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POLITICAL
INTERPRETATION

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These resemblances between the Athenian supremacy in Greece and Oedipus' peculiar power in Thebes suggest that the word *tyrannos* as applied to Oedipus is part of a larger pattern, a comparison of Oedipus to Athens itself. The character of Oedipus is the character of the Athenian people. Oedipus, in his capacities and failings, his virtues and his defects, is a microcosm of the people of Periclean Athens. That such a generalized concept, the "Athenian character," was current in the late fifth century is clear from the speeches in Thucydides alone (especially the brilliant contrast between Athenian and Spartan character made by the Corinthians in the first book); and for an example of a national character portrayed on the tragic stage we have only to look at Euripides' *Andromache*, where Menelaus is clearly a hostile portrait, verging on caricature, of the worst aspects of the Spartan character as seen by the Athenians in wartime.⁵⁴ The character of Oedipus, one of the most many-sided and fully developed in all of Greek tragedy, bears a striking resemblance to the Athenian character as we find it portrayed in the historians, dramatists, and orators of the last years of the fifth century.

Oedipus' magnificent vigor and his faith in action are markedly Athenian characteristics. "Athens," says Pericles, "will be the envy of the man who has a will to action,"⁵⁵ and the boast is fully supported by Thucydides' breath-taking summary of the activity of the "fifty years." And in the same speech Pericles gives the highest praise to the kind of swift resolute action which is typical of Oedipus: "those who in the face of hostile circumstance are least adversely affected in judgment and react most resolutely with action are the most effective citizens and states."⁵⁶ The enemies of Athens, while recognizing the existence of Athenian vigor, naturally take a less favorable view of it. "Their idea of a holiday," say the

Corinthians, "is to do what is necessary,"⁵⁷ and this hostile but admiring assessment of the Athenian genius ends with the famous epigram: "They were born never to live in peace themselves, and to prevent the rest of mankind from doing so."⁵⁸ This is an apt description of Oedipus in the play: his will to action never falters, and it forces Tiresias, Jocasta, and the shepherd, in spite of their reluctance, to play their parts in the dynamic movement towards the discovery of the truth and the hero's fall.

This constant activity of the Athenians makes them, like Oedipus, rich in experience, which is a source of pride to them, of comfort to their friends and fear to their enemies. "Any among you who are Athenians," says Nicias to his troops before the final battle at Syracuse, "have already behind you the experience of many wars."⁵⁹ It is to the well-known Athenian experience in naval warfare that Phormio appeals in his speech to his sailors before the brilliant naval victory in the Gulf of Naupactus.⁶⁰ Pausanias, at Plataea, called on the Athenians to take the place opposite the Persian contingent, reminding them that they alone among the Greeks had already faced Persian infantry at Marathon: "you understand them . . . we are inexperienced."⁶¹ And the Corinthians, in their appeal to Sparta to attack Athens, call for new attitudes, pointing to the changes made by the Athenians "as a result of their great experience."⁶²

Oedipus has magnificent courage, and Athenian courage was the admiration, as well as the terror, of Greece. Every Athenian speaker appeals to the tradition of Athenian bravery at Marathon, Salamis, Plataea, and a score of other engagements. The Athenians at Plataea, Herodotus tells us, claimed the left-wing position from the Tegeans on the basis of this reputation for courage: "it is our hereditary right to be always in the first place."⁶³ The courage Athens displayed in the Persian war

was in fact the cause of the general Greek fear of Athens; the allies of Sparta, according to Thucydides, "feared the audacity which they had displayed in the Persian war."⁶⁴ The Spartans feared it too; to this fear Thucydides attributes the Spartan dismissal of the Athenian forces which they had called in to besiege the helots on Mount Ithome—"fearing the audacity and originality of the Athenians . . . they sent them away."⁶⁵ The Athenians of Pericles' time had not fallen short of this tradition of courage. The Athenian sailors, says Thucydides in his account of Phormio's naval victories, "had for a long time held this estimate of themselves, that being Athenians, they should not retreat before any superior number of Peloponnesian ships."⁶⁶ "We have forced every sea and land to open up a path to our courage," Pericles tells the Athenians in the Funeral Speech, and, according to Thucydides, the courage which after seventeen exhausting years of war inspired the Athenian attack on Sicily was the wonder of her contemporaries.⁶⁷ It was a constant feature of this courage that it seemed to be out of proportion to Athenian strength. "Our ancestors," says Pericles, "repelled the Persian with a courage greater than their resources," and his proud phrase finds a hostile echo in the Corinthian assessment of Athenian capabilities—"they have courage out of proportion to their resources."⁶⁸ Like Oedipus, they are most courageous when the situation seems worst. "We displayed the most courageous energy," say the Athenian envoys at Sparta (they are speaking of Salamis), "based on a nonexistent city and running risks for a future city which rested only on a slim hope."⁶⁹

