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“For the Doer to Suffer”. The Combination of δράω and πάσχω
as Mark of Responsibility in Greek Tragedy*

Abstract

This article discusses certain combinations of δράω and πάσχω in Greek tragedy in the light of the fifth-century debate on responsibility. In some contexts, not only does δράω – combined with other semantic elements – mean ‘to act’, but also ‘to act responsibly’. In this sense, its contrast with πάσχω (‘to suffer as punishment’) cannot be interpreted as a reference to the old principle of retributive justice or private revenge. In Attic law, action and punishment were measured on the basis of the agent’s intentions, which determined the extent of guilt and responsibility. This paper shows how the Classical tragedy poets authors drew on the principle of δράσαντα παθεῖν in the Athenian legal context and thought.

Questo articolo esamina alcune combinazioni di δράω e πάσχω nella tragedia greca alla luce del dibattito giuridico sulla responsabilità individuale di V secolo. In alcuni contesti, δράω, unito ad altri elementi semantici, non indica solo l’‘agire’, ma anche l’‘agire responsabilmente’. Spesso la polarità fra δράω e πάσχω è stata letta solo come un rimando all’antico principio di giustizia retributiva o alla vendetta privata. Ma nel diritto attico coevo, la corrispondenza fra azione e punizione dipendeva dalle intenzioni dell’agente che ne determinavano la colpa e la responsabilità. Nel discutere gli impieghi del nesso δράσαντα παθεῖν in alcuni drammi di Eschilo, Sofocle ed Euripide, l’indagine illustra le connessioni instaurate dai tragediografi fra il pensiero antico e il contesto giuridico ateniese.

δράσαντι παθεῖν,
τριγέρων μῦθος τάδε φωνεῖ.
“For the doer to suffer”,
a thrice-old adage proclaims¹.
(Aesch. *Ch.* 313f.)

The Aeschylean passage is one of the best-known examples in tragedy in which the combined use of δράω and πάσχω associates the violent pursuit of justice with an ethical principle famous in ancient Greece². According to the Pythagoreans (Arist. *EN* 1132b

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¹ Text and translation by BROWN (2018, 100f.). On Pauw’s conjecture (δράσαντα), cf. BROWN (2018, 255). See also GARVIE (1986) who accepts it, although he defends M’s δράσαντι, saying that «elliptical brevity is a mark of the proverb» (127). The form δράσαντι also occurs in Aesch. fr. 456 Radt δράσαντι γάρ τοι καὶ παθεῖν ὀφείλεται («Whoever acted must also suffer the punishment») which may not be Aeschylean (RADT 1985, *ad l.*).

² The principle knows various allusions (not always in an ethical sense) and reformulations; e.g. Thuc. II 40, 4 (οὐ γὰρ πάσχοντες εὖ, ἀλλὰ δρώντες κτώμεθα τοὺς φίλους); Gorg. *Hel.* 7 (ὁ μὲν γὰρ ἔδρασε δεινά, ἡ δὲ ἔπαθε); Plat. *Crito* 50e (ὥστε ἅπερ πάσχοις ταῦτα καὶ ἀντιποιεῖν); Isocr. VIII 91 (καὶ τοιαῦτα

27), it was first formulated by the legislator Rhadamanthys, who represented the highest example of equality and justice even in the underworld:

τὸ Ῥαδαμάνθυος δίκαιον· εἴ κε πάθοι τά τ' ἔρεξε, δίκη κ' ἰθεῖα γένοιτο.

Rhadamanthys' idea of justice: “If he suffered what he did, right justice would be done”³.

Even though the occurrence is characterised by ῥέζω⁴ instead of δράω, it insists on reciprocity and equality in a retributive sense, which resembles the tendency to make the punishment fit the crime and redress the balance, a principle on which Greek law was founded⁵. Indeed, according to Aristotle, reciprocity is not suitable for expressing the claim of justice in private litigations⁶. So, revenge, the extreme expression of retributive justice, cannot only be a desire for retaliation by having the offender punished for the harm done. It rather corresponds to human needs for redress, balance and equality ultimately guaranteed by the law⁷ as well attested in the fifth-century Athens.

Already in the *Oresteia*, Aeschylus aims to show the ambiguous nature of retaliation, which satisfies the claims of the victim, but generates new violence and further

πάσχειν οἷά περ ἄν καὶ τοὺς ἄλλους δράσωσιν); Dem. XXIII 25 (τί χρὴ πάσχειν τὸν δεδρακότα); Xen. *Anab.* III 3, 7 (ἔπασχον μὲν κακῶς, ἀντεποιοῦν δ' οὐδέν).

³ On Rhadamanthys, cf. Plat. *Gorg.* 524a; Cic. *Tusc.* I 10; Verg. *Aen.* VI 566. The proverb is also quoted as Hes. fr. 286 Merkelbach-West (εἰ κακὰ τις σπείραι, κακὰ κέρδεά <κ'> ἀμήσειεν·εἴ κε πάθοι, τά τ' ἔρεξε, δίκη κ' ἰθεῖα γένοιτο).

⁴ Cf. Hom. *Il.* XVII 32 (= XX 198) πρίν τι κακὸν παθεῖν· ῥεχθὲν δέ τε νήπιος ἔγνω. Although here ῥέζω is part of a proverb (Hes. *Op.* 218; Plato. *Sym.* 222b), it refers to the doer and suggests what the victim has already suffered (πάσχω) due to this counter-reaction of the agent. See also Pind. *Nem.* IV 32 (ἐπεὶ / ῥέζοντά τι καὶ παθεῖν ἔοικεν) which emphasises the idea that those who act may suffer defeats; Arist. *EN.* 1138a (ὁ γὰρ διότι ἔπαθε καὶ τὸ αὐτὸ ἀντιποιοῦν οὐ δοκεῖ ἀδικεῖν), which justifies (οὐ δοκεῖ ἀδικεῖν) the reaction of the victim who ‘acts in response’ (ἀντιποιοῦν replaces the archaic ῥέζειν: cf. CHANTRAINE (1999, s.v. ῥέζω) to what he suffered (ἔπαθε). Another variant is δράω / ἀντιπάσχω attested in Soph. *Phil.* 584 (δρῶν ἀντιπάσχω χρηστά θ', οἱ' ἀνήρ πένης), while there is no other evidence of ἔρδω, ῥέζω / ἀντιπάσχω in archaic or classical texts.

⁵ Cf. TODD (1993, 161); CAIRNS (2015, 648f.). On reciprocity in Greek popular morality and its relations with δράσαντα παθεῖν, cf. *infra* § 2.

⁶ Cf. Arist. *EN.* 1132b 23 τὸ δ' ἀντιπεπονηθὸς οὐκ ἐφαρμόττει οὔτ' ἐπὶ τὸ νημητικὸν δίκαιον οὔτ' ἐπὶ τὸ διορθωτικόν («The notion of reciprocity fits neither distributive nor corrective justice»); *EN.* 1162b καλὸν δὲ τὸ εὖ ποιεῖν μὴ ἵνα ἀντιπάθῃ («It is good to act well without aiming for reciprocity»); *EM.* 1193a ἐκείνοι μὲν γὰρ ᾤοντο δίκαιον εἶναι, ἃ τις ἐποίησεν, ταῦτ' ἀντιπαθεῖν («Some considered it right to suffer in return for their actions»). For an in-depth analysis, cf. GIULIANI (2013, 97-122); LONEY (2022, 404f.).

⁷ Cf. CHRISTENSEN (2016, 85): «Aristotle's account of rectificatory justice, which initially seemed solely retributive, is able to justify forward-looking corrective punishment, since corrective punishment serves to achieve the *retributive* aim of *revenge*» (emphasis mine). However, sometimes the virtuous man is justified in taking revenge: cf. SCHEITER (2022, 32-34), who analyses Aristotle's account of revenge which aims not only to restore the honour and the reputation of the victim (just as the law of the *polis*: cf. CAIRNS 2015, 650, 665), but also to prove her worth without which is needed to function to the best of her abilities within society.

instances of revenge inspired by justice⁸. Also, since the idea of reciprocity and balance conveyed by δίκη is preserved by Athenian law and popular morality⁹, this explains why dramatic characters sometimes claim to be aware of the ethical and legal implications of their actions or those of others, especially when it comes to revenge¹⁰. This paper will show how behind the dramatic (literally) conflict between action (δράω) and punishment (πάσχω) there may also be a reference to responsibility in a legal sense¹¹. Sometimes, the wording can be formulated as an authentic norm¹², the validity (and authority) of which is not only derived from its great age (τριγέρων, *Ch.* 314) but directly from Zeus, as stressed by the Chorus in the *Agamemnon*. The idea that «who acted shall suffer» (παθεῖν τὸν ἔρξαντα, 1564) is a law (θέσμιον) approved by Zeus (γάρ μίμνει δὲ μίμνοντος ἐν θρόνῳ Διός, 1563). Besides the use of ἔρδω instead of δράω (as in *Ag.* 1658, πρὶν παθεῖν ἔρξαντα), these lines introduce an original description of the principle of retribution now denoted by θέσμιον which lends solemnity to the laws it describes. This notion is linked to θεσμός, which, still in the fifth century, referred to both human and divine law¹³.

But let us now return to the formulation of the principle of retaliation most attested in tragedy given by the combination of δράω and πάσχω. Snell argued that «δρᾶν draws on [...] the point at which man becomes *guilty*. [...] It means ‘to do’ something, that is, to commit something» and for this «it represents the strongest activity of all the Greek verbs that signify ‘doing’»¹⁴. Similarly, Chantraine observed that «δράω exprime l'idée d'‘agir’ avec la spécification de la *responsabilité prise* plutôt que celle de la réalisation d'un

⁸ Cf. DI BENEDETTO (1978, 276-87). Greek tragedy shows that the endless cycle of retaliation cannot represent a solution, since the claims of the litigants are incommensurable; so, revenge «as a means of obtaining justice [...] becomes a paradox» (KUCHARSKI 2013, 67).

⁹ Cf. DOVER (1974, 184f.); HERMAN (2006, 30-38); LAWRENCE (2013, 1-4, 8-10).

