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# Poetry and the Dēmos: State Regulation of a Civic Possession

## SUMMARY

This article argues that poetry – the Homeric epics and the works of the tragedians – enjoyed an importance to the democratic government of Athens equal to that of the city’s laws. Like laws, poetry was powerful. Like the law, too, poetry was regulated and, at times, manipulated according to the political needs of the city and its rulers.

## POETRY IN THE COURTROOM

The pervasive civic importance of poetry in Athenian democracy during the fifth and fourth centuries BCE has been obvious since ancient times. The figure Demades in Plutarch calls the theoric fund, which paid for the entrance fee into dramatic festivals for all citizens, the “glue of the democracy” (ὡς ἔλεγε Δημάδης, κόλλαν ὀνομάζων τὰ θεωρικὰ τῆς δημοκρατίας) (Plut. *Platonic Questions* 1011b).

In Aeschines's oration *Against Timarchus*, Aeschines asks his jury to apply wisdom from the poetry of Euripides in their judgment of the case before them:

Σκέψασθε δέ, ὦ Ἀθηναῖοι, τὰς γνῶμας ἃς ἀποφαίνεται ὁ ποιητής. Ἦδη δὲ πολλῶν πραγμάτων φησὶ γεγενῆσθαι κριτής, ὥσπερ νῦν ὑμεῖς δικασταί, καὶ τὰς κρίσεις οὐκ ἐκ τῶν μαρτυριῶν, ἀλλ' ἐκ τῶν ἐπιτηδευμάτων καὶ τῶν ὁμιλιῶν φησὶ ποιεῖσθαι... οὐκ κνησεν ἀποφύνασθαι τοιοῦτον εἶναι οἷσπερ ἦδεταί ξυνών. Οὐκοῦν δίκαιον καὶ περὶ Τιμάρχου τοῖς αὐτοῖς ὑμᾶς Εὐριπίδη χρήσασθαι λογισμοῖς.

Consider, O Athenians, the sentiments that the poet expresses. He says that in the past he has been the arbiter of many disputes, just as you jurors are now, and he says that he makes his decisions not based on the testimony of witnesses, but on the habits and company of the defendant... he did not shrink from claiming that a man's character is none other than that of those with whom he likes to associate. Therefore it is right for you also to use the same logic as Euripides in the case of Timarchus. (Aeschines, *Against Timarchus* 153)

In fact throughout his prosecution Aeschines provides carefully selected citations of Homer and the tragedians to support his claim that Timarchus has led the kind of life which, according to Athenian law, precludes him from speaking in the democratic assembly. Moreover, whenever

Aeschines cites poetry, he uses the same wording as when he cites a law or an affidavit: he calls on the *grammateus* to read out specific passages, and then he comments upon them. Compare the following two passages:

Ἀναγνώσεται οὖν ὑμῖν τούτους τοὺς νόμους ὁ γραμματεὺς, ἵν' εἰδῆτε ὅτι ὁ νομοθέτης ἠγήσατο τὸν καλῶς τραφέντα παῖδα ἄνδρα γενόμενον χρήσιμον ἔσεσθαι τῇ πόλει· ὅταν δ' ἡ φύσις τοῦ ἀνθρώπου εὐθὺς πονηρὰν ἀρχὴν λάβῃ τῆς παιδείας, ἐκ τῶν κακῶς τεθραμμένων παίδων παραπλησίους ἠγήσατο πολίτας ἔσεσθαι Τιμάρχῳ τουτῶι. Λέγε αὐτοῖς τοὺς νόμους τούτους.

The *grammateus* therefore will read out (ἀναγνώσεται) the laws for you, so that you may know that the lawgiver believed that the child who was brought up well would be a good citizen. But whenever human nature receives a depraved beginning to its education straightaway from childhood, he believed that the citizens that resulted from such badly brought up children would be like this man Timarchus. Read (λέγε) for them these laws. (*Against Timarchus* 11)

Ἵνα δὲ καὶ διὰ τοῦ μέτρου τὰς γνώμας ἀκούσητε τοῦ ποιητοῦ, ἀναγνώσεται ὑμῖν ὁ γραμματεὺς τὰ ἔπη τὰ περὶ τούτων ἃ Ὅμηρος πεποίηκε. Λέγε πρῶτον τὰ περὶ τῆς Ἑκτορος τιμωρίας.