The speed of decision and action which distinguishes Oedipus is another well-known Athenian quality. "They are quick to form a plan and to put their decision into practice," say the Corinthians: "they are the only people who simultaneously hope for and have what they plan, because of their quick

fulfilment of decisions." ⁷⁰ Like Oedipus, they prefer to anticipate rather than react: "When the Athenians realized [that Perdiccas was about to stir up a revolt in the North] they resolved to forestall it," says Thucydides. Their action when the revolt of Mitylene seemed imminent was similar—"they wished to forestall them." ⁷¹ The speed of Athenian action was time after time an unpleasant surprise for their enemies: two famous examples are the building of the walls after the Persian invasion and the building of the siege wall at Syracuse which "astonished the Syracusans, so quickly was it built." ⁷² "So swiftly did they deal with the danger," says the author of the *Funeral Speech* attributed to Lysias (he is speaking of Marathon), "that the same messengers announced to the rest of Greece both the arrival of the Persians and the victory of our forefathers." ⁷³

Like Oedipus, the Athenians, precisely because of their own speed of decision and action, are impatient at the slowness of others or events. "If they do not carry out a plan they have formed, they consider themselves deprived of something they actually had," say the Corinthians (Th. i. 70). Herodotus tells the story of the oracle that came to the Athenians from Delphi, bidding them set aside a precinct for Aeacus and wait thirty years before beginning the war against Aegina about which they had consulted the oracle. They set aside the precinct for Aeacus, "but," says Herodotus, "they could not bear to hear of waiting thirty years . . . They began preparations for retaliation." ⁷⁴

Oedipus' combination of swift action with careful reflection is mirrored in the Athenian confidence in discussion as a preparation for action, not, as happens with some people, a deterrent to it. "We do not believe," says Pericles, "that discussion is an impediment to action. We are unique in our combination of most courageous action with rational discussion

of our projects, whereas others are either overcourageous from ignorance or made cautious by reasoning." ⁷⁵

The intelligence in which Oedipus takes such pride is another recognized Athenian characteristic. Herodotus, commenting on Peisistratus' return to power by means of a "silly trick," professes astonishment that such things could have happened in Athens, "among the Athenians, who are said to be the first of the Greeks in wisdom." ⁷⁶ The Athenian orators refer to the Athenian role in the Persian wars in terms not only of courage but also of intelligence. The Athenian envoys at Sparta speak of "the energy and intelligence which we displayed then," ⁷⁷ and Pericles claims that the Persian defeat was due to "intelligence rather than chance." ⁷⁸ Of his own generation he makes the famous boast that "we cultivate the mind without loss of manliness," ⁷⁹ and in his last speech he tells the Athenians to rely on their intellectual superiority to the enemy. "Meet your enemies not just with confidence but with contempt. Confidence may spring simply from ignorance which has been lucky, and may exist in a coward; contempt is reserved for him who has faith in his intellectual superiority to the enemy, and this is the case with us. Intelligence strengthens the courage which is based on the evenness of the chances, by adding contempt, and this intelligence trusts not in hope, which is a source of strength in desperation, but in a reasoned judgment of circumstances, which provides more reliable foresight." ⁸⁰

The magnificent self-confidence so typical of Oedipus is the dominant note of the speeches which Thucydides attributes to Pericles in the first two books of his history. The estimate of Athenian and Spartan war potentials which Pericles presents in his speech urging the rejection of the Spartan demands, as well as the panegyric of the Athenian temper and institutions in the *Funeral Speech*, are eloquent testimony to Athens'

unlimited confidence in its capacity to overcome all opposition and all obstacles. Even in an Athens chastened by the plague and the Peloponnesian invasions, Pericles can talk of Athenian potentialities as unlimited: "The land and the sea are the two elements which are useful to man, and of the sea you are absolute masters, both as far as your empire extends and as far as you wish to extend it."⁸¹ And of the Athenians who fell in the first year of the war Pericles says: "they assigned to hope the invisible chance of success, but in action, where the issue was clearly seen, they thought it right to rely on themselves."⁸² This confidence can lead the Athenians, as it does Oedipus, to extravagant hopes. "When they profit from an enterprise," say the Corinthians, "they think they have gained little, compared to what is to come."⁸³ And, like those of Oedipus, their hopes are strongest in the face of danger and even of impending disaster. "In such a crisis as this," says Demosthenes on Sphacteria, addressing men who are about to attack Spartan infantry on Spartan soil, "let none of you try to get a reputation for intelligence by calculating the full extent of the danger which surrounds us. Rather close with the enemy in reckless hopefulness."⁸⁴ And Nicias, in even more dangerous circumstances, before the last battle at Syracuse, tells his troops: "Even in our present situation, we must hope. Men have been saved before this from even more terrible straits . . . My hope of the future remains confident."⁸⁵ "In terrible circumstances," say the Corinthians, "they are full of good hope";⁸⁶ it reads like a comment on the hopeful outburst with which Oedipus follows Jocasta's agonized farewell.