¹⁰ See e.g. Orestes' admission of guilt and responsibility in Aesch. *Ch.* 1026f. (κηρύσσω φίλοις / κτανεῖν τέ φημι μητέρ' οὐκ ἄνευ δίκης); Eur. *Or.* 572 (μισῶν δὲ μητέρ' ἐνδίκως ἀπώλεσα). In both plays, his action is expressed with δράω, which marks his awareness and responsibility (see below); cf. Aesch. *Ch.* 512 (ἐπειδὴ δρᾶν κατώρθωσαι φρενί); Eur. *Or.* 570f. (δράσας δ' ἐγὼ / δείνα).

¹¹ This nuance could be easily perceived by the audience, being part of which meant «a fundamental political act [and] to play the role of democratic citizen» (GOLDHILL 1997, 54). One thing we know for certain about the Athenian citizens who attended the Great Dionysia to watch tragedies is that many of them spent much time in court and acquired an extensive legal education without having received a formal training (HARRIS – LEÃO – RHODES 2010, 1f.).

¹² See also *Ch.* 400-402 ἀλλὰ νόμος μὴν φονίας σταγόνας / χυμένας ἐς πέδον ἄλλο προσαιτεῖν / αἷμα («But it is indeed the law that drops of blood spilt on the ground demand other blood», BROWN 2018) where Aeschylus refers to the same concept of retaliatory justice through as if it were a νόμος of the *polis* (BROWN 2018, 275; STOLFI 2021, 329).

¹³ Cf. TODD (1993, 386); STOLFI (2020, 54), who argues that the semantic sphere of θέμις indicates «un ordine da cui la dimensione divina non è affatto esclusa [...] e che si esplica prevalentemente in un tessuto oggettivo, posto e consolidato di regole e principi che governano le interazioni umane».

¹⁴ Translated from SNELL (1928 = 1969, 16-17), where he makes notes on the other verbs of ‘doing’ (ἔρδω, ῥέζω, ποιέω, ἀντιποιέω, πράσσω, ἀντιπράσσω).

acte»¹⁵. More recently, Stolfi suggests that in some dramatic contexts the contrast between δράω and πάσχω cannot be reduced to an action-suffering opposition. In this case, δράω could express something configured in the agent’s mind and an action pursued with intention, which conveys the specific idea of “wanting to do something”¹⁶.

In my opinion, this hypothesis can be defended by extending the investigation of the uses of δράω combined with other formal elements (language, style, ideas). In tragedy as well as in oratory (and not only)¹⁷, it can point to its distinctive use. Indeed, the action expressed assumes a more specific connotation, emphasising the voluntariness or responsibility of one’s act. Therefore, in these cases, we could admit that δράω concerns the process of making (deliberate) decisions and actions. Consider the following examples:

ὅταν κακοὶ πράξωσιν, ὃ ξένοι, καλῶς
ἄγαν κρατοῦντες κοῦ νομίζοντες δίκην
δώσειν ἔδρασαν πάντ’ ἐφέντες ἡδονῆ.

O foreigners, when the vile are successful,
if they have too much power and believe they will not be punished,
they give way to pleasure and thus deliberately perform every action (Eur. fr. 564
Kannicht).

τό τε πάθος εἰς τὸν δράσαντα ἔλθὼν ἡμᾶς μὲν ἀπολύει τῆς αἰτίας, τὸν δὲ
δράσαντα δικαίως ἅμα τῇ ἀμαρτίᾳ τετιμώρηται.

As well as the consequences of the act on the agent not only absolves us of guilt, but
also ensures that the agent is rightly punished for his wrong (Antiph. III 2, 8).

In both authors, δράω alludes to the principle of reciprocity and retribution (δράσαντα παθεῖν), which is echoed by the orator through the sequence πάθος ...

¹⁵ Cf. CHANTRAINE (1999, s.v. δράω). This meaning is not recorded by either FRISK (1973, s.v. δράω) or BEEKES (2010, s.v. δράω).

¹⁶ Cf. STOLFI (2021, 333, «Un fare e, assieme, il volerlo fare»). See e.g. Eur *HF* 721 μέτοχος ἂν εἶην τοῦ φόνου δράσας τόδε («I would become an accomplice to her murder [i.e. Megara], if I take responsibility for this action»): Amphitryon opposes Lycus' request to lead Megara out of the house to kill her (*HF* 720). Taking responsibility for such an action (δράσας), in fact, would mean being exposed to the blood-guilt, i.e. the pollution (μίασμα) that excludes the murderer from society.

¹⁷ Cf. e.g. Thuc. III 38, 1 ὁ γὰρ παθὼν τῷ δράσαντι ἀμβλυτέρᾳ τῇ ὀργῇ ἐπεξέρχεται, ἀμύνεσθαι δὲ τῷ παθεῖν ὅτι ἐγγυτάτω κείμενον ἀντίπαλον ὃν μάλιστα τὴν τιμωρίαν ἀναλαμβάνει («The injured side turns to the offender with a weaker anger, whereas if the punishment were placed as close as possible to the offence, a more adequate redress would be achieved»). This passage has much in common with ideas of retaliatory justice found in tragedy and insists on the voluntariness of the offended (ὁ παθὼν) in reacting (ἀμύνεσθαι) to the wrong suffered by the offender (τῷ δράσαντι). As in tragedy, the presence of other elements (ὀργή, ἀντίπαλος, τιμωρία) contributes to the specific connotation of δράω and its opposition with πάσχω.

δράσαντα and the ambiguous τετιμώρηται, which can allude both to state-regulated punishment and revenge¹⁸. In Euripides’ fragment (from the *Oeneus*), the particular sense of δράω is enforced by the effective contrast between the penalty (δίκην δώσειν) and deliberate actions (ἔδρασαν) which will be rightly pursued because they are committed with a definite intention to harm and gain pleasure (πάντ’ ἐφέντες ἡδονῆ)¹⁹. If Collard and Cropp are right and a servant of Oeneus is speaking, we should admit that he is referring to the maltreatments reserved to the legitimate king of Calydon by his brother Agrius’ sons, who deposed him. In my opinion, this makes δράω more effective. Through the phrase πάντ’ ἐφέντες ἡδονῆ, it conveys the voluntariness of the action connected to the pleasure felt by the agent. This, therefore, also entails the need for an indefinite penalty (δίκην διδόναι) restoring the balance by avenging/punishing the wrong suffered²⁰.

From this point of view, it is possible to read the occurrences of the nexus in the light of some legal issues concerning the imputability of the agent, his level of guilt and the responsibility-consequent sanction. The tragedians literally performed these questions in front of the spectator-citizens of Athens, who spent long time in the law courts without having received formal training yet having acquired an extensive legal education from being there as jurors or litigants²¹. So, it is very probable that they could relate some dramatic uses of δράω or of its combination with πάσχω to the fifth-century debate on guilt and responsibility as defined in Athenian laws²². The audience did not simply reflect

¹⁸ The putative distinction between (private) revenge and (civic) punishment advocated by philosophers ancient and modern, is central to the debate of what constitutes τιμωρία (and its cognates) in ancient Greek (MCHARDY 2013, 2). Of course, the attitudes of the litigants, their emotions and their motivations frequently indicate that their prosecutions are ‘vengeful in spirit’ while remaining civic punishment (cf. RUBINSTEIN 2016, 57-60). Nevertheless, it is important to stress that the antithesis between revenge and punishment is another of the modern dualisms that proves unhelpful in trying to understand Athenian values on their own terms. See also CAIRNS (2015, 659); KUCHARSKI (2016, 95).

¹⁹ Cf. Soph. *Aj.* 1085f. καὶ μὴ δοκῶμεν δρῶντες ἄν ἡδόμεθα / οὐκ ἀντιτίσειν αὐτοῖς ἄν λυπόμεθα («And let us not think that we can act according to our pleasure and not pay in our turn a penalty that makes us suffer»). Again, the association of δράω with the pleasure (ἡδόμεθα) derived from a voluntary action combines the element of decision and assumption of responsibility. Since Ajax has attempted to kill the Atrides, Odysseus and the army according to his own desire (52 τῆς ἀνηκέστου χαρᾶς, 105 Ἡδιστος, 272 αὐτὸς μὲν ἤδεθ’), then he will have to suffer the consequences (ἀντιτίσειν) according to the retaliatory justice and the restoration of the honour of the offended.

²⁰ COLLARD – CROPP 2008, 37. As discussed above (n. 18), in Greek (and Athenian) legal language, revenge and punishment are not even distinguished on the notional level. Both share the same phraseology: τιμωρία (and its cognates) and δίκη, the latter usually as part of the fixed expressions δίκην λαμβάνειν («to take δίκη») and δίκην διδόναι («to give δίκη», as in our fragment). These notions are used both by the orators (SCHEID-TISSINIER 2006) and in other (roughly contemporary) discursive formations as tragedy (SAÏD 1984). In many cases it is quite difficult to determine their sense, as it seems to vacillate between the ideas of (violent or non-violent) retaliation and penalty. See also KUCHARSKI (2016, 104-108).

²¹ See GOLDHILL (1997, 57f.); HARRIS (2006, 30f.); HARRIS – LEÃO – RHODES (2010, 130): «When an Athenian citizen left the court and took his seat in the theatre of Dionysus, he did not change his attitudes about guilt and legal responsibility».

²² Cf. HARRIS – LEÃO – RHODES (2010, 131-34); PEPE (2015, 61-63).

on the motives that led a character to carry out a revenge, whose ethical validity is not questioned²³. Rather, they (or at least some of them) could think about the meaning of such actions from the legal perspective, which did not disregard the weight of the context or social factors in the judgment of the offender and his crime²⁴.

Archaic and classical Greek literature has a long tradition of discussing guilt, voluntary, free and/or over-determination, and responsibility²⁵. Any references to these notions should be read with extreme caution and approximation, especially from the modern legal perspective²⁶. Indeed, in the fifth and fourth-century Greece there is nothing similar to our notions of ‘free will’ and ‘responsibility’. However, ancient reflections on these topics often use words and expressions whose semantic nuances are difficult to understand (and translate) unless they are related to their original Athenian context, as is the case for the δρᾶω/πάσχω combination. So, in my attempt to understand the ideology associated in tragedy with this nexus, it is necessary to introduce a problematic and open evaluation of the actions of the dramatic figures. We should ask ourselves some fundamental questions: can the responsibility be separated from the agent? Do ‘external’ influences such as divine intervention, intergenerational family curses, the desire of the victim to be avenged by his relatives, free the agent from penal responsibility?