In order that you may hear the sentiments of the poet in verse, the *grammateus* will read out (ἀναγνώσεται) for you the epic verses, which Homer has composed concerning these things. Read (λέγε) first the verses about the revenge against Hector. (*Against Timarchus* 147)

Aeschines' use of Homer and Euripides as evidence in a court case shows the student of the Athenian *dēmos* a great deal about the important role that poetry played in the democracy. Like written laws that guaranteed constitutional rights for all citizens, the poetry of Homer and tragedy was the common intellectual and moral property of the *dēmos*, and a standard by which behavior could be assessed. The law court with its jury of citizens was a place in which the behavior of individuals was constantly being evaluated in relation to the values of the *polis* as a whole.

It is essential for any student of the Athenian *dēmos* to understand the authority of poetry in the civic discourse of Athens. The authority of poetry, moreover, is not restricted to tragedy (as we have seen) nor to disputes in the courts. Carolyn Higbie has shown the way in which Homer and the Iliadic "past" could be cited as authoritative evidence in all sorts of disputes, including Athenian claims to the island of Salamis and an incident that Herodotus relates in which the Athenians and Spartans make their claims to command of the Greek navy and army against the Persians before Gelon of Syracuse.<sup>1</sup> Higbie points out that

in Aristotle's *Rhetoric* the philosopher cites poets from the past as one of two types of witnesses, the ancient and the recent (οἱ μὲν παλαιοὶ οἱ δὲ πρόσφατοι), and he notes the ancient as the more secure. He does this within in a passage in which he himself cites Sophocles' *Antigone* on the concept of unwritten laws.<sup>2</sup> Aeschines cites Homer in conjunction with tragedy throughout his orations, as do other orators.

#### GUARDING POETIC TEXTS

But the formula by which Aeschines calls upon the *grammateus* to read aloud a segment of poetry raises for me many questions. What text does the *grammateus* read when he is called upon to do so? Is it one provided by Aeschines? What kind of state texts, if any, existed for Homer and the tragedians? I would like to explore the question of state regulation of dramatic texts in the context of the definition of poetry that I have given above – that is the common intellectual and moral property of the *dēmos*. To what extent, and more importantly, why did the Athenian democracy regulate that possession? Plutarch's *Lives of the Ten Orators* (Plut. *Mor.* 841F) mentions a Lycurgan law that called for official state copies of the tragedies of Aeschylus, Sophocles and Euripides to be placed in the Metroon:

1. C. Higbie, "The Bones of a Hero, The Ashes of a Politician: Athens, Salamis, and the Usable Past." *Classical Antiquity* 16 (1997): 279–308. Athenian claims to Salamis based on Homer's *Iliad*: Aristotle, Plutarch *Solon* 10.2–3, Strabo, Diogenes Laertius. Command of the Greek army and navy against the Persians: Herodotus 7.159–161.

2. Aristot. *Rh.* 1375a–b: καὶ περὶ μὲν τῶν νόμων οὕτως διωρίσθω· περὶ δὲ μαρτύρων, μάρτυρές εἰσιν διττοί, οἱ μὲν παλαιοὶ οἱ δὲ πρόσφατοι, καὶ τούτων οἱ μὲν μετέχοντες τοῦ κινδύνου οἱ δ' ἐκτός. λέγω δὲ παλαιούς μὲν τοὺς τε ποιητὰς καὶ ὄσων ἄλλων γνωρίμων εἰσὶν κρίσεις φανεραί, οἷον Ἀθηναῖοι Ὀμήρω μάρτυρι ἐχρήσαντο περὶ Σαλαμίνας...

"Witnesses are of two kinds, ancient and recent; of the latter some share the risk of the trial, others are outside it. By ancient I mean the poets and men of repute whose judgements are known to all; for instance, the Athenians, in the matter of Salamis, appealed to Homer as a witness" (Aristotle, *Rhetoric* 1375b).

τὸν δέ, ...χαλκᾶς εἰκόνας ἀναθεῖναι τῶν ποιητῶν, Αἰσχύλου Σοφοκλέους Εὐριπίδου, καὶ τὰς τραγωδίας αὐτῶν ἐν κοινῷ γραψαμένους φυλάττειν καὶ τὸν τῆς πόλεως γραμματέα παραναγινώσκειν τοῖς ὑποκρινομένοις·

[Next he proposed] that bronze statues of the poets Aeschylus, Sophocles, and Euripides be set up, and that written copies of their tragedies be guarded in the public treasury and that the *grammateus* of the *polis* read them out publicly (παραναγινώσκειν) to the actors. (Plutarch Lives of the Ten Orators 841F)

It is generally believed that this was done to protect the texts from actors' or other kinds of interpolation which was corrupting the textual tradition of the plays and likewise their subsequent performance, and the verb παραναγινώσκειν has another meaning that may be relevant here, which is "to collate" or "to compare". That the texts would need to be protected from insertions is an interesting one to which I will return.

