando para alusões à escrita. Nosso objetivo é sugerir novas formas de compreensão da *dikē* na poesia de Sólon, a fim de reivindicar sua importância para a tradição helênica de pensamento sobre a justiça e a escrita.*

***Palavras-chave:** Justiça; Sólon; Hesíodo; Homero; moralidade.*

The importance of *dikē* to any treatment of ancient morality or justice is acutely demonstrated by the number of publications dedicated to that concept in the last century. From the basic works by German philolo-

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gists such as Hirzel (*Themis, Dike und Verwandtes*, 1907), Ehrenberg (*Die Rechtsidee im frühen Griechentum*, 1921) and Jaeger (“Solons Eunomie”, 1926) through the seminal considerations by Vlastos (“Solonian Justice”, 1946), Gagarin (“*Dikē* in the *Works and Days*”, 1973) and Havelock (*The Greek concept of Justice*, 1978) and leading to the recent upheaval in Solonian studies, *dikē* is a fundamental idea in the poetics from the archaic period. In this brief paper, I survey some of the dimensions suggested by that concept in Homeric poetry and its different perspectives in the poems attributed to Hesiod, to highlight some of the significant adjustments made by Solon to his historical context. My main objective is to suggest that some characteristics of writing – as perceived by Solon and his public in ancient Athens – influenced the poet’s view of *dikē* at the end of the archaic period. I attempt to avoid the problem of authorship in Homer and Hesiod, assuming that Solon, on the other hand, was a historical figure who actually lived in Athens (from roughly the last third of the 7th century BC to the middle of the 6th century BC).¹

Firstly, it is interesting to remember the most commonly accepted etymologies and senses of *dikē*, derived from the root **deik-*: a) “sign, mark, characteristic”, meaning also “characteristic, traditional, proper behavior”; b) “boundary, dividing line”, also implying “‘settlement or decision’ between two contestants, that is, placing a ‘boundary line’ (straight or crooked) between them” (GAGARIN, 1973, p. 82). The etymological explanations given by Chantraine (1951, p. 284) basically follow that same direction, suggesting a certain relation between *dikē* [justice] and the verb *deiknumi* [to point] as a manifest designation by an authority, in addition to the importance of the oral manifestation in a verbal sentence given by such an authority (as in the etymologically related Latin verb *dicō*). An association with the verb *dikein* [to throw] has already been suggested, but rejected (CHANTRAINE, 1951, p. 282), and it seems that some word play could exist among *dikē*, **dékhomai* [to take, to accept, to receive] and *dokéō* [to seem].

These associations are clear in the excerpts of the *Iliad* most quoted in critical approaches to the theme of justice theme – so it is the case in the *ékphrasis* of Achilles’ shield made by Hephaistos, in which the following words are applied to the description of a city depicted on the heavy shield:

*In the meeting-place a crowd of citizens had formed;
a dispute had arisen there, and two men were quarreling*

*over the blood-money of a man who had been killed.
 One claimed [eúkheto] he had paid it in full, appealing to the people,
 while the other said he had received nothing; both were anxious
 to go to an arbitrator [epí histori] for judgement [peírar]. The people
 took sides,
 shouting support for both; heralds were holding them back,
 while the elders sat on polished stones in a sacred circle,
 holding in their hands the loud-voiced [hēerophónōn] heralds' staffs.
 The disputants rushed up to these men, and they gave their judge-
 ments [dikazon]
 in turn; two talents of gold lay before them, to be given to
 the judge who should deliver to them the straightest verdict [dikēn
 ithýntata eípoi].*
 (HOMER. *Iliad* XVIII, vv. 497-508, transl. Anthony Verity)

The legal procedures suggested in this excerpt include the importance of the voice, not only in the giving of sentences and verdicts, but also in the litigants' claims and oaths, as the verb *eúkhomai* seems to imply. Additionally, the excerpt reveals the symbolic valor of signaling, indicating, and pointing (as the "loud-voiced heralds' staffs" suggest). According to Havlock's (1978, p. 136) comments on this passage: "This kind of justice is not a set of preexistent principles or a set of rulings imposed by judges in the light of such principles. It is a symbol, or a process achieved through oral persuasion and oral conviction". Should other passages of the *Iliad* be cited here, the same pattern would reveal its connections to Iliadic instances of justice and judicial settlements.²

Also considering the *Odyssey*, it is possible to establish a series of further reflections and comparisons. The most important scenes of judicial debates occur in both Homeric poems during public assemblies, in which some characteristics are commonly identifiable, even if some differences also can be observed from one poem to the other:

Formally speaking, the agora's role in both poems is identical. It is to provide a forum which will (1) listen to the terms of a dispute as these are made the subject of harangue by contending parties and (2) attest as listeners statements made on oath by either party, attestations in which the gods are to be included. In the Iliad the agora also performs the function of witnessing an agreement finally

achieved with attestation of the terms of the agreement. In the Odyssey this function will be denied it. (HAVELOCK, 1978, p. 143)

Such a difference in the role performed by public assemblies in each poem can be related to another consensually accepted distinction between them: the *Odyssey* presents a moral polarization of its characters – the suitors are not just enemies, but they are also labeled with formulas that are morally pejorative –, while there is nothing of the sort in the *Iliad* (HAVELOCK, 1978, p. 151). One might argue that, even within the shame culture depicted through the conflicts on the plains of Troy, as is mainly the case in Hellenic society, according to Dodds (1951, p. 28-50), there are some moral elements that allow men to believe some things are right and others wrong (DICKIE, 1978, p. 93). I do not see any reason to deny that Homeric poems employ *dikē* in a moral sense: in my opinion, the concept in its legal and judicial dimensions has unavoidable moral implications.³ In addition to the moral standards in both poems, the *Odyssey* presents Odysseus's enemies as wrongdoers, offering a final ordeal as an extralegal solution to the moral offenses inflicted by them. Even if the same associations of *dikē* could be established with the importance of vocal commands and explicit determinations based on social authority, the *Odyssey* develops a certain suspicion towards the effectiveness of such a process for settling quarrels. In the words of Havelock:

The story of the Iliad makes perceptible a “justice” operating as a method for resolving disputes or as a symbol for such a method; it replaces physical conflict by a form of negotiation under the aegis of a popular assembly. There is no such “justice” operative in the Odyssey. The main action is extralegal; that is the way the story is told. (HAVELOCK, 1978, p. 148)

Hesiod develops these tendencies from the Homeric poems even further, pushing them into paradoxes and paroxysms. If, on the one hand, he personifies and deifies *Dikē*, expanding its meaning to a more general and abstract sense (GAGARIN, 1973, p. 89), on the other, he deepens suspicions towards the effectiveness of traditional legal procedures. These developments seem paradoxical, but they are part of the Hesiodic arrangement for the entire set of his poetic compositions, including not only the *Theogony* but also *Works and days*.⁴

In his poem about the genesis of the Olympian gods and the power of Zeus, Hesiod focuses on the divine order of the existence, presenting *Dikē* as Zeus's daughter:

Second, he [Zeus] married bright Themis, who gave birth to the Horae (Seasons), Eunomia (Lawfulness) and Dike (Justice) and blooming Eirene (Peace), who care for the works of mortal human beings, and the Destinies, upon whom the counsellor Zeus bestowed the greatest honor; Clotho and Lachesis and Atropos, who give the mortal human beings both good and evil to have. (HESIOD. Theogony, vv. 901-906, transl. Glenn Most)

In Hesiod's other poem, about the human condition, the word *dikē* introduces a range of more diverse and paradoxical meanings, which might reflect a more diverse and paradoxical human existence.⁵ Only by considering such a complexity it is possible to comprehend the traditionalism and innovations in Hesiodic poetry. Among the intertextual features of *dikē*, famously restated by him, it is possible to highlight: its opposition to force [*biē*] and violence [*hýbris*]; its connection to the swearing of oaths; its dependence upon kingship; its strong relationship with Zeus (probably arising from links between *dikē*, kings, and the king of the gods) (GAGARIN, 1973, p. 90-91).⁶ On the other hand, such an innovativeness in his poetic conception of *dikē* can be fully appreciated in the following excerpt, in which Hesiod is exhorting his brother, Perses, to pursue a just life:

As for you, Perses, give heed to Justice [Díkēs] and do not foster Outrageousness [Hýbrin]. For Outrageousness is evil in a worthless mortal; and even a fine man cannot bear her easily, but encounters calamities and then is weighed down under her. The better road is the one towards what is just [es tà dikaia], passing her by on the other side. Justice [Díkē] wins out over Outrageousness when she arrives at the end; but the fool only knows this after he has suffered. For at once Oath starts to run along beside crooked judgments [skoliēisi dikēisin], and there is a clamor when Justice [Díkēs] is dragged where men, gift-eaters [dōrophágoi], carry her off and pronounce verdicts [thémistas] with crooked judgments [skoliēis dè dikēis]; but she stays, weeping, with the city and the people's abodes, clad in invisibility, bearing evil to the human be-

ings who drive her out and do not deal straight. (HESIOD. Works and days, vv. 213-225, transl. Glenn Most)