1. *Orestes’ Case: Apologies and Contradictions of δράσαντα παθεῖν*

In the myth of Orestes’ revenge described in the *Libation Bearers*, the external forces (gods and society) play a decisive role. Although Orestes is bound by Apollo’s mandate and fears mental and bodily illness, the contamination and removal from the community (*Ch.* 269-98), he chooses to act consciously and deliberately. Voluntariness is combined with religious duty (respect for god’s order) and human duty, i.e. the rules of family retaliation. Orestes claims to have personal and legitimate motives to carry out the revenge, that is, to restore the political order in Argos and regain his legitimate possessions²⁷. In an archaic perspective, Orestes acted – as his mother did²⁸ – to obtain (retributive) justice avenging his father. There are many factors in the *Oresteia* that contribute to reducing the freedom of individuals, to the point of dragging them towards

²³ Cf. BATTEZZATO (2010, 28).

²⁴ Cf. TODD (1993, 147-54); HARRIS (2006, 68f.).

²⁵ On the difference between ancient and modern notions of the ‘freedom’ that makes for responsible human action, cf. MARZULLO (1993, 12f., 31f.); CAIRNS (2013, 119f., 122-25, 161 with further bibliography).

²⁶ See PEPE (2012, 85, 91f., 157-61).

²⁷ Cf. Aesch. *Ch.* 300-304. Orestes can be held responsible as he himself admits before the Areopagus; cf. *Eum.* 611 (δρᾶσαι γάρ, ὥσπερ ἔστιν, οὐκ ἀρνούμεθα) where the crime is significantly expressed by δρᾶω. See BATTEZZATO (2019a, 165f.; 172-82).

²⁸ Cf. Aesch. *Ag.* 1405f. (πόσις, νεκρὸς δὲ τῆσδε δεξιᾶς χερὸς, / ἔργον δικαίας τέκτονος), 1432 (μὰ τὴν τέλειον τῆς ἐμῆς παιδὸς Δίκην). See also MEDDA (2017, vol. III, 333f., 349f.).

reprehensible decisions. But the space for strictly human action is never entirely erased, nor the agent resolved into a ‘puppet’ without free will and autonomy. Indeed, without admitting a conscious decision and responsibility on the part of the man, one would not understand the sense of the punishment pursued either as private revenge or as a public trial before the Areopagus.

Before understanding whether Orestes, in the eyes of Aeschylus’ audience, could be found guilty²⁹, we should note that the poet’s thought, still far from conceiving ‘free will’, is nonetheless irreducible to the alternative between divine and human responsibility. Aeschylus recognises that men do have some possibility of deciding whether and how to act, for which they would then be held responsible. Orestes is placed before an alternative “dramatically” suffered. But then it is he himself, obeying to a divine order, who resolves it. There are two gods who impose their will on Orestes: Apollo who orders the matricide and the Erinyes who punish it. The man stands between this dual divine demand, he is alone and finding no support other than in himself or in one of his peers; Orestes asks Pylades: «What shall I do?» or rather «What should I do?» (τί δράσω; 899) where we find again δράω meaning “to (decide to) act” emphasised by the perplexity inherent in the verbal form³⁰. The question is not simply «the characteristic cry of the tragic hero»³¹, but the beginning of a gradual awareness of responsibility for the action he is going to carry out and of which Orestes claims to be the effective doer who acts within his mental capacity and according to justice³². The effective responsibility which he himself admits in court (δράσαι γάρ, ὥσπερ ἔστιν, οὐκ ἀρνούμεθα, *Eum.* 611), is the reason why he will be pursued by the Erinyes as guilty (αἷτιος)³³. Immediately after the

²⁹ A question that can (perhaps) be answered by the verdict of the human jurors who voted (six against five) to convict Orestes. Only the intervention of Athena, restoring the parity of votes, will cause Orestes to be acquitted (*Eum.* 735, 752f.). On this point, see SOMMERSTEIN (1989, 222-24).

³⁰ Cf. Eur. *El.* 967 (τί δήτα δρώμεν; before the matricide) *HF* 1157 (οἴμοι, τί δράσω; after the homicides), 1160-62 αἰσχύνομαι γάρ τοῖς δεδραμένοις κακοῖς / καὶ τῷδε προστρόπαιον αἶμα προσβαλῶν / οὐδὲν κακῶσαι τοῦς ἀναίτιους θέλω (‘I am ashamed of the deeds I have committed, and since I have incurred the blood-guilty because of this, I do not want to harm an innocent’), where Heracles, become aware of what he has done (τοῖς δεδραμένοις), decides to commit suicide to avenge the death of his children (τέκνοις δικαστῆς αἵματος γενήσομαι, 1150). The semantics of δράω is expanded with βουλεύω in Aesch. *Ag.* 1359 (τοῦ δρώντος ἐστι καὶ τὸ βουλευῆσαι ἄπερι†) which conveys the idea of voluntariness; see also Aesch. *Ag.* 1634f. ὅς οὐκ, ἐπειδὴ τῷδ’ ἐβούλευσας μόρον / δράσαι τόδ’ ἔργον οὐκ ἔτλης αὐτοκτόνως («After premeditating his death, you did not have the courage to carry out this deed by your own hand») where αὐτο- expresses the ‘first person action’ consistent both with the wilfulness implied by premeditation (ἐβούλευσας, that alludes to the βούλευσις; cf. TODD 1993, 366) and the effective agency implied by δράω.

³¹ Cf. GARVIE (1986, 293).

³² Aesch. *Ch.* 1026f. (ἔως δ’ ἔτ’ ἔμφρων εἰμί, κηρύσσω φίλοις, / κτανεῖν τέ φημι μητέρ’ οὐκ ἄνευ δίκης). The presence of ἔμφρων (lit. ‘having φρένες [wits] within one’, cf. BROWN 2018, 441) enforces Orestes’ awareness with which he had reflected on the consequences of matricide (1029-33). However, he thought he would be ἐκτός αἰτίας κακῆς (1031), i.e. exempt from “guilt” (BATTEZZATO 2019a, 177) or “responsibility” (BROWN 2018, 442).

³³ Since Draco’s law (*IG* I³ 104) αἷτιος could mean ‘guilty’ (l. 12) and ‘responsible’ (l. 27) and associated with voluntary and involuntary (HARRIS – CANEVARO 2023, 50-52). See also PEPE (2012, 44): «il colpevole

matricide, the Chorus predicts the culprit’s punishment³⁴ for this crime, which in the Chorus’ view is ‘hateful’ (στυγερός, 1007) but not necessarily wrong³⁵. Orestes thinks that the Chorus is questioning the legitimacy of his matricide; therefore, he still defends his deed by condemning Clytemnestra’s responsibility emphasised with δράω (ἔδρασεν ἢ οὐκ ἔδρασε; *Ch.* 1010), and then exhibits concrete evidence of his mother’s guilt (1011-14).

Scholars have focused on the decisions made by dramatic figures and their consequences. Some argue that an alternative rather than an authentic decision is imposed on them; others, following the “double motivation” theory, believe that there is both a strong divine intervention in the hero’s mind (except when the gods threaten or persuade him) and an initial self-determination of the agent³⁶. The question fully joins the fifth-century debate on individual responsibility. From this debate emerged that it was necessary to distinguish between the material agent and who was truly responsible, considering responsible only who played an active part. Similarly, Attic tragedy echoes this debate showing that, although the complex of external conditioning often exceeds the individual and severely compresses his autonomy, the agency is not removed. A difficult margin of decision, guilt, and choice between different possibilities persists in the actions (sometimes expressed with δρᾶν) of the dramatic characters³⁷.

These observations can be confirmed examining the description of Orestes’ actions in other plays where δράω relates to his revenge and homicide. In Euripides’ *Orestes*, the hero ingeniously confronts the argument that his admittedly ‘impious action’ (ἀνόσια μὲν δρῶν), though related to the duty of vengeance claimed by the father and prescribed by Apollo³⁸, deserves the death-penalty, with a counter-argument that he is a public

di un’azione volontariamente posta in essere (αἴτιος)». In the *Eumenides*, Orestes states that he shares guilt and responsibility with Apollo, who is referred to as ἐπαίτιος (*Eum.* 465); this is confirmed by the god himself (αἰτίαν δ’ ἔχω / τῆς τοῦδε μητρὸς τοῦ φόνου, 579f.).

³⁴ Aesch. *Ch.* 1009 μῖνοντι δὲ καὶ πάθος ἀνθεῖ («And suffering blooms for the survivor», BROWN 2018, 157). This expression «is a variant of the common idea of punishment awaiting the offender ... must now suffer under the same law» (GARVIE 1986, 331). See also [Eur]. *Rh.* 483 ἀρκεῖν ἔοικέ σοι παθεῖν, δρᾶσαι δὲ μή (‘It seems you suffer enough without reacting in any way’), where Rhesus accuses Hector’s refusal of the principle of retaliation in which he himself trusted (102-104) and which is now invoked against the Achaeans.

³⁵ Cf. BROWN (2018, 435).

³⁶ The debate on this topic (as well as on Orestes’ guilt) is very articulated. For a thorough analysis, cf. HARRIS – LEÃO – RHODES (2010, 122-30); WOHL (2010, 33-38); BATTEZZATO (2019a, 164); STOLFI (2021, 350f.).

³⁷ Cf. LAWRENCE (2013, 12-17, 31-49).