Oedipus, speaking of the solution of the riddle of the Sphinx, claims that he was the amateur ("the know-nothing Oedipus," 397) who put the professional, Tiresias, to shame on his own ground. This resembles one of the proud claims which Pericles makes for the citizens of the Athenian democracy. "In military

training our enemies pursue the goal of manliness by laborious exercises begun in extreme youth, while we live a life free of restraint and yet face just the same dangers as they do . . . We prefer to face danger taking things easily rather than with laborious training, with a courage which comes more from character than institutions."⁸⁷ This prized superiority of the intelligent amateur was most highly developed in Themistocles, the Thucydidean archetype of the Athenian democratic character at its best. "He was competent to form an adequate judgment even in matters of which he had no experience. . . . By native intelligence, without learning anything either before or after the event, he was the most effective judge of the immediate issue with the least deliberation." One is reminded of the estimates of Oedipus' solution of the riddle, both that of the priest—"knowing no more than us, not taught"—and that of Oedipus himself—"finding the answer by intelligence, not learning it from birds."⁸⁸

The adaptability and versatility of Oedipus, his success in imposing himself on unfamiliar surroundings even in disastrous circumstances, all this is typically Athenian. "I sum it all up," says Pericles, "by stating that the whole city is the school of Hellas, and that the individual Athenian citizen addresses himself to the most varied types of action as a self-sufficient personality with the utmost versatility and charm."⁸⁹ The classic example of this adaptability is again Themistocles, who, exiled from Athens and driven from Greece, took refuge at Sardis. Like Oedipus at Thebes he was a foreigner (and a hated one at that), but within a year he was in a position of power. "He got as good a grasp of the Persian language as he could," says Thucydides, "and also of the customs of the country. He became a greater power with the king than any Greek before him."⁹⁰

Oedipus' devotion to the city is another Athenian trait. "I

am a lover of the city," says Pericles,⁹¹ and in the Funeral Speech he calls on his fellow citizens to be lovers of the city in stronger terms, using the word *erastae*, which suggests the violent passion of the lover for the beloved.⁹² "In their city's cause," say the Corinthians, "they use their bodies as if they did not belong to them."⁹³

Oedipus' keen nose for a plot is so thoroughly Athenian that the audience which saw the play may well have enjoyed the development of his subtle suspicions.⁹⁴ An attitude such as his was justified in the light of Athenian political experience. The democracy was menaced from the very first days of its existence by oligarchical plotters who did not stop short of intelligence with foreign or even enemy powers. The shield signal to the Persian fleet after the Battle of Marathon (whoever was responsible for it) was only the first of a long series of treacherous maneuvers. A similar intrigue was being carried on before the battle of Tanagra in 457 B. C. "Certain Athenians," says Thucydides, "were secretly inviting the Spartans in, hoping that they would put an end to the democratic régime. . . . The Athenians had their suspicions that the democracy was to be destroyed."⁹⁵ At the time of the Sicilian expedition the mutilation of the Hermae was immediately taken as an indication of conspiratorial action against the democracy; the Athenians "reacted to everything with suspicion," their mood was "savage and suspicious."⁹⁶ Pericles was well aware of the suspicious nature of his fellow countrymen, and at the beginning of the war he was afraid that if his own property was spared in the Spartan devastation of Attica he would fall under suspicion of collusion with the enemy; he therefore announced publicly that if his lands were spared, he would give them to the state.⁹⁷ Under the strain of war and the plague this all too ready suspicion became an unhealthy obsession. "The man who offers excellent advice is suspected of doing so for private

profit," Diodotus complains in his speech against Cleon in the debate over Mitylene; ". . . when a man makes what is clearly a good contribution to public policy, his reward is a suspicion that in some obscure way he is going to benefit from it personally."⁹⁸