For the moment I am interested in the word φυλάττειν ("to guard" or "to protect") which Plutarch tells us was the purpose of the law. This word has a military connotation which is intriguing, but it also turns the tragedies of Aeschylus, Sophocles, and Euripides into a *ktēma* (a "possession") of the sort Thucydides hoped his history would be (Thuc. 1.22). This is a possession that the Athenian *dēmos* wants to keep and store away in the Metroon in its func-

tion as a treasury, in order to regulate and control how that possession is used. The Metroon is also of course the Athenian archive, a place where laws are kept. The *grammateus* in fact, that same figure who as we have seen reads out the laws and affidavits and citations of poetry to the jury, according to the law of Lycurgus will read out the plays to the actors so that they can learn their parts. It is not clear whether the actors were even allowed to make copies for themselves (and again the meaning of the verb παραναγινώσκειν comes in to play here).

#### POETRY AND THE TYRANTS

I would like to suggest that this kind of regulation of poetry by the Athenian democracy is reminiscent of the control over poetry once asserted by the Peisistratid tyranny. Gregory Nagy, in his 1990 book *Pindar's Homer*, has shown how the possession of poetry was a primary sign of the tyrant's wealth, power, and prestige.<sup>3</sup>

3. G. Nagy in a chapter entitled "Epic, Praise, and the Possession of Poetry" (*Pindar's Homer* [Baltimore, 1990]), p. 158.

A striking passage that he cites is Herodotus 5.90.2:

[Hdt. 5.90.2] ἐκτήσατο δὲ ὁ Κλεομένης ἐκ τῆς Ἀθηναίων ἀκροπόλιος τοὺς χρησμούς, τοὺς ἔκτηντο μὲν πρότερον οἱ Πεισιστρατίδαι, ἐξελαυνόμενοι δὲ ἔλιπον ἐν τῷ ἱρῷ, καταλειφθέντας δὲ ὁ Κλεομένης ἀνέλαβε.

Kleomenes had taken possession of these oracular utterances, taking them from the acropolis of the Athenians. Previously, the Peisistratidae had possession of them,

but, when they were driven out of Athens, they left them in the temple. It was there that Kleomenes found them and took them. (translation by G. Nagy)

Nagy demonstrates with this passage that the oracular poetry was literally private property possessed by the tyrants of Athens.<sup>4</sup> Nagy connects the negative image in Herodotus of the Peisistratids as hoarders of poetry with the positive image that the Peisistratids tried to convey of themselves as owners but at the same time sharers of poetry through public performance. In the pseudo-Platonic dialogue *Hipparchus* we see such a positive portrayal of Hipparchus in connection with the introduction of epic performances at the Panathenaia, the conveying of the poet Anacreon to Athens from Teos, Hipparchus' patronage of Simonides of Keos, and the display of poetry on Herm statues which Hipparchus had set up in the countryside.<sup>5</sup> But as Nagy writes on this passage: "as long as private interests control the public medium, there is the ever-present danger of a premeditated selective control over the content of poetry, leading to stealthy distortions or perversions of the poetic truth."

4. The possession of poetry by the Peisistratids is very much related to establishment of the Homeric texts although this is not my focus today. See G. Nagy, *Pindar's Homer* 174: "This possession of Musaeus by the Peisistratidae is parallel to their possession of Homer: there is a report that Onomakritos, along with three others, was commissioned in the reign of Peisistratos to supervise the 'arranging' of the Homeric poems, which were before the scattered about (*diethēkan houtōsi sporadēn ousas to prin*, *Anecdota Graeca* 1.6 ed. Cramer)." See also Cicero *De oratore* 3.137. For a parallel myth concerning the reassembly of the Homeric poems by Lycurgus, lawgiver of Sparta, see Plutarch *Life of Lycurgus* 4.4.