³⁸ Cf. Eur. *Or.* 562 ἀνόσια μὲν δρῶν, ἀλλὰ τιμῶν πατρί («By choosing to commit an ungodly crime, no doubt, but done to avenge my father»), 581f. τί μ’ ἄν ἔδρασ’ ὁ κατθανών; / οὐκ ἄν με μισῶν ἀνεχόρευ’ Ἐρινύσιν; 596 ἐκεῖνος [*scil.* Ἀπόλλων] ἡμαρτ’, οὐκ ἐγώ. τί χρῆν με δρᾶν; («He is the culprit, not me. What ought I to have done?»). The social importance (cf. CANTARELLA 2021², 304-13) of revenge is reaffirmed in *Or.* 775f. ὡς ἔδρασας ἔνδικα; / πατρί τιμῶν ἐμαυτοῦ; («That you acted according to justice? / Avenging my father’s honour»).

benefactor (ἄπασαν Ἑλλάδ' ὠφελῶ, 565). Orestes talks about his crime as a conscious intention, arising from the infraction of an order, religious or legal (i.e. the “common Greek law” evoked by Tyndareus)³⁹. The use of δράω seems to suggest that the agent acts with awareness and will. This implies that he visualises and realises the crime in his mind before carrying it out. Recent studies point out that Euripides’ *Orestes* explore the connection between awareness of the deed and the culprit’s mental disturbance⁴⁰. Orestes alternates between crises of madness and moments in which he reveals himself to be in possession of mental faculties⁴¹ and able to ‘employ rational calculations’ (ἐλογισάμην, 555) even after admitting responsibility for his actions (τί χρῆν με δρᾶσαι; 551). This play describes revenge by focusing on the mental attitude and intentions of the doer not merely considering the facts. Concluding his defence speech, Orestes takes responsibility for the “horrible action” (δράσας δ' ἐγὼ / δεινά 570f.) he voluntarily accomplished (δρᾶν). Looking at the general context of these lines, it is possible that the idea of voluntariness is implicit in δράω since Orestes says he acted to put an end to a ‘custom’ that, if left unpunished, would have become ‘law’ (νόμος, 571) and according to retributive justice (ἐνδίκως, 572), condemned by Tyndareus in defence of the rigorous legality (τὸ δίκαιον, 494) of the *polis*⁴².

Decision, law – which often coincides with δίκη in Greek – and destiny, all notions of the utmost importance for Orestes and others, forcefully impose themselves on human mind when they are about to act. The weight of responsibility is only fully felt when they are about to accomplish an action. In the characters’ intentions, justice is the purpose of their actions, but once the action has been carried out, a series of personal, religious, legal, motives are always identifiable. Thus, the strong necessity represented, in some cases, by revenge, of which the characters are both victims and participants, is not opposed to a claim of exclusive subjective responsibility. Indeed, a more complex combination between these elements is outlined by Greek plays and this still concerns the uses of δράω. In the following passages from Sophocles and Euripides⁴³, δράω refers to

³⁹ Cf. Eur. *Or.* 495 οὐδ' ἦλθεν ἐπὶ τὸν κοινὸν Ἑλλήνων νόμον. A rhetorical topic often used by orators (WILLINK 1986, 167; MEDDA 2001, 204, n. 82). See also DE FÁTIMA SILVA (2010, 79f.).

⁴⁰ The link between anguish and guilty conscience was familiar to fifth-century Athenians (e.g. Antiph. V 93). See also PEPE (2015, 58-61).

⁴¹ Eur. *Or.* 44f. ὅταν μὲν σῶμα κουφισθῆ νόσου / ἔμφρων δακρῦει, where we find the same use of ἔμφρων seen in Aesch. *Ch.* 1026 (*supra*, n. 32). Orestes has both the right and the duty to avenge according to the Homeric conception that an offence must be reciprocated by an equivalent reaction (CANTARELLA 2021², 301-14). See also BATTEZZATO (2019b, 14-19).

⁴² Eur. *Or.* 494 (ὅστις τὸ μὲν δίκαιον οὐκ ἐσκέψατο), 498-500 (ἀσχιστον ἔργον - οὐ γὰρ αἰνέσω ποτέ - / χρῆν αὐτὸν ἐπιθεῖναι μὲν αἵματος δίκην / ὅσιαν διώκοντ'). Cf. WILLINK (1986, 168f.). For the contrast between family (private) justice and *polis*’ law in this play, cf. MEDDA (2001, 36). See also HARRIS (2015, 22-28).

⁴³ We can also add Eur. *Med.* 267 δράσω τάδ'· ἐνδίκως γὰρ ἐκτείσῃ πόσιν («I will do so. You will avenge your husband in accordance with justice») where Chorus’ silence is essential to make Jason pay for his

revenge/punishment and denotes the responsibility behind the characters’ intentions/actions against their enemies⁴⁴.

ἔμοῦ δὲ πατρὶ πάντα τιμωρουμένης
οὔτε ξυνέρδεις τήν τε δρώσαν ἐκτρέπεις·

While I try everything to redress the honour of our father,
you not only do not help me but try to dissuade me from my will to act⁴⁵.

Electra, addressing her sister Chrysothemis, expresses her desire to ‘retaliate’ (τιμωρεῖν) against her father’s killers by connoting it as a deliberate choice (δρῶν). So far, τιμωρέω has only been used once (τιμωρούμενοι, 399) to enforce Electra’s resoluteness and self-awareness of revenge; she is willing to take revenge into her own hands when she believes that the brother, entitled to reprisal by the archaic retributive system and as Agamemnon’s only male heir, is dead. Revenge indeed is the focus of the play’s interest and Sophocles insists on showing that however guilty a victim of retaliation may be and however much we can sympathise with the avenger, «it remains a harsh, destructive and fatally subjective form of justice»⁴⁶. In Euripides’ *Electra* this role will again be taken by Orestes, who reflects on what kind of action he could make against the killers of his father and their appropriate penalty (... τί δρῶν ἄν φονέα τεισαίμην πατρός 599). In this case, the Homeric verb τίνω probably reminded the audience to the archaic legal system in which one of the victim’s male relatives was tasked with collecting payment (in a metaphorical sense) for the murder committed by the perpetrator⁴⁷, who had offended the honour (τιμή) of the victim and his family group. The reasons for Agamemnon’s offence are expressed by ἀνοσίων γάμων (the adultery) and φονέα (assassination). The etymological association of τίσις and its cognates⁴⁸ and τιμή is still

actions (*Med.* 260-63, 391) and δρώω denotes the collaboration and shared responsibility of with Medea’s revenge that is justified; Eur. *El.* 599f. ... τί δρῶν ἄν φονέα τεισαίμην πατρός / μητέρα τε <τήν> κοινωνὸν ἀνοσίων γάμων; («What shall I do to take revenge on the murderer of my father and my mother, the partner in his unholy marriage?») when Orestes asks the Old-Man how he can pursue revenge he has already decided to carry out (δρῶν).

⁴⁴ Authors of deliberate actions whose responsibility is implicit in δρώω; cf. Soph. *El.* 497 (τοῖς δρώσι καὶ συνδρώσιν) where the repetition of the simplex form with a preposition added, emphasises the different responsibility of Clytemnestra, the killer (δρῶσι = Eur. *El.* 1106 τοῖς δεδραμένοις ἐμοί, where Clytemnestra herself admits responsibility for her murder) and Aegisthus, his accomplice (συνδρώσιν). This is essential for understanding Electra’s hatred for her mother (cf. Soph. *El.* 260f. ἢ πρῶτα μὲν τὰ μητρός ἢ μ’ ἐγγείνατο / ἔχθιστα συμβέβηκεν).

⁴⁵ Soph. *El.* 349f. I follow the text printed in FINGLASS 2007, 41.

⁴⁶ Cf. MOSSMAN (1995, 173).

⁴⁷ Cf. e.g. Hom. *Il.* XV 116 τίσασθαι φόνον υἱός (Ares avenged the murder of his son Ascalaphus); *Od.* III 203 κείνος ἐτείσατο πατροφονῆα (Orestes kills Aegisthus), XXIV 470 φῆ δ’ ὅ γε τείσεσθαι παιδὸς φόνον (Eupites seeks revenge for his son). See also CANTARELLA (2021², 247-49).

⁴⁸ Such as ἀντίτος, -ον (Aesch. *Ag.* 1429), ἀτίτης, -ου (Aesch. *Eum.* 256), ἀντιτίειν (e.g. Soph. *Aj.* 1086; Eur. *Med.* 261).

debated⁴⁹. It is however remarkable that both Sophocles (through τιμωρέω < τιμή)⁵⁰ and Euripides describe Electra and Orestes’ resolution to avenge Agamemnon in the same epic perspective, while emphasising the will and, thus, the responsibility of their action through δράω. The verb, from a dramatic point of view, emphasises the sons’ motives to redress their father’s honour as well as their own. A similar situation seems to occur in Euripides’ *Hecuba* (790-92):

τιμωρὸς ἀνδρὸς ἀνοσιωτάτου ξένου
ὃς οὔτε τοὺς γῆς νέρθεν οὔτε τοὺς ἄνω
δείσας δέδρακεν ἔργον ἀνοσιώτατον.

Be the avenger on my most impious guest-friend
who was not afraid neither of those below the earth
nor those above and has done a most impious deed.

Upon learning of the death of her son Polydorus, who was murdered by the host Polymestor in order to seize his wealth, Hecuba asks Agamemnon for help with revenge/punishment. This is intended to restore the victim’s honour (τιμωρὸς). Polymestor’s act is referred to with δράω to emphasise his voluntariness and responsibility even on the religious plan (ἀνοσιώτατον). Polymestor admits (τοῦτον κατέκτεινα 1136) it, giving some concrete reasons to justify his crime as the prevention (προμηθία, 1137) of a future Trojan revenge against the Greeks and Thracians (1138-44). Even before hearing this, Hecuba argues that he deserves punishment anyway. At this point, the Chorus introduces a further variant of the retributive principle⁵¹, δράσαντι δ’ αἰσχρὰ δεινὰ τὰπιτίμια («For those who commit infamous deeds, terrible is the punishment», 1086). In this context, δράω amplifies the seriousness of the action of Polymestor, who was aware that he was committing an impiety (stressed by the polyptoton ἀνοσιωτάτου ... ἀνοσιώτατον) and who, precisely because of his willingness to carry it out as a result of planning, deserves to be subjected to the law of retaliatory justice⁵². Indeed, Agamemnon recognises the validity of this principle (1250) by acting

⁴⁹ The major obstacle to connecting τίσις with τιμή and its accepted cognates is that the latter all have an original long -ī- (with many secondary shortenings): see WEISS (2017, with further bibliography).