As it has been noted for long, *dikē* in this excerpt can mean both “legal process”, mainly as it appears in the divinized form, and “penalty for the violation of legal process” (which surely becomes part of the legal process itself) (GAGARIN, 1973, p. 92). However, the most interesting aspect of that excerpt is the tension between the divine and more abstract concept of *Dikē* [Justice] – something that does not seem entirely devoid of a moral sense (DICKIE, 1973, p. 99) – and the human and more concrete concept of *dikai* [judgments]. It is as if Hesiod were starting to suspect that the majority of the *dikai* were uttered by gift-eaters, i.e. the kings [*basileis*] richly paid to do so; therefore, it could not effectively be a manifestation of *Dikē* upon the earth. Even if the poet considers the possibility of direct judgments [*dikas itheias*] pronounced by just people (*Works and days*, vv. 225-237), he advises against the evil that most people accomplishes without understanding its negative consequences upon themselves.

But to those who care only for evil outrageousness and cruel deeds, far-seeing Zeus, Cronus' son, marks out justice [dikēn].⁷ Often even a whole city suffers because of an evil man who sins and devises wicked deeds. Upon them, Cronus' son brings forth woe from the sky, famine together with pestilence, and the people die away; the women do not give birth, and the households are diminished by the plans of the Olympian Zeus. And at another time Cronus' son destroys their broad army or their wall, or he takes vengeance upon their ships on the sea. (HESIOD. Works and days, vv. 238-247, transl. Glenn Most)

It should be noted that the tension between a more traditional idea of Zeus (as the guarantor of *Dikē*) and punishment for improper behavior (as another meaning of *dikē*) is expressly built by Hesiod in these verses. Some scholars, like Gagarin (1973, p. 92-93), suggested that such a tension would occur due to Hesiod's lack of a sufficiently developed specialized vocabulary, but I would rather understand it as deliberate work on the paradoxes of human language and existence upon the earth, to sketch his realistic (or even pessimistic) *Weltanschauung*. That tension reaches its paroxysm in the next session of his poem, in which the divine form of *Dikē*, guarded by

Zeus, seems totally absent from his contemporary reality. Hesiod begins this excerpt with an admonition, asserting the unjust aspects of his own times and concluding with an ominous remark.

As for you kings, too, ponder this justice [tēnde dīkēn] yourselves. For among human beings there are immortals nearby, who take notice of all those who grind one another down with crooked judgments [skoliēisi dīkēisin] and have no care for the gods' retribution [ópin]. Thrice ten thousand are Zeus' immortal guardians of mortal human beings upon the bounteous earth, and they watch over judgments and cruel deeds [hoi rha phylássousin te dikas kai skhétlia érga], clad in invisibility, walking everywhere upon the earth. There is a maiden, Justice [Dikē], born of Zeus, celebrated and revered by the gods who dwell on Olympus, and whenever someone harms her by crookedly scorning her, she sits down at once beside her father Zeus, Cronus' son, and proclaims the unjust mind [ádikon nóon] of human beings, so that he will take vengeance upon the people for the wickedness of their kings, who think baneful thought and bend judgements to one side by pronouncing them crookedly [dikas skoliōs enépontes]. Bear this in mind, kings, and straighten your discourses [ithýnete mýthous], you gift-eaters, and put crooked judgments [skoliōn de dikéōn] quite out of your minds. A man contrives evil for himself when he contrives evil for someone else, and an evil plan is most evil for the planner. Zeus' eye, which sees all things and knows all things, perceives this too, if he so wishes, and he is well aware of just what kind of justice [hoiēn de kai tēnde dīkēn] this is which the city has within it. Right now I myself would not want to be a just man among human beings [autōs en anthrópoisi díkaioi], neither I nor a son of mine, since it is evil for a man to be just [epeí kakōn ándra díkaion] if the more unjust one will receive greater justice [ei meizōge dīkēn adikōteros éxein]. But I do not anticipate that the counsellor Zeus will let things end up this way. (HESIOD. Works and days, vv. 248-273, transl. Glenn Most)

Hesiod only utters the paradox that the more unjust man receives greater justice than the just one, because he is playing upon two meanings of the word *dikē*.⁸ This is proposed in the passage after the reassertion of *Dike*'s

divine ascendancy and transcendental protection, which highlighted the gravity of the kings' faults (such as uttering crooked discourses and judgments). It is clear that Hesiod develops in these verses a deeper suspicion against earthly methods of asserting *dikē*: the kings may be the ministers of Zeus's justice upon the earth (as it is said in *Theogony* 80-92), but their procedures of gift-eating have led their discourses and judgments astray, misleading them towards a crooked path that corrupted the city to the point in which being a just man became an evil.