The particular type of plotting which Oedipus suspects—a political conspiracy which uses religious pretexts and machinery—can in fact be paralleled from Athenian history. "Isagoras," says Herodotus in his account of the early struggles of the Athenian democracy, "defeated in his turn, replied with the following device. He called in Cleomenes the Spartan. . . . Cleomenes, at the suggestion of Isagoras, sent a herald to require that Cleisthenes [the opponent of Isagoras] and a large number of Athenians as well, whom he declared were under a curse, should be expelled from Athens."⁹⁹ The word which Herodotus uses to characterize Cleomenes' "expulsion of the accursed" is *agélatein*, "to drive out the defilement," the same word exactly that Oedipus uses to describe what he thinks is the intention of Tiresias and Creon.¹⁰⁰ And this "device" was used again by the Spartans. Before the beginning of the Peloponnesian War they demanded the expulsion of Pericles from Athens on the same grounds.¹⁰¹

Oedipus' initial suspicion, which is the basis of the subsequent explicit and circumstantial accusations against Tiresias and Creon, springs from the belief that the murder of Laius would never have been undertaken by a single man unless he had the backing of conspirators in Thebes. "How could the brigand have shown such audacity, unless there had been some negotiations, and some money passed from here in Thebes?" (124-5). So the chorus of Aristophanes' *Wasps*, keen-scented detectors of plots, cannot believe that Bdelycleon, without some conspiratorial backing, would have kept his father from attending

court: "Never would the man have had the audacity to say what he has said, unless there were some fellow conspirator."¹⁰²

The anger of Oedipus is easily recognizable as the terrible swift anger of the Athenian people which Athenian politicians had learned to fear. Herodotus' account of the stoning of Lycidas (who proposed acceptance of the Persian overtures to Athens before the battle of Plataea), and the murder of his wife and children by the Athenian women, is a specimen of the monstrous potentialities of Athenian anger.¹⁰³ Pericles knew this temper well. "I was expecting this angry reaction," he says to an assembly exasperated by the invasion and the plague; "he wished," says Thucydides, "to reduce their angry temper to a gentler frame of mind."¹⁰⁴ "Pericles was afraid," says the chorus of Aristophanes' *Peace* to the Athenian audience, "fearing your nature and your habit of biting once and once only."¹⁰⁵ This anger raged against the suspected mutilators of the Hermae, and after the Sicilian disaster against the oracle-mongers who had predicted success.¹⁰⁶ Aristophanes is never tired of ringing the changes on this theme; his *Dêmos* (the Athenian people) in *The Knights* is described as "an old man . . . with a rude anger . . . irritable,"¹⁰⁷ and Aristophanes refers often to an aspect of this Athenian anger which directly concerns him, that of the theatrical audience, from which, for example, the comic poet Crates suffered.¹⁰⁸ The Athenian jurors in *The Wasps* set off to the law court as if to war "with three days' ration of vicious anger,"¹⁰⁹ and throughout the comedy they emphasize, as does Philocleon, this characteristic of the Athenian jury. It was well known in the law courts as well as in comedy, and there it was no joke. The defendant in the case of the murder of Herodes begs the jury to decide "without anger or prejudice."¹¹⁰ "It is impossible for an angry man to make a good decision. For anger destroys man's judgment, the instrument of his delibera-

tion." This warning is no mere rhetorical commonplace, for he has just reminded the court of the fate of the treasurers of the Hellenic League, falsely accused of embezzlement but all (except one) condemned and summarily executed in a blaze of anger. "Their death was due to your anger rather than your judgment."¹¹¹

But the anger of the Athenians, like that of Oedipus, could subside—sometimes, as in the case of the Mityleneans, in time to avoid violent action which they would later have regretted,¹¹² sometimes, as in the case of the victorious generals who failed to pick up their shipwrecked sailors at Arginusae, too late to do anything except punish those who had taken advantage of their angry mood to push them to extremes.¹¹³

A constant will to action, grounded in experience, inspired by courage, expressing itself in speed and impatience but informed by intelligent reflection, endowed with the self-confidence, optimism, and versatility of the brilliant amateur, and marred by oversuspicion and occasional outbursts of demonic anger—this is the character of Athens and Oedipus alike. Both the virtues and the faults of Oedipus are those of Athenian democracy. Oedipus son of Laius, a Theban mythical hero, has been transformed into an Athenian and contemporary figure. Not, however, a specific individual; the resemblances that have been pointed out to Themistocles, to Pericles, to Cleon are all minor facets of his resemblance to Athens itself, in all its greatness, its power, its intelligence, and also its serious defects. The audience which watched Oedipus in the theater of Dionysus was watching itself.

III

The character of the protagonist is, however, only one of the factors which combine to create the contemporary, Athenian atmosphere of the play. Another is the nature of one of the principal modes of the action. The action of the play is a characteristically Athenian process: it is a legal investigation, the identification