5. The pseudo-Platonic dialogue *Hipparchus* 228–229: πολίτη μὲν ἐμῷ τε καὶ σῷ, Πεισιστράτου δὲ υἱὲ τοῦ ἐκ Φιλαϊδῶν, Ἰππάρχῳ, ὃς τῶν Πεισιστράτου παίδων ἦν πρεσβύτατος καὶ σοφώτατος, ὃς ἄλλα τε πολλὰ καὶ καλὰ ἔργα σοφίας ἀπεδείξατο, καὶ τὰ Ὀμήρου ἔπη πρῶτος ἐκόμισεν εἰς τὴν γῆν ταυτηνί, καὶ ἠνάγκασε τοὺς ῥαψωδοῦς Παναθηναίους ἐξ ὑπολήψεως ἐφεξῆς αὐτὰ διέναι, ὥσπερ νῦν ἔτι οἶδε ποιῶσιν, καὶ ἐπ' Ἀνακρέοντα τὸν Τήιον πενηκόντορον στείλας ἐκόμισεν εἰς τὴν πόλιν, Σιμωνίδην δὲ τὸν Κεῖον αἰεὶ περὶ αὐτὸν εἶχεν, μεγάλοις μισθοῖς καὶ δώροις πείθων· ταῦτα δ' ἐποίει βουλόμενος παιδεύειν τοὺς πολίτας, ἵν' ὡς βελτίστων ὄντων αὐτῶν ἄρχοι, οὐκ οἰόμενος δεῖν οὐδενὶ  
*continues...*



It is interesting that the control of poetry by tyrants threatens a perversion of truth, while regulation of dramatic texts by the *dēmos* serves to protect the texts from insertions or alterations and even performance by others. There is no guarantee of course that the Athenian state copies of these texts were not already quite corrupted. We know very little about the publication and circulation of books within the lifetime and in the century after the deaths of Aeschylus, Sophocles, and Euripides, but it must have been sporadic and completely unregulated. We have no idea on what exemplar the Athenian state texts were to be based in the Lycurgan law. I think we can see that the *dēmos* in its attempt to protect the texts assumes the role that the tyrant once played in its selective control of poetry.

#### POETRY & THE DĒMOS

I see state regulation of poetry as one of many points of contact with the Peisistratid tyranny in which the *dēmos* itself becomes a kind of “tyrant.” The Tholos, for example, which housed the Prytaneis – those groups of 50 representatives from each of the ten tribes who held the “prytany” or presidency of the Council of 500 in rotation and were fed in the Tholos at public

σοφίας φθονεῖν, ἄτε ὦν καλός τε κάγαθός, ἐπειδὴ δὲ αὐτῶ οἱ περὶ τὸ ἄστυ τῶν πολιτῶν πεπαιδευμένοι ἦσαν καὶ ἐθαύμαζον αὐτὸν ἐπὶ σοφία, ἐπιβουλεύων αὐ τοὺς ἐν τοῖς ἀγροῖς παιδεῦσαι ἔστησεν αὐτοῖς Ἑρμῆς κατὰ τὰς ὁδοὺς ἐν μέσῳ τοῦ ἄστεος καὶ τῶν δῆμων ἐκάστων, κάπειτα τῆς σοφίας τῆς αὐτοῦ, ἦν τ' ἔμαθεν καὶ ἦν αὐτὸς ἐξηῦρεν, ἐκλεξάμενος ἃ ἡγεῖτο σοφώτατα εἶναι, ταῦτα αὐτὸς ἐντείνας εἰς ἐλεγείον αὐτοῦ ποιήματα καὶ ἐπιδείγματα τῆς σοφίας ἐπέγραψεν, ἵνα πρῶτον μὲν τὰ ἐν Δελφοῖς γράμματα τὰ σοφὰ ταῦτα μὴ θαυμάζοιεν οἱ πολῖται αὐτοῦ, τό τε γνῶθι σαυτόν καὶ τὸ μὴδὲν ἄγαν καὶ τάλλα τὰ τοιαῦτα, ἀλλὰ τὰ Ἰππάρχου ῥήματα μᾶλλον σοφὰ ἡγοῖντο, ἔπειτα παριόντες ἄνω καὶ κάτω καὶ ἀναγιγνώσκοντες καὶ γεῦμα λαμβάνοντες αὐτοῦ τῆς σοφίας φοιτῶν ἐκ τῶν ἀγρῶν καὶ ἐπὶ τὰ λοιπὰ παιδευθησόμενοι. ἔστων δὲ δύο τῶπιγράμματα· ἐν μὲν τοῖς ἐπ' ἀριστερὰ τοῦ Ἑρμοῦ ἐκάστου ἐπιγέγραπται λέγων Ὅ Ἑρμῆς ὅτι ἐν μέσῳ τοῦ ἄστεος καὶ τοῦ δήμου ἔστηκεν, ἐν δὲ τοῖς ἐπὶ δεξιᾷ –  
 μνήμα τόδ' Ἰππάρχου· στείχε δίκαια φρονῶν  
 φησίν. ἔστι δὲ τῶν ποιημάτων καὶ ἄλλα ἐν ἄλλοις Ἑρμαῖς πολλὰ καὶ καλὰ ἐπιγεγραμμένα· ἔστι δὲ δὴ καὶ τοῦτο ἐπὶ τῇ Στειριακῇ ὁδῷ, ἐν ᾧ λέγει –  
 μνήμα τόδ' Ἰππάρχου· μὴ φίλον ἔξαπάτα.  
 ἐγὼ οὖν σὲ ἔμοι ὄντα φίλον οὐ δήπου τολμῶν ἄν ἔξαπατᾶν καὶ ἐκείνῳ τοιοῦτ' ὄντι ἀπιστεῖν, οὐδ' καὶ ἀποθανόντος τρία ἔτη ἐτυραννεύθησαν Ἀθηναῖοι ὑπὸ τοῦ ἀδελφοῦ αὐτοῦ  
*continues...*