Hesiod denounces the distance that lies between Zeus (the last bastion of justice), his daughter, *Dikē* [Justice], the earthly kings [*basileîs*] and their judgments [*dikai*]. That attitude would be a distinctive feature of Hesiodic poetry, a critical opposition to aristocratic control of justice mechanisms (GLOTZ, 1904, p. 239-243; SVENBRO, 1981, p. 60-66; IRWIN, 2005, p. 157-158). However, if the possibility of an effective critique did not exist for Hesiod and his public in Boeotia, it did become a reality when another moralist poet came to power in the beginning of the 6th century in Athens.

Solon is as earnest a moralist as Hesiod. But instead of turning loose upon his audience the traditional repertoire of superstitious terrors, he makes them look at history, considering cause and effect. There is no evidence that he thinks of a concept of social causality; but he certainly thinks with one. (VLASTOS, 1946, p. 66)

This comparison between Solonian poetry and the Hesiodic legacy is a common approach in modern scholarship.⁹ In my comments, I would like to suggest that Solon radicalizes Hesiod's suspicion towards the unsurmountable distance between Zeus and human sentences, i.e. between *Dikē* and *dikai*, departing from the same kind of diagnosis from roughly similar historical situations — but proposing a further prognosis in order to deal with them.¹⁰

Amongst Solon's depictions of important Hesiodic themes, the following verses are commonly recalled as an important moment of their dialogue.

But it is the citizens themselves who in their senselessness are willing to destroy a great city, persuaded by money; and the mind of the leaders of the people is unjust, and they are certain to suffer much grief from their great hybris. [...]
These evils redound upon the citizen body: but many of the poor arrive in foreign lands, having been sold and bound in unseemly

chains. In this way does a public ill come to the home of each, and the courtyard doors refuse any longer to hold it back, and it leaps over the high wall, and it surely finds him, even if he flees into the innermost recess of his room. (SOLON. 4 W.² 5-8; 23-29, transl. Elizabeth Irwin)

This is mainly the same moral doctrine as the one presented by Hesiod in a passage previously quoted from *Works and days*,¹¹ even Solon's remarks have overtones of a more communal dimension. In any case, that moral inclination seems to be linked to a didactic impulse behind both poetic works.¹² Furthermore, one can observe that,

[n]early all of the themes of Solon 4 appear in Hesiod's poetry, primarily in the Works and Days, but also the Theogony. Solon 4 is characterised by the same nexus of thought that pervades the Works and Days. The excesses of leaders, the instrumentality of greed in the creation of injustice and communal suffering, the detailed focus on δίκη and the consequences for the city of its behaviour towards δίκη are dominant themes in both texts [...]. (IRWIN, 2005, p. 159)

However, I should also note the differences between the conceptions by both poets as subjacent to such obvious resemblances: Solon dismisses divine intervention as one of the possible reasons for the destruction of the *pólis*;¹³ Zeus is not depicted as the ultimate bastion of Justice,¹⁴ while Justice appears acting by itself in a rather distinctive way.

They¹⁵ grow rich relying on their unjust deeds [adíkois érgmasi] ... Sparing nothing of sacred nor public property they steal, pilaging from one another, and they do not watch over the solemn foundations of Justice [oudè phulássontai semnà Dikēs thémethla], who in silence bears witness to both the things taking place and those that were before [hè sigôsa súnoide tà gignómēna pró t'éonta], and in time does certainly come exacting retribution [tôi dè khronōi pántōs élth' apoteisoménē]. (SOLON. 4 W.² 11-16, transl. Elizabeth Irwin)

If the subject of the evil deeds represented in these verses focuses on the *démou hēgemónes* [leaders of the people], there is an assumption that they would be responsible for watching over the solemn foundations of Justice

[*semnà Dikēs thémethla*] and that, because of their negligence, Justice itself must exact retribution in due time, bearing witness in silence to the events taking place and the ones that preceded them. The differences from the Hesiodic report on retribution for abuses of Justice are symptomatic and may reveal what lies behind the following expressions: *semnà Dikēs thémethla* [solemn foundations of Justice], *sigōsa* [in silence], *súnoide* [bears witness] and *tôi khrónōi* [in time]. On the main differences between Hesiod and Solon, one might note that,