⁵⁰ My hypothesis is based on the remarks of CHANTRAINE (1999, s.v. τίνω), where he analyses the relationship between Greek terms referring to honour, punishment and payment. While rightly opposed to admitting an etymological link between τίνω/τίω and τιμή (cf. n. 49), he admits a link between τιμωρὸς (s.v. 1120) and derivatives, as composed of τιμή (“honour”, “valour”) and the lexical family of τίνω because of the meanings of revenge/punishment shared by both.

⁵¹ Similar to the Chorus in Eur. *HF*. 755f. (... ἀντίποινα δ’ ἐκτίνων / τόλμα, διδούς γε τῶν δεδραμένων δίκην).

⁵² See also Eur. *HF* 732f. (ἔχει γὰρ ἠδονὰς θνήσκων ἀνήρ / ἐχθρὸς τίνων τε τῶν δεδραμένων δίκην) where Amphitryon proclaims the pleasure derived from the fulfilment of retaliatory justice coinciding with revenge/punishment on Lycus, feared by the latter (*HF* 169f.).

as arbitrator between the parties (1130-31). The examples above show how δράω, combined with other formal elements (language, style, ideas), can attribute more complex meaning to the characters’ acts, emphasising the voluntariness and responsibility determining a reaction that is mostly a personal revenge and/or punishment.

2. Does δράσαντα παθεῖν Denote Responsibility? Meaning and Variations in Greek Tragedy

The exam of some uses of δράω and its combination with πάσχω in tragedy involves confronting the reception and understanding of certain legal and ethical issues among ancient spectators⁵³ such as the theme of individual responsibility. In this sense, they could relate the idea implicit in δράω (*supra*, pp. 163f.) and the ancient norm of retribution (δράσαντα παθεῖν) that prescribed the punishment of the offender. The latter, based on the social notion of exchange and reciprocity⁵⁴, inspired the victim to restore her personal status and social role damaged by someone else, through the law – in the courts – or personal retaliation as shown in tragedy. According to this ethical standard⁵⁵, people tended to repay good with good and evil with evil⁵⁶, sometimes appealing to the δράσαντα παθεῖν and its variants attested in tragedy as well as in oratory⁵⁷. The following analysis of some uses of δράω and πάσχω in Aeschylus, Sophocles and Euripides aims to show how the principle of retribution/reciprocity could be sometimes influenced by the Athenian legal thought of the fifth century⁵⁸ known to the audience.

⁵³ On the legal skills of the Athenian audience and its possible reactions, cf. GOLDHILL (1997); HARRIS – LEÃO – RHODES (2010, 1-4); STOLFI (2022, 26-30, with further bibliography).

⁵⁴ The principle of reciprocity (often combined with the notion of “exchange”; cf. BOTTIN 1979) is a cornerstone of ancient Greek ethics (PARK 2023, 5, n. 22, with further bibliography). In the legal sense, the notion of reciprocity refers to the restoration of a balance following a private or public offence (MCHARDY 2013, 7, 9-10).

⁵⁵ Cf. SCHEITER (2022, 32-34).

⁵⁶ Cf. BLUNDELL (1989, 26-59).

⁵⁷ In Attic orators δράω is often substituted by ποιέω but can still assume the meaning of dramatic δράσαντα παθεῖν (KUCHARSKI 2016, 97-100); cf. *e.g.* Lys. XXI 22 (εἴπερ χρη τοὺς εὖ πεπονθότας περὶ τῶν εὖ πεποιηκότων εὐχεσθαι τὴν ψῆφον φέρειν); Isocr. III 53 (τοὺς λανθάνοντας, ἂν τι κακὸν ποιήσωσιν ... εἰκὸς τοιαῦτα παθεῖν οἷά περ αὐτοὶ ποιούσιν); Dem. XXI 30 (οὐδὲ γὰρ ἐπειδὴν ἀδικηθῆτις, ὡς ἂν ἕκαστος ὑμᾶς ὁ παθὼν πείσῃ, ποιῆσθε τὴν τιμωρίαν).

⁵⁸ The choice to treat the tragedians separately is due to expositional needs, without giving each a different role in making the characters deal with the mechanism of δράσαντα παθεῖν, whose meaning always oscillates between archaic (retaliatory retribution) and classical (reciprocity) value well known to the audience (LAWRENCE 2013).

2.1. Aeschylus

In Aeschylus it is possible to distinguish different declinations of the principle of retribution expressed by δράω and πάσχω. He often employs the traditional archaic meaning of the expression by assigning it a positive⁵⁹ and negative value according to the context, showing the different (and co-existing) declinations of the ideas of justice and reciprocity. For example, in the extensive fragment (99 Radt) from *Carians* (or *Europa*), Europa describes her rape, the births of her three children, and her fear for Sarpedon, afraid that in the battle he may «both do and suffer the greatest possible harm» (ἀνυπέρβατον δράση τε καὶ πάθη κακόν, 21)⁶⁰. In this case, the combination of δράω and πάσχω conveys a sense of reciprocity inherent in the context of war, which closely resembles epic tones, and a formulation found in Hom. *Od.* 8 490 ὄσσ' ἔρξαν τ' ἔπαθόν τε καὶ ὄσσ' ἐμόγησαν Ἀχαιοί («All that they have done and suffered and all the hardships the Achaeans have endured»). Reinforcing the hypothesis of an Aeschylean echo of Homeric poetry is the fact that the only occurrence of the nexus is marked by ἔρδω, whose combination with πάσχω is only attested in Aeschylus' *Agamemnon* where it is explicitly connoted as δράσαντα παθεῖν⁶¹.

One of the recurring themes in the *Oresteia* is that the doer must suffer⁶². But it is quite significant that Aeschylus referred to the principle δράσαντα παθεῖν and retributive justice within his oldest play not set in Greece and where the term δίκη is never attested. For instance, in *Persians* 813f., where the ghost of Darius explicitly alludes to the law of reciprocity applied to Xerxes, guilty of ὕβρις and impiety towards the gods (808-12), the wording is the following: δράσαντες οὐκ ἐλάσσονα / πάσχουσι τὰ δὲ μέλλουσι ..., «Because of this evil they have done, they are suffering evil to match it in full measure

⁵⁹ Also attested in Soph. *Phil.* 672 (ὅστις γὰρ εὖ δρᾶν εὖ παθῶν ἐπίσταται); Eur. *Hcl.* 424 (ἀλλ', ἦν δίκαια δρῶ, δίκαια πείσομαι), *Hec.* 252f. (ὅς ἐξ ἐμοῦ μὲν ἔπαθες οἷα φῆς παθεῖν, / δράς δ' οὐδὲν ἡμᾶς εὖ), fr. 60 Kannicht 41f. αἰ[σχρ]ὸν γὰρ εὖ μὲν ἐξέπίστασθαι παθεῖν / δράσαι δὲ μηδὲν εὖ παθόντα πρὸς σέθεν. Particularly interesting is *Suppl.* 1179f. ... γενναῖα / γὰρ παθόντες ὑμᾶς ἀντιδρᾶν ὀφείλομεν («Since we have been treated nobly, we are obliged to reciprocate»). Here ἀντιδρᾶν stresses the will of Adrastus and his people to show their gratitude to Athens by combining reciprocity (ἀντι-) with duty (ὀφείλομεν), which reinforces the value of 'action' expressed by δράω within a context that points to the will of the doer. See also Soph. *OC.* 270f. (καίτοι πῶς ἐγὼ κακὸς φύσιν, / ὅστις παθῶν μὲν ἀντέδρων), 953 (ἀνθ' ὧν πεπονθῶς ἠξίου τὰδ' ἀντιδρᾶν), and HARRIS – LEÃO – RHODES (2010, 122-25); STOLFI (2022, 324-26).

⁶⁰ Text and translation from SOMMERSTEIN 2008b, 114-15. See also RADT 1985, 221. The nexus occurs in another fragment which may be by Aeschylus or not (SOMMERSTEIN 2008b, 82-83): δρᾶν τε καὶ παθεῖν, possibly resumed in fr. 78c RADT 11-12 (πῶς τε παθῶν τι δεῖ / ἢ πολλὰ δράσας ω) belonging to the same tragedy (SOMMERSTEIN 2008b, 84, n. 1).

⁶¹ Cf. *supra*, p. 163. See also MEDDA (2017, vol. III, 403).

⁶² See e.g. *Ag.* 1526f. ἀνάξια δράσας / ἄξια πάσχω («Suffering worthy punishment for the unworthy acts committed»). also in oratory, as: Antiph. III 3, 3 ἐγὼ δὲ δράσας μὲν οὐδὲν κακόν, παθῶν δὲ ἄθλια καὶ δεινὰ («I myself, on the other hand, far from having voluntarily caused any harm, have been the victim of cruel suffering») that is «a clear allusion to the proverb δράσαντα παθεῖν» (GAGARIN 1997, 153).

and have still to suffer more»⁶³. As Cairns points out, ὕβρις does not always imply an action but can also refer to a «disposition of excessive self-assertion» that threatens someone else’s τιμή, man or god, and to a tendency to ‘thinking big’ that cause gods’ hostility⁶⁴. The destruction of Athenian temples and altars is a true act of ὕβρις against the Athenian people and their deities, who do not hesitate to intervene to punish such sacrilege according to a strict retaliatory rule. Conceptually, this precept looks at δίκη as the order of human nature; metaphorically, it looks at the balance inherent in Zeus’ scales that classifies revenge-taking as a ‘balanced reciprocity’.

In this sense, two parallels to the Aeschylean passage not yet considered by scholars are Sophocles fr. 962 Radt εἰ δεῖν’ ἔδρασας, δεινὰ καὶ παθεῖν σε δεῖ («If you did dreadful acts, you should also suffer dreadful things») and Euripides *Andr.* 731 οὐτ’ οὖν τι δράσω φλαῦρον οὔτε πείσομαι («I do not want to do or suffer anything wrong») ⁶⁵. As is the case for *Persians*, the correspondence between action and punishment expressed by δράω/πάσχω is enhanced by adjectives (ἐλάσσονα, δεινὰ, φλαῦρον) emphasising the dreadful consequences awaiting the character’s actions in Sophocles’ fragment and, in Euripides, Menelaus’ concern that his presence in Phthia might lead Peleus to suspect ill intentions and suffer from their consequences. Not surprisingly, Peleus had just expressed his desire to raise Andromache’s son as a «mortal enemy of these people [*scil.* the Spartans]» (θρέψω μέγαν τοῖσδ’ ἐχθρόν, 724) so that he may one day avenge the wrong inflicted on his mother. However, Menelaus is also sensitive to the theme of retaliatory reciprocity: he claims that if Peleus’ son does not punish Andromache, his own actions will succeed those of Neoptolemus in the sense of arising out of them (ἔργοισι δ’ ἔργα διάδοχ’ ἀντιλήψεται, 743). In these cases, the combination of the usual principle of δράσαντα παθεῖν with other lexical elements allows a better understanding of what will happen in the lives of the characters (Xerxes) or what they are willing to do or avoid (Menelaus).