expense – was built on the spot where a building which is thought to have been the home of the Peisistratids once stood.<sup>6</sup> Like many of the archaic tyrants, the Peisistratids undertook a public works program in which work was done on the Acropolis, the temple of Dionysus was built, the colossal temple of Olympian Zeus was laid out, and in which the Agora began to take on a more monumental form.<sup>7</sup> The comparison with the fifth-century democratic building program is clear.

Of course a more obvious point of contact between the *dēmos* and the Peisistratids for my purposes is in the origins of tragedy itself. It is likely that one of the first acts of the new democracy was the organization of the City Dionysia as a tragic festival (though proto-tragic choruses of some kind were performed under the Peisistratids).<sup>8</sup> At this critical time (that is ca 500 BCE) comes the first stone theater of Dionysus at the foot of the Acropolis. The organization of the great Athenian dramatic festival at the birth of the democracy is an assertion of power by way of the control of poetry, not unlike the reorganization of the Panathenaia by the Peisistratids.

Ἰππίου, καὶ πάντων ἄν τῶν παλαιῶν ἤκουσας ὅτι ταῦτα μόνον τὰ ἔτη τυραννίδος ἐγένετο ἐν Ἀθήναις, τὸν δ' ἄλλον χρόνον ἐγγύς τι ἔζων Ἀθηναῖοι ὡσπερ ἐπὶ Κρόνου βασιλεύοντος. λέγεται δὲ ὑπὸ τῶν χαριεστέρων ἀνθρώπων καὶ ὁ θάνατος αὐτοῦ γενέσθαι οὐ δι' ἃ οἱ πολλοὶ ψήθησαν, διὰ τὴν τῆς ἀδελφῆς ἀτιμίαν τῆς κληρονομίας – ἐπεὶ τοῦτο γε εὐθὺς – ἀλλὰ τὸν μὲν Ἀρμόδιον γεγονέναι παιδικὰ τοῦ Ἀριστογείτονος καὶ πεπαιδεῦσθαι ὑπ' ἐκείνου, μέγα δ' ἐφρόνει ἄρα καὶ ὁ Ἀριστογείτων ἐπὶ τῷ παιδεύσει ἀνθρώπων, καὶ ἀνταγωνιστὴν ἠγεῖτο εἶναι τὸν Ἰππάρχον. ἐν ἐκείνῳ δὲ τῷ χρόνῳ αὐτὸν τὸν Ἀρμόδιον τυγχάνειν ἐρώντά τινος τῶν νέων τε καὶ καλῶν καὶ γενναίων τῶν τότε – καὶ λέγουσι τοῦνομα αὐτοῦ, ἐγὼ δὲ οὐ μέμνημαι – τὸν οὖν νεανίσκον τοῦτον τέως μὲν θαυμάζειν τὸν τε Ἀρμόδιον καὶ τὸν Ἀριστογείτονα ὡς σοφοῦς, ἔπειτα συγγενόμενον τῷ Ἰππάρχῳ καταφρονῆσαι ἐκείνων, καὶ τοὺς περιελήσαντας ταύτη τῇ ἀτιμίᾳ οὕτως ἀποκτεῖναι τὸν Ἰππάρχον.

6. T. Leslie Shear, Jr., “Tyrants and Buildings in Archaic Athens.” *Athens Comes of Age from Solon to Salamis*. Princeton, 1978, p.4. J. M. Camp, *The Athenian Agora: Excavations in the Heart of Classical Athens* (London, 1986), pp. 39–40.