Solon seems to avoid the elements of vulnerability present in Hesiod's depiction of Δίκη. While the silence of Solon's Δίκη may be ambiguous (σιγῶσα, 'in silence'), she does not cry like Hesiod's maiden. In fact her silence contrasts with both descriptions of Hesiod's justice for whom there is a ῥόθος ('clamour') when she is dragged away and who complains to her father (γηρῦετό ἀνθρώπων ἄδικον νόον, 'she tells of unjust mind of men', 260) when she is wronged. Moreover, Hesiod's justice flits about, shrouded in mist, whereas Solon's Δίκη has rather permanent-sounding σεμνὰ θέμεθλα ('august foundations'). Further still Solon's Δίκη does not seem to need Zeus: she can herself exact τίσις ('requit'). (IRWIN, 2005, p. 174)

My suggestion for the main reason of differences underlying these accounts about *Dikē* is that they relate to a substantial distinction in medium: while Hesiod depicts an oral justice, based on the divine power of oral formulas applied to sentences [*dikai*], Solon deals with the written dimension of justice based on the application of laws [*thesmoi*] fixed by writing. It is commonly acknowledged that some of Solon's innovativeness is due to the application of writing to his poetry and sociopolitical work (e.g. THOMAS, 1992, p. 66-71), as he explains it himself in some of his poems and as the main ancient sources on biographical tradition about him mention explicitly. However, most modern scholarship does not seem to have recognized the implications of a “grammatological conscience” in Solon's thought for his conception of *Dikē*.

In a poem quoted in chapter 12 of Aristotle's *Athenaion Politeia* to document certain aspects of his political career, Solon — talking about the liberation of the earth and the Athenian slaves — suggests that,

[t]hese things with strength [*krátei*], combining force and justice [*bíēn te kai dikēn xunarmósas*], I accomplished, and I carried out my promises.

I wrote [égrapsa] laws [thesmoùs] for the bad/lowly and the good/noble man equally, fitting straight justice to each [euthéian eis hékaston harmósas dikēn]. (SOLON 36 W.² 15-20, transl. Elizabeth Irwin)

Beyond the tyrannical traces in these verses (including other excerpts of Solonian poetry), as correctly stressed by Irwin (2005, p. 205-261),¹⁶ it should be noted that a strong relationship is suggested between writing laws and fitting direct justice. The reiteration of the radical *ar- (present in the verbs *xunarmózō* [to combine] and *harmózō* [to fit]) in relation to different instances of *dikē* [justice] advances the idea of a material dimension for the effective adjustment of justice within his poetry.¹⁷ Such a material dimension, I suggest, is intrinsic to his writing of the laws [thesmoí].

In that sense, my idea is that Solon observes the same kind of problem previously described by Hesiod: the noble men responsible for tentative maintenance upon the earth of *Dikē* [Justice] had been harming it through their crooked *dikai* [judgments].¹⁸ The distance between a transcendent guarantee of *Dikē* [Justice] and its manifestations in human existence, in the oral utterances of *dikai* [judgments], seemed too great to be surmounted; however, while Hesiod's attitude varies from pessimistic submission to an expression of faith in the ultimate power of Zeus to an attempt of admonishing powerful people to act with fairness, Solon tried to deal more consciously with that inaccessible transcendence of guaranteeing *Dikē*. Solon founded in his own writing a material dimension that might fundament the immanent righteousness of Justice and, as such, a matter of "common" or "public" truth. His strategy opened some areas of power to new classes of people and affected the aristocratic prerogative of applying justice by widening it.¹⁹

This movement had already been properly described by Nicole Loraux (1988, p. 124) in her excellent essay on the tensions between oral traditions and written poetry in Solon's work. The effectiveness of Solon's prognosis depended on other points from his political reforms; and even if he did not execute a radical reformation, as some people would have wished, the overall sketch of his program was rather progressive.²⁰ This characteristic is linked to the revolutionary impact that writing seems to have had in the archaic period (an aspect that I can only allude to in this brief paper).²¹ Regardless, now that I have delineated the main lines of my argument, it is possible to suggest what lies behind the expressions of *semnà Dikēs thémethla* [solemn foundations of Justice], *sigósa* [in silence], *súnoide* [bears witness] and *tôi khrónōi* [in time].

The word *thémethla* [foundations] refers to the spatialization of oral power when an inscriptional device is projected and laid down in a public space with evident architectonic implications. It is not a coincidence that the word — *thémethla* — has the same etymology of the verb *títhemi* [to set] and the substantive form *thesmoí* [laws] (LORAUX, 1988, p. 116).²² They suggest a spatial monumentality required to fundament the new *Dikē* as conceived by Solon in Athenian law.