Sometimes instead the nexus assumes a positive value as, for example, in *Eum.* 868 εὖ δρῶσαν, εὖ πάσχουσιν, «Well doing and well done by»⁶⁶, where Athena hopes to turn the Erinyes into benefactors of Athens. In this play, Aeschylus modifies the values of the δράσαντα παθεῖν by applying it to good actions; thus, for the first time in the trilogy, the

⁶³ Text and translation by SOMMERSTEIN 2008a, 107.

⁶⁴ CAIRNS (1996, 9).

⁶⁵ In Euripides’ line, the meaning of δράω as ‘voluntarily action’ is enforced through the ancient desiderative value of the future (CASSIO 2016², 100). Moreover, it is possible the Euripides remembered the Sophoclean line in *Or.* 413 οὐ δεινὰ πάσχειν δεινὰ τοὺς εἰργασμένους («It is not surprising that those who have done dreadful things, should suffer them») where the conventional δράσαντα παθεῖν sentiment is expressed with sophisticated irony by Menelaus almost like the Menelaus of *Andr.* 731.

⁶⁶ Text and translation by SOMMERSTEIN (1989, 254).

principle is explicitly extended to require non-injury as well as injury to be reciprocated. Another example which insists on the refusal of ancient retributive logic is at 980-84:

μηδὲ πιούσα κόνις μέλαν αἷμα πολιτῶν
 δι' ὄργαν ποινᾶς
 ἀντιφόνους ἄτας
 ἀρπαλίσαι πόλεως
 χάρματα δ' ἀντιδιδοῖεν.

And may the dust not drink up the dark blood of the citizens and then,
 out of passion for revenge, eagerly embrace the city's ruin through retaliatory murder.
 May they repay good for good⁶⁷.

These lines denounce the disastrous effect of the civil war (στάσις) on the *polis* by preventing citizens from living together in an orderly manner. Indeed, it forces them to succumb to the logic of retaliation not regulated by law⁶⁸, that is ποινή (981), which could remind the audience of practice of “blood money” attested in Homer, based on a violent reciprocity (ἀντιφόνους, 982). The overall sense of this section can be understood if related to previous events. The Erinyes, furious at the acquittal of Orestes – a serious offence against them (ἐγὼ δ' ἄτιμος βαρύκοτος, 780 = 810) – had threatened to curse Athens for the wrongs suffered by its citizens (δύσοιστ' ἐν / πολίταις ἔπαθον, 789f. = 818-20)⁶⁹. That desire for bloody reciprocity is now converted into a desire for a positive one between men, intended to make the city prosper through the exchange of good for good (χάρματα δ' ἀντιδιδοῖεν, 984) rather than harm for harm as occurs in the στάσις. In this case, the refunctionalisation of the nexus serves the poet to affirm positive values such as justice and peace honoured by the Athenians.

Finally, the last occurrence of δράω and πάσχω in Aeschylus provides for an almost ‘neutral’ use of the verbs, which however confirm the idea of reciprocity and responsibility for future actions. This is the case of *Sept.* 1057 τί πάθω; τί δὲ δρῶ; τί δὲ μήσωμαι; («What will happen to me? What should I do? What plan shall I devise?»). At the end of the quarrel between Antigone and the herald about the burial of Polynices, the Chorus is uncertain about what to do, questions the responsibility arising from the actions it would take (τί δρῶ) and the inevitable consequences (τί πάθω). The nexus (as well as

⁶⁷ Text and translation by SOMMERSTEIN (1989, 270). He analyses the high presence of positive connotations (*Eum.* 413, 435, 725f., 868, 984-86) observing that «this principle implies that virtue should be rewarded as well as wrongdoing punished» (228).

⁶⁸ Represented by the foundation of the Areopagus, «an institution that will stand firm forever» (*Eum.* 484 θεσμόν, τὸν εἰς ἅπαντ' ἐγὼ θήσω χρόνον). On the legal meaning of θεσμός, cf. *supra*, p. 163.

⁶⁹ Cf. Aesch. *Eum.* 781-84 (= 811-14). The content of these threats is made clear in the prayers that the Furies address for the good of the city: drought and plague (*Eum.* 939-42), the untimely demise of men (*Eum.* 956f.), and the στάσις (v. *supra*).

the use of δράω) is here specified by μήδομαι meaning ‘to plan’⁷⁰, which emphasises the autonomous decision-making ability of the character and its valuation of the risks⁷¹.

2.2. Sophocles

Some usages of the δράσαντα παθεῖν in Sophocles show a slightly different conceptualisation of the nexus, which seems to reflect the intellectual debate of the second half of the fifth century on individual responsibility echoed, as we shall see, in Antiphon’s *Tetralogies*. Even when revenge is not the relevant topic of the play, the poet does not renounce to remind the audience of retributive justice as in *Ant.* 927f.:

εἰ δ’ οἶδ’ ἀμαρτάνουσι, μὴ πλείω κακὰ
πάθειεν ἢ καὶ δρῶσιν ἐκδίκως ἐμέ

But if it is these men [i.e. Creon] who do wrong, may they suffer evils no greater than those that they are now inflicting, without justice, upon me.

In the speech before her death sentence, Antigone prays that Creon suffer in turn for what he has done. This line undoubtedly suggests the idea of ‘the doer must suffer’ and retributive justice enforced by the ensuing mention of the Erinyes, goddesses of vengeance, who will make suffer Creon for evils parallel to those he inflicted to Antigone⁷². However, she was aware that her actions transgressed Creon’s edict; therefore, she took responsibility for them, as we see at 442f. where δράω suggests this nuance:

φήξ, ἢ καταρνῆ μὴ δεδρακέναι τάδε;
καὶ φημί δρᾶσαι κούκ ἀπαρνοῦμαι τὸ μή.

[Creon] Do you admit or deny that you chose to do this?

[Antigone] I declare that I wanted to do this and do not deny it.

As we have already seen, it is not simply δράω that emphasises the responsibility in its action, but its association with other lexical elements like the legal phrase οὐκ

⁷⁰ Cf. CHANTRAINE (1999, 693, «Méditer un project»).

⁷¹ Not surprisingly, the Chorus is partially in favour of Antigone, partially in favour of the city and the justice (πόλις καὶ τὸ δίκαιον ξυνεπαινεῖ, 1072f.); cf. HUTCHINSON (1985, 218-21). For μήδομαι, cf. Soph. *Trach.* 973 (τί πάθω; τί δὲ μήσομαι; οἶμοι); Aesch. *Ch.* 605-607 (τάλαινα Θεστιὰς μήσατο / ... πρόνοι/-αν) where it is combined with πρόνοια meaning the legal sense of ‘premeditation’ (cf. BROWN 2018, 330: «Althea did not act on impulse, but deliberately»).

⁷² Cf. Soph. *Ant.* 1074-76 Τούτων σε λωβητῆρες ὑστεροφθόροι / λοχῶσιν ... Ἐρινύες / ἐν τοῖσιν αὐτοῖς τοῖσδε ληφθῆναι κακοῖς («The avenging destroyers, the Furies, are lurking for you, waiting to seize you in the same sufferings»).

ἀρνήσομαι⁷³, which recalls Orestes’ confession before the Areopagus (*Eum.* 611) and his reference to the crime (matricide) through δράω. In other sections of *Antigone*, δράω is used to denote the crime committed by someone against the law of the polis⁷⁴. As the Guard swears that he did not commit the act at 266f. τὸ μήτε δρᾶσαι μήτε τῷ ξυνειδέναί / τὸ πρᾶγμα βουλευσάντι μήτ’ εἰργασμένῳ («I did not commit the deed, nor was I aware of its planning or execution»), he feels the need to deny any responsibility implied by δράω and enforced through βουλευσάντι. The latter, in fact, refers to the Athenian law that established the same responsibility (and thus punishment) of the material author of the crime and of the accomplice/instigator (ὁ βουλευσας)⁷⁵. So, the Guard’s statement acquires another (stronger) value in Creon’s eyes; he could not help who neither premeditated nor materially executed the crime simply because he neither committed the act nor knows who did it⁷⁶.

A further example of this borderline meaning of δράω between retribution and responsibility is from *Electra*. When Chrysothemis expresses her disbelief at Electra’s urging the arrival of Aegisthus, who had threatened to imprison her, Electra replies «That he may come if he plans to do any of what you said» (ἐλθεῖν ἐκεῖνον, εἴ τι τῶνδε δρᾶν νοεῖ, 389). In this case, the use of δράω⁷⁷ specifies the nature of Aegisthus’ action marking his willingness to humiliate Electra, by imprisoning her in a place where she can complain about her father without anyone listening to her and eventually find death (380-82). This threat constitutes a justification for the gesture Electra declares herself willing to make, namely a “restoration of honour to her father” (πατρὶ τιμωρούμενοι, 399) and, consequently, to herself⁷⁸. On the other hand, Chrysothemis’ reply reminds the sister of the principle of retribution and reciprocity, placing πάσχω alongside δράω (ὅπως πάθης τί χρῆμα; ποῦ ποτ’ εἴ φρενῶν, 390), which means that Aegisthus is seen as the agent of the punishment that will be suffered (πάθης) by Electra.

⁷³ These passages are all inspired by the legal formula οὐκ ἀρνήσομαι meaning taking responsibility (e.g. *Lys.* XXII 18-9; *Aeschin.* I 136).

⁷⁴ Cf. *Soph. Ant.* 35f. (ἀλλ’ ὅς ἂν τοῦτων τι δρᾶ / φόνον προκεῖσθαι δημόλευστον ἐν πόλει) 266, 319, 325, 483. See also HARRIS (2006, 53-57); STOLFI (2022, 227-40, with further bibliography).