7. Shear, Jr., pp. 8–11 and Camp, pp. 39–40.

8. P. Cartledge, “‘Deep Plays’: theatre as process in Greek civic life.” *The Cambridge Companion to Greek Tragedy*. ed. P. E. Easterling. Cambridge, 1997. See also Vernant in J.-P. Vernant and P. Vidal-Naquet, *Myth and Tragedy in Ancient Greece*. trans. Janet Lloyd. New York, 1990.

More than a century and a half later after the battle of Chaeronea Athens was once again in a position in which it needed to assert control. Lycurgus, a prominent statesman with either enormous personal influence or else acting in some official capacity undertook at this time a building program. Among other projects the docks and harbors and various things in connection with the navy were increased and improved, and the theater of Dionysus was rebuilt. Lycurgus was also at this time in charge of festivals and processions, and in this context presumably he proposed the law concerning the dramatists. I stress the navy and the theater in conjunction as the means by which Athens, under the direction of Lycurgus, attempted to rebuild and reassert the authority of the *polis* after Chaeronea. Just as for the tyrants of archaic Greece, the possession and control of poetry and its performance was a crucial (though ultimately unsuccessful) demonstration of wealth, power, and prestige for the Athenian *dēmos* in the years following 338.

To conclude I would like to return to the parallels I raised in the beginning between citations of laws and poetry by orators as evidence in the law courts. Aeschines and other proponents of democracy name written laws to which all citizens are bound, that is *isonomia*, as the cornerstone of any democratic government. The Persian Otanes points out in Herodotus 3.82 that tyranny and oligarchy have the power to cast aside law, disregard it or distort it (τῆ ἕξειστι ἀνευθύνῳ ποιέειν τὰ βούλεται ..νόμιαί τε κινέει

πάτρια). In a democracy, laws are the common property of all citizens:

διοικούνται δ' αἱ μὲν τυραννίδες καὶ ὀλιγαρχίαι τοῖς τρόποις τῶν ἐφεστηκότων, αἱ δὲ πόλεις αἱ δημοκρατούμεναι τοῖς νόμοις τοῖς κειμένοις ... ὑμῖν δὲ τοῖς τὴν ἴσην καὶ ἔννομον πολιτείαν ἔχουσι τοὺς παρὰ τοὺς νόμους ἢ λέγοντας ἢ βεβιωκότας· ἐντεῦθεν γὰρ ἰσχύσετε, ὅταν εὐνομήσθε ...

Autocracies and oligarchies are administered according to the tempers of their lords, but democratic states according to established laws. And be assured, fellow citizens, that in a democracy it is the laws that guard the person of the citizen and the constitution of the state... but you, who have a government based upon equality and law, must guard against those whose words violate the laws or whose lives have defied them; for then only will you be strong, when you cherish the laws (εὐνομήσθε)... (Aeschines *Against Timarchus* 4–5)

I would point out to the student of the Athenian democracy that poetry, like the laws, had power, and for that reason it had to be regulated – that is protected and guarded against those who would violate it.

But I also think that if we focus too closely on the importance of the state copies for the establishment of the text we are missing the point somewhat. The law (in the only source in which we have it) does not specify from what

exemplar the state copies are to be made. We will probably never know if the law did in fact specify such a thing. What we do know of the law is that the texts were to be placed in the Metroon, and statues of Aeschylus, Sophocles and Euripides were to be placed in the theater. This suggests two things: 1) that the law had an honorific purpose, and not necessarily textual one. And 2) that the poetry of these three great tragedians was being symbolically elevated to the status of law in the civic discourse, as we so often find in the law courts and public speeches in the fourth century.



Casey Dué

[For another study of the use of Homeric and other poetry in the Athenian public arena, see also Andrew Ford, “Reading Homer from the Rostrum: Poems and Laws in Aeschines’ *Against Timarchus*” (in *Performance Culture and Athenian Democracy*, ed. Simon Goldhill and Robin Osborne, 1999; as well as S. Perlman, “Quotations from Poetry in Attic Orators of the Fourth Century BCE” [*American Journal of Philology* 85 (1964): 155–172]). Ford adduces many of the same key passages that I have examined here, but

his argument differs from mine. Whereas Ford stresses the individual motives of public speakers in seeking to display their education and sophistication in their citations of Homeric and other poetry for their ad hoc legal or political argumentation, I argue for the inherent traditional authority of such poetic traditions, from the archaic period onward, in civic discourse. – CD]