Another characteristic of that written monumentality of *Dikē* is that it can bear witness in silence. As public inscriptions of the laws are visible to everyone in the public space and readable by every literate citizen, this *Dikē* is said to bear witness [*súnoide*] – with all legal implications of such a vocabulary – in silence [*sigōsa*]. It does not need to evoke a clamor [*rhóthos*], to weep [*kláiousa*], or even sit down beside father Zeus, proclaiming the unjust mind of human beings [*pár Diū patri kathezoménē Kroniōni/ gērúiet' anthrōpōn ádikon nóon*], as Hesiod had previously said about it (*Works and days* 220-224; 260). Justice stands visibly and silently, bearing witness of the past and of the present to exact future retribution;²³ the pragmatic dimension of *Dikē*'s activities may be one of the reasons for the specificity found in the Solonian conception (NOUSSIA-FANTUZZI, 2010, p. 241).

Finally, the expression *tói khrónōi* [in time] refers to the temporalization necessary for the manifestation of *Dikē* through due examination of written laws in specific legal processes, in effective public judgments [*dikai*]. It comes as no surprise that Solon, in other political poems, alludes to the importance of time in the effectiveness of just work. Such is the case for Solon 36 W.² 1-7,²⁴ and Solon 13 W.² 25-32.²⁵ The poet seems conscious that an inevitable distance – in space and time – lies between a transcendent idea (for a divinized *Dikē*) and any of its earthly manifestations (for *dikai* [judgments]). Founding his conception of *Dikē* on an earthly institution that recreates and reserves that inevitable distance was Solon's way of dealing with a great political problem.²⁶ As noted by a scholar,

[t]his regular movement of time as the enactment of balance and justice, as natural law, is an idea that we can observe simultaneously take shape in Asia Minor during the same period; notably and most famously in Anaximander, of course [Anaximander 1 DK (= Simplicius in *Phys.* 24, 17)]. Both can be seen, in part, as an imposition on the world of the spirit of the written law codes that were, at this time, first being set in wood and stone throughout the cities of the Greek world. (GAGNÉ, 2009, p. 37)

It could be argued that one of the main points in Solon's political agenda, i.e. his conception of Eunomia, contains genuine and undeniable links to his view of *Dikē* and its material dimensions in the written law, as discussed throughout this paper.²⁷ I will not develop this interpretation much further, but it seems important to stress the following points: Solon mentions something that can be taught (as the verb *didaxai* indicates); the things put in order are said to be materially fit (as suggested by the reiteration of the radical *ar-, in the two mentions of the word *ártia*); the crooked judgments [*díkai*] are said to have been straightened (with the employment of the verb *euthúnō*), as said about the result of writing laws [*égrapsa ... thesmoús*] (in fr. 36 W.²). These are the final verses of his famous fr. 4 W.²:

This is what my heart bids me teach [*didaxai*] the Athenians: Dysnomia furnishes the most ills for the city, but Eunomia makes all things [*pánt' apopháinei*] well ordered and fit [*eúkosma kai ártia*], and often it shackles the feet of the unjust. It smooths the rough, puts an end to excess, diminishes hybris, causes to wither the growing flowers of ruinous behaviour. It straightens crooked judgements [*euthúnei dè díkas skoliás*], and makes gentle overweening acts. It stops the works of discord, and brings to an end the anger of grievous strife; under its guidance all things among men are both fitting and in proper accord [*pánta kat' anthrópous ártia kai pinutá*]. (SOLON 4 W.² 30-39, transl. Elizabeth Irwin, *adapted*)

I attempted to delineate new dimensions of the Solonian *Dikē* in contrast to what had already been suggested by the main poets of the hexametrical tradition in the archaic period (Homer and Hesiod).²⁸ In my analysis, I read some of Solon's political poems, mainly frs. 4 W.² and 36 W.², as they contain Solon's basic views of *dikē*, adopting a strategy of considering his poetical allusions to technological developments such as writing in his interactions with sociopolitical institutions.

Even though that approach has been common in recent scholarship since the works by Nicole Loraux (1989) and Fabienne Blaise (1995), my results differ from those in important aspects: I defend not only that writing had a profound impact on the way Solon conceived justice in his own terms, but also that the poet dealt with it as an important object of his reflections. Although previous studies might have suggested some points of that thesis, they did not explicitly defend that some characteristics of writing, such as materiality, durability, visibility and publicity, influenced Solon's view of justice. My main point, therefore, is to provide new ways

of comprehending Solonian *Dikē* through new readings of his poetry, with its complex intra- and intertextual allusions, and to highlight Solon's position as one of the main figures in the Hellenic tradition of Western thought.