⁷⁵ The content of the law is confirmed by *Andoc.* I 94 (καὶ οὗτος ὁ νόμος καὶ πρότερον ἦν ... καὶ νῦν ἔστι, τὸν βουλευσάντα ἐν τῷ αὐτῷ ἐνέχεσθαι καὶ τὸν τῇ χειρὶ ἐργασάμενον).

⁷⁶ Cf. *Soph. Ant.* 239 (πρᾶγμ’ οὐτ’ ἔδρασ’ οὐτ’ εἶδον ὅστις ἦν ὁ δρῶν). See also Creon’s questioning of Ismene in *Ant.* 535-37 φήσεις μετασχεῖν, ἢ ἕξομῃ τὸ μὴ εἰδέναί; / δέδρακα τοῦργον / ... καὶ ζυμμετίσχω καὶ φέρω τῆς αἰτίας («Will you also claim that you took part in the burial, or will you swear that you knew nothing about it? / Yes, I committed the deed – I share and take my share of responsibility»).

⁷⁷ Which JEBB (1894) translates «He hath any such intent» (40).

⁷⁸ See also *supra*, p. 170. Aegisthus’ decision has been previously denoted by βουλευῶ (385 ἢ ταῦτα δὴ με καὶ βεβούλευνται ποεῖν;) which, combined here with δράω, enforces the idea of voluntariness (cf. *supra*, n. 30).

A further occurrence of δρᾶω / πάσχω in the double sense of reciprocity and retribution is found in *Oedipus Tyrannus* when he understands that he is the material author of Laius’ homicide (1272):

οὔθ’ οἶ’ ἔπασχευ οὔθ’ ὅποι’ ἔδρα κακά.

You will no longer see such horrors as I have suffered and committed.

Oedipus’ words refer to the future, but the clear implication is that this is a punishment for the failure of his eyes to recognise his own parents in the past. In this case, the nexus ἔδρα κακά could suggest the responsibility and free choice in carrying out a negative action (i.e. murder and incest), although the author was unaware of his victims’ identities. In such a sense, Oedipus admits that his retaliation is equal to the harm he suffers: his eyes did not recognise who they should recognise in the past and therefore do not deserve to see anything more in the future⁷⁹.

These lines can be compared to what Oedipus states in *Oedipus at Colonus*, where he claims that the parricide and incest occurred out of his ignorance (266f.): ἐπεὶ τά γ’ ἔργα με / πεπονθότ’ ἐστὶ μᾶλλον ἢ δεδρακότα («Since I have suffered my acts rather than carry them out responsibly»). This denial of the conventional δρᾶσαντα παθεῖν is followed by a variation of it (ἔπαθον ... οὐκ ἔρεξα, 538f., already seen in Aeschylus’ *Agamemnon*), which allows Oedipus to strengthen his defence and his role as a victim rather than perpetrator. Indeed, he claims to have acted according to justice (πρὸς δίκας, 547) and «to be ritually pure by law» (νόμω δὲ καθαρός, 548). In this way, Oedipus can deprive δρᾶω of its additional meaning (i.e. ‘acting responsibly’) without denying the reciprocity inherent in his action. He killed Laius to reciprocate (ἀντέδρων, 271) an offence he had suffered (παθών, 271), according to the retaliatory ethics defended by the Chorus⁸⁰. In this regard, Oedipus admits to Creon that he killed his father (ἐς χεῖρας ἦλθον πατρὶ καὶ κατέκτανον, 975), but without knowing his identity. Therefore, the effective responsibility of the parricide (stressed by the double ἔδρων τ’ ἔδρων at 976) is non-existent since, from a strictly legal point of view⁸¹, it was an involuntary murder

⁷⁹ Cf. Soph. *OT*. 1273f. In this play, Oedipus appears responsible and victim at the same time; cf. the words of the Messenger at 1230f. ἐκόντα κοῦκ ἄκοντα· τῶν δὲ πημονῶν / μάλιστα λυποῦσ’ αἱ φανῶσ’ ἀυθαίρετοι («Evils willingly, not unwillingly, undertaken. The sorrows that cause the most grief are those which are clearly self-chosen», FINGLASS 2018, 543f.). For an in-depth analysis, CAIRNS (2013, 134-36).

⁸⁰ Cf. Soph. *OC*. 228f. οὐδενὶ μοιριδία τίσις ἔρχεται / ὧν προπάθη τὸ τίνειν («No one suffers a fatal punishment if he repays actions that were done before to himself»).

⁸¹ Cf. HARRIS – LEÃO – RHODES (2010, 138) «In *Oedipus at Colonus* the homicide is just or according to the law» (i.e. δίκαιος φόνοσ; PEPE 2008, 145; STOLFI 2022, 336-41). For a different analysis of the theme of voluntariness in the Oedipus plays, cf. TOSI (2022).

(ἄκον πρᾶγμα, 977) which, according to the Athenian homicide law, was sanctioned with exile, that Oedipus had accepted⁸².

From this point of view, it seems to me that similarities can be drawn between some Sophocles’ uses of δράσαντα παθεῖν and those we find in Antiphon’s *Tetralogies*, which are adherents of contemporary legal thought⁸³. Illustrative of this similarity is the following excerpt from III 2, 6:

Οἱ τε γὰρ ἀμαρτάνοντες ὧν ἂν ἐπινοήσωσί τι δρᾶσαι, οὗτοι πράκτορες τῶν ἀκουσίων εἰσίν· οἱ τε ἐκούσιόν τι δρῶντες ἢ πάσχοντες, οὗτοι τῶν παθημάτων αἴτιοι γίνονται.

In fact, those who fail to carry out a deliberate act are responsible for accidents, just as who voluntarily do something or allow it to be done to them are responsible for the effects suffered.

Like Sophocles, Antiphon employs the principle when reflects on voluntary (ἐκούσια) and involuntary (ἀκούσια) actions, but always reminding the court audience and the jury of its oldest meaning, that is, retributive justice, expressed in Chorus’ reply to Oedipus cited above (n. 80). We can conclude that the notion of reciprocity, persistent in Athenian legal and ethical thought, can pass through a new conceptualisation of δράσαντα παθεῖν reflected both in tragedy and in oratory. This also reminded the audience of the fifth-century debate on individual (criminal or moral) responsibility, which ultimately depends on the will and intentions of the ‘agent’ as its name suggests (ὁ δρῶν)⁸⁴.

⁸² Cf. TODD (1993, 269-74); PEPE (2012, 158f.); STOLFI (2022, 318-24, with further bibliography). For the opposite view, cf. HARRIS – LEÃO – RHODES (2010, 134-39, esp. 138): «Laius’ murder is deliberate homicide (φόνος ἐκ προνοίας) in response to provocation».

⁸³ See among others, Antiph. IV 2, 2 οὐ γὰρ ταῦτά ἀλλὰ μείζονα καὶ πλείονα δίκαιοι οἱ ἄρχοντες ἀντιπάσχειν εἰσὶ ... ταῖς χερσὶν ἄπερ ἔπασχον ἀντιδρῶν («Those who initiated the assault deserve to suffer in return not an equal, but a greater and worse wrong. In fact, I used my hands to retaliate for the wrongs I received») where the speaker emphatically argues (ἀντιπάσχειν/ἀντιδρῶν) that the victim «was responsible for the fight and therefore for his own death; he only received what he deserved» (GAGARIN 1997, 161); IV 4, 5 Ὁ μὲν γὰρ ἂ ἔπασχεν ἀντιδρᾶν ζητῶν («He tried to retaliate for the actions he was suffering»).

⁸⁴ Cf. e.g. Soph. *OT* 246 (κατεύχομαι δὲ τὸν δεδρακότ’, εἴτε τις), i.e. the official decree against Laius’ murder; Antiph. IV 4, 5 διὰ τὴν αὐτοῦ ἀκολασίαν πάντα καὶ πάσχω («It was his own lack of self-control that made him act and suffer in return»), IV 4, 8 Ὁ μὲν γὰρ ἀκουσίως πάντα δράσας καὶ παθὼν («One acted and suffered for the wrongs he did without any choice of his own»). See also GAGARIN (1997, 144-46, 149f., 160-62); PEPE (2012, 157-61).

2.3. Euripides

As is the case for Aeschylus and Sophocles, not all the occurrences of the combined use of δράω and πάσχω attested in the plays of Euripides refer to the archaic principle of reciprocity and retaliatory ethics. From this point of view, the poet seems to reflect the tendency already identified in Sophocles, that is, namely, to enforce the meaning of δράω by associating it with other lexical elements stressing the idea of responsibility and agency in a legal sense, without renouncing to the basic idea of exchange and retribution known to the audience. In this sense, the correlation of δράω and πάσχω attested in *Hclid.* 176f. (μηδ' ὅπερ φιλεῖτε δρᾶν / πάθης σὺ τοῦτο), could suggest another kind responsibility – not a legal one, but related to war – without eliminating the traditional correlation of action and punishment underlying the verbal pair. Indeed, the Argive herald appeals to Athenian self-interest urging the king Demophon to abandon the role as defenders of the weak (a strong motif in democratic Athens). If the *polis* takes responsibility (δρᾶν) for the asylum and protection of suppliants, the entire community will suffer (πάθης) negative consequences, incurring the vengeance of Argos⁸⁵.

The convergence of the ideas of responsibility and retaliation in the combined use of δράω and πάσχω is also found in the last Euripidean drama, when Pentheus, the king of Thebes, affirms that the stranger (Dionysus) «will not be quiet either when he suffers or when he takes the lead to act» (ὅς οὔτε πάσχων οὔτε δρῶν σιγήσεται, *Bacch.* 801). This line seems to polemically refer to πάσχω uttered by Dionysus at 788 (κακῶς δὲ πρὸς σέθεν πάσχων), when he recalls the punishment inflicted on the foreigner by order of Pentheus, who imprisoned him and put him in chains for his attempts to subvert the order of the *polis*⁸⁶. The institutional nature of the sanction inflicted by Pentheus on the stranger⁸⁷ clashes with the personal retaliation of Dionysus, which the god alludes to at 515f. ἀτάρ τοι τῶνδ' ἄποιν' ὑβρισμάτων / μέτεισι Διόνυσός σ' («Dionysus will make you pay the price for your insolence»).

So, line 801 could reference to the imminent revenge taken by Dionysus on Pentheus and Thebes. At 1069f., the Messenger describes the moment when Dionysus

⁸⁵ The Argives would in fact wage war to take revenge on Athens (*Hclid.* 282f. μάτην γὰρ ἤβην ὧδέ γ' ἄν κекτήμεθα πολλὴν ἐν Ἄργει, μή σε τιμωρούμενοι). See also Eur. fr. 711 Kannicht (εἶτα δὴ θυμούμεθα / παθόντες οὐδὲν μεῖζον ἢ δεδρακότες) where Telephus emphasises how the Greeks suffered the consequences of their actions; *Hyp.* 598 (πῶς οὖν; τί δράσεις, ὧ παθοῦσ' ἀμήχανα;) where Phaedra, holding Hippolytus responsible for her illness, accounts him as enemy and seeks revenge upon him restoring the reciprocity (κοινῇ μετασχῶν σωφρονεῖν μαθήσεται).

⁸⁶ Cf. e.g. Eur. *Bacch.* 355-56a (κᾶνπερ λάβητε, δέσμιοι πορεύσατε / δεῦρ' αὐτόν), 615 (οὐδέ σου συνῆψε χεῖρας δεσμίοισιν ἐν βρόχοις;), 643 (ὅς ἄρτι δεσμοῖς ἦν κατηναγκασμένος).

⁸⁷ Emphasised by several expressions with δίκη, e.g. Eur. *Bacch.* 346 (δίκην μέτειμι), 356 (λευσίμου δίκης τυχῶν), 489 (δίκην σε δοῦναι δεῖ σοφισμάτων κακῶν), also attested in legal speeches (e.g. *Antiph.* I 25; *Lys.* IX 12; *Dem.* XXI 6).

performs an action with a deliberate (δρῶν) purpose, namely bending the mountain tree to the ground (1068f.) and making Pentheus sit on it (1070). At this point, the plan of the god is fulfilled: he orders the Bacchae to ‘punish’/‘take revenge’ (ἀλλὰ τιμωρεῖσθε, 1080) on Pentheus. Through a series of lexical elements throughout the text, Euripides holds Dionysus responsible (ὁ δρῶν) for the death of the king of Thebes, who suffers – again within the logic of retributive justice – for not respecting the god’s rites.

The archaic principle of δράσαντα παθεῖν is naturally prevalent in the plays where revenge is the main theme. However, even in this case, the association of δράω with other lexical elements suggests details that define and aggravate – also in a legal sense – individual responsibility, such as the will and intention of the agent. This operation enforces the correlation between retaliatory ethics and legal punishment⁸⁸, making the characters use the language of the courts to justify their acts. In this regard, we can consider some brief passages from *Medea* and *Ion*. In the *Medea*, Creon officially decides to banish her and her children from the city. He knows, in fact, that she is offended by Jason’s marriage to his daughter and fears that the woman can take revenge, according to the law of retribution expressed through an action planned (δράσειν, 289) as a result of threats (ἀπειλεῖν, 287), that reveal fully intentions also known to others (ὡς ἀπαγγέλλουσί μοι). The action, if carried out, will entail serious harm to Creon from which he wishes to protect himself (δράσειν τι. ταῦτ' οὖν πρὶν παθεῖν φυλάξομαι, 289).

Medea had already decided to take revenge to obtain justice for the wrongs suffered by Jason (πόσιν δίκην τῶνδ' ἀντιτείσασθαι κακῶν, 261). Her motives meet with the approval of the Chorus, which recognises the importance of retaliatory justice (ἐνδίκως γὰρ ἐκτίση πόσιν, 267) following an offence to a woman’s honour ‘when she is injured in love’ (ἐς εὐνήν ἠδικημένη, 265). One can note the different language used by the characters to describe revenge: Creon, the representative of the institutions, insists on the correlation between action and punishment but, recognising its retaliatory nature, wants to protect itself by resorting to the law and promoting the exile of the doer. Instead, Medea’s need to ἀντιτείσασθαι (261) insists on retribution (τίσις) and reciprocity (ἀντι-) to redress the offence caused to her τιμή (Μήδεια ... ἠτιμασμένη, 20), of which Creon is also conscious⁸⁹.

However, Medea obtains permission from Creon for her exile to be postponed by one day and the unexpected arrival of Aegeus offers her refuge in Athens. Thus, Euripides can present Medea’s action as a conscious and vindictive plan. In her dialogue with Aegeus, the woman mentions the offence suffered by Jason without any reason (ἀδικεῖ μ’

⁸⁸ In classical Athens, revenge and rule of law are frequently seen as synergistic forces in the working of the legal system. Cf. KUCHARSKI (2012, 196f.); CAIRNS (2015, 650-56).

⁸⁹ Cf. Eur. *Med.* 286 (λυπῆ δὲ λέκτρων ἀνδρὸς ἐστερημένη), 316f. (ἀλλ' ἔσω φρενῶν / ὀρρωδία μοι μὴ τι βουλεύης κακόν), 356 (οὐ γὰρ τι δράσεις δεινὸν ὧν φόβος μ' ἔχει).

Ἰάσων οὐδὲν ἐξ ἐμοῦ παθῶν, 693), so that Aegeus asks what he is responsible and guilty for (τί χρῆμα δράσας; 694). Aegeus’ question is related to the nature of Medea’s wrong expressed by πάσχω and enforced by ἀδικεῖν, which implies the violation of δίκη. The latter is sufficient for the king to understand the nature of Jason’s δράω now connoted with the pejorative αἴσχιστος (695). This means that Aegeus understands the reasons for Medea’s revenge and blames Jason’s gesture on whom he acknowledges guilt (ἴτω νυν, εἴπερ, ἐστὶν κακός, 699).

The second example is from *Ion*. During the first dialogue between the protagonist and his mother, Creusa tells him about the pain suffered by her friend (herself) because of her adultery with Apollo, stressing that ‘she suffered dreadful consequences’ πέπονθεν ἄθλια (342). A wrong suffered is matched by an action, so Ion asks (as Aegeus) what is the nature of the act resulting from the suffering (τί χρῆμα δράσασ’, 343) and rules out that the woman did not join the god having no other choice (εἰ θεῶ συνεζύγη). Ion assumes that if Creusa’s friend suffered, it is because of something else she consciously did (δράω). In this case, the conventional δράσαντα παθεῖν goes beyond the mere retaliatory meaning, going so far as to determine the agent and the consequences of his decisions. Later in the play, it expresses the idea of reciprocity and retaliation matching with the justice of the *polis*, whose representatives officially pronounced the death sentence by stoning (οὐ ψήφω μιᾶ, 1223; Πυθίᾳ ψήφω, 1251) against Creusa. In this sense, the Chorus recalls the retributive meaning of the punishment he will suffer for collaborating with the woman, emphasising the strong voluntariness (θέλουσαι, 1247) of his criminous action (δρᾶσαί τι κακὸν τοὺς πέλας, 1248) and the fear of retaliatory justice based on the exact exchange of the wrong they have done (αὐταὶ πεισόμεθ’ ὥσπερ τὸ δίκαιον, 1249)⁹⁰. The examples discussed show that, like Sophocles, Euripides simultaneously maintained and renewed the original meaning of the δράσαντα παθεῖν. The echoes of this debate, to which much of the audience was surely familiar, help define the nature of the characters’ actions and their implication in the drama.

3. Conclusions

This paper analyses the diachronic development of one of the key elements of Greek and Athenian social, ethical, political and legal thought, namely the connection between

⁹⁰ Cf. Eur. *HF* 215 βία δὲ δράσης μηδὲν ἢ πείση βίαν («Do not act violently, or you will suffer violence»). Amphitryon invokes retributive justice against Lycus. The emphatic βία stresses the correlation between action and punishment and recalls 727f. προσδόκα δὲ δρῶν κακῶς / κακὸν τι πράξειν («Expect your evil deeds to have some evil consequences for you as well»). See also Eur. *Phoen.* 480 (κακὸν τι δρᾶσαι καὶ παθεῖν ...) where the reformulation of the δράσαντα παθεῖν shows that Polynices takes responsibility for an action (δρᾶσαι) and its consequences.

action and suffering, guilt and punishment. The ‘thrice-old adage’ recalled by Aeschylus (*Ch.* 313f.) and its multiple variants in Sophocles and Euripides are not only the expression of the retributive principle on which retaliatory justice and revenge are based. Rather, it confirms the gradual transition from private δίκη to that of the *polis* and explains why Athenian legal language did not even strictly distinguish revenge from punishment on the notional level⁹¹. Since drama was a phenomenon embedded in Athenian society, it can prove a resource for determining the stages of fifth-century debate on ideas and notions that were also transposed into the speeches of Antiphon. As we have seen, these issues are the individual responsibility, guilt and intentionality, which are presupposed in the combined use of δράω and πάσχω along with other lexical elements. Even though tragedy is set in the heroic past, the characters often allude to contemporary laws or use legal vocabulary. In this sense, it has been showed how the insistence of Aeschylus, Sophocles and Euripides on the connection between action and suffering (sometimes in the archaic sense) can be considered part of the fifth-century debate on responsibility. This explains why characters taking revenge admit to act voluntarily (Orestes, Lycus), with premeditation or intention (Clytemnestra, Polymestor) or deny having committed a voluntary act for what they do not feel responsible and do not think they deserve punishment (Oedipus). Their arguments, often characterised with δράω and πάσχω, are often close to uses attested in Attic orators. This confirms the ‘hybrid’ nature of Athenian legal discourse, which is «built up out of ordinary social, ethical, and emotional language»⁹² which the tragedians replicate to make their plays rich and complex⁹³.

⁹¹ Cf. BATTEZZATO (2019b, 10).

⁹² CAIRNS (2015, 665).

⁹³ See also TODD (1993, 205): «Athenian law never developed a fully technical vocabulary precisely because there was no way for words to be legally defined»; HARRIS – LEÃO – RHODES (2010, 1-16); STOLFI (2022, 11-16).

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