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Notes

¹ The question has been well summed up by Almeida (2003, p. 1-69). Lefkowitz (2012) offers a critical approach to the biographical tradition of the poets. Some problems of authorship and authority in the context of sympotic poetry (as in the case of Solon’s poetry) are addressed by Irwin (2005, p. 32-3).

² In his treatment of the theme, Havelock (1978) deals with the first quarrel between Achilles and Agamemnon, in the beginning of the *Iliad* (p. 129-130), the preparations for the embassy in the book IX (p. 130-131), Agamemnon's apology in the book XIX and Menelaus asking for justice in the chariot race of the book XXIII (p. 133-135), besides the passage previously quoted, of the book XVIII (p. 135-137). Some of those passages are also analyzed, through a somewhat different perspective, by Gagarin (1973, p. 83-87).

³ For a substantial argumentation in this direction, cf. Dickie (1978, p. 91-101). *Contra*: Gagarin (1973, p. 87); Havelock (1978, p. 192).

⁴ Jenny Strauss Clay (2003) has suggested this approach as a way of understanding the complexities of Hesiod's poetical corpus.

⁵ This idea was developed by Clay (2003, p. 6-8) in her interpretation of Hesiod's considerations about *Éris* [Strife], from the divine perspective (in the *Theogony*) and the human one (in the *Works and days*).

⁶ Even asserting Hesiod's traditionalism, I disagree with Havelock's "homero-centric" reading of the *Works and days* (HAVELOCK, 1978, p. 193-217). For a critique of this approach, cf. Almeida (2003, p. 182-184).

⁷ Here, the sense of *dikē* could also be "punishment" (GAGARIN, 1973, p. 92).

⁸ This may be the easiest argument against Rodger's (1971, p. 289-301) case for a "Protagorean" sense of justice in Homer, Hesiod and other archaic and classical authors. Rodger says that, until Plato, *dikē* is that which avoids disaster and that *dikaïos* is the man who succeeds well. Against this interpretation of *dikē*, cf. Dickie (1973, p. 100-101).

⁹ Cf. Vlastos (1946, p. 66); Gagarin (1974, p. 190-192); Havelock (1978, p. 249-262); Irwin (2005, p. 155-198); Blaise (2006, p. 114-133). The restrictive character of some of the studies that overstate Solon's "dependence" upon Hesiodic poetry is contested by Fabienne Blaise (1995, p. 25, n. 7; 2006, p. 120, n. 21).

¹⁰ To a recent overview of the historical background of this poetical production, cf. Almeida (2003, p. 119-174, especially p. 159-170).

¹¹ "A man contrives evil for himself when he contrives evil for someone else, and an evil plan is most evil for the planner" (*Works and days* 265-266, transl. Glenn Most).

¹² Hesiod's exhortations to his brother Perses, in the *Works and days*, have already been partially quoted. In Solon's case, there is this important verse, for example: "These things does my heart bid me to teach the Athenians ..." (SOLON 4 W.² 30, transl. Elizabeth Irwin).

¹³ That is clear in the opening lines of Solon's poem: "Our city will never perish by the dispensation of Zeus or the intentions of the blessed gods, who are immortal. For such a stout-hearted guardian, daughter of a mighty father, Pallas Athena, holds

her hands over it in protection.” (SOLON 4 W.², transl. Elizabeth Irwin). I do not agree with Fabienne Blaise (2006, p. 125-127), when she suggests that these verses assert that the “city will never perish” *tout court*, because the poet says that the “city will never perish *by the dispensation of Zeus or the intentions of the blessed gods*”. In other words, no external enemy will destroy the city, but internal strife may be able to do so (IRWIN, 2005, p. 98-100).

¹⁴ That is to say, not in Solon 4 W.², because in another poem this is precisely his role: “*allà Zeùs pántōn ephorài télōs [...]*”; “*toiaútē Zēnōs péletai tísis*” (SOLON 13 W.² 17; 25). I would say, in regard to Solon’s conception of Justice in this poem, that his remarks are not a series of contradictions paratactically juxtaposed, but a complementary addition to his own idea of Justice that is neither contradictory to the rest of his poetic corpus, nor self-contradictory, as some scholars suggest (for bibliography, cf. STODDARD, 2002, p. 149-152). With this complementary view of Justice, Solon explains the cases in which no immanent just effectiveness would have seemed to be displayed: how could one understand the suffering of innocent people or the absence of punishment for the unjust ones? In such cases, no Justice would have seemed to be at work. So the poet developed a complementary view of Justice — being aided by Zeus’s supervision — to certify that no unjust person avoid punishment, even if this punishment is delayed in one, two or three generations before hitting the unjust *génos* (and, in the process, punishes an innocent member of such a *génos*). This more *general* conception of Justice, although highly outlandish from a modern individualistic perspective, has the virtue of enlightening areas of apparently incomprehensible situations in human existence, employing a common feature of archaic moral-religious beliefs (cf. GLOTZ, 1904, p. 168-9, *contra* GAGNÉ, 2009, p. 43-44). Even if I do not totally agree with Fabienne Blaise’s arguments, her complementary reading of Solon 4 and 13 W.² is a very interesting one (BLAISE, 2005).

¹⁵ The subject of the verb is probably the *démou hēgemónes* [leaders of the people], unless the lacuna in the fragmentary poem hides a change of subject.

¹⁶ Blaise (1995, p. 35) suggests that such traces — characteristic of an isolated position — are in part due to Solon’s difficulty in finding an immanent foundation to his laws.

¹⁷ Blaise (1995, p. 27) calls attention to that symmetry and suggests that Solon’s action and writing of laws were parallel movements within his political project. Cf. also: Loraux (1988, p. 123-124).

¹⁸ The distinctions from *dikai* [judgments] to *Dikē* [Justice] ought to be constantly bore in mind (cf.: BLAISE, 1995, p. 30; ALMEIDA, 2003, p. 196-197).

¹⁹ Although I would rather modulate the radicalism with which Solon’s achievements are described by Vlastos (1946, p. 83), I am in general agreement with his

concluding remarks about the Solonian justice. Blaise (1995, p. 30) suggests something in this same sense, while pointing to the importance of writing.

²⁰ For a recent overview about these aspects of Solon's work, through a reading of the main sources to the biographical traditions about him (i.e. Aristotle's *Athenaion Politeia* and Plutarch's *Life of Solon*), cf. Almeida (2003, p. 8-19).

²¹ For further remarks upon this revolutionary impact (cf. DETIENNE, 1989; THOMAS, 1992).

²² Other interesting remarks are made by Noussia-Fantuzzi (2010, p. 239).

²³ However, I cannot agree with neither of Irwin's suggestions that: a) "knowledge of the future is implicit in Dike's very workings" (IRWIN, 2005, p. 177, n. 59), because in my opinion Solonian *Dikē* has rather a possibility of *performing* upon future events; b) the silence of Solon's Justice may be linked to silent diseases of Pandora's myth, as it is said in *Works and days* 104 (IRWIN, 2005, p. 181, n. 71). I also disagree with Almeida's interpretation about this same passage (ALMEIDA, 2003, p. 212-214).

²⁴ Transl. Joseph Almeida *adapted*: "Before achieving what of those things on account of which I gathered the demos, did I stop? The dark Earth, the most excellent mother of the Olympian gods would give witness in *the dike of Time* that I removed the disseminated *horoi* from her, which was enslaved, but is now free".

²⁵ Transl. Gerber (*apud* GAGNÉ, 2009, p. 24): "Such is the vengeance of Zeus. He is not, like a mortal man, quick to anger at every deed. But one who has a sinful heart never escapes the notice of Zeus, for in the end, without fail, he is revealed. One man pays his due at once, another later. And those who themselves flee and escape the pursuing destiny from the gods, for them vengeance always comes at some other time, without fail: then the innocent pay the penalty – either the children of the guilty, or later progeny".

²⁶ For a somewhat different reading of the role of time in Solon's political project – considering the importance of *Gê* [Earth] – (cf. BLAISE, 1995, p. 32; p. 36-37).

²⁷ Even if Almeida's overall approach to Solon's *Dikē* tended to overstate its political aspects – at the expenses of the juridical ones –, some of his own conclusions correct the one-sidedness of his main approach and tend to coincide with my suggestions here (cf. ALMEIDA, 2003, p. 231).

²⁸ With this affirmation I expressly contradict some of the main scholars that had guided my researches throughout those questions, as Gagarin (1974, p. 190, n. 33) and Havelock (1978, p. 262). I also disagree with Almeida's highly "dis-juridicized" main interpretation of Solon's *Dikē* (ALMEIDA, 2003, p. 204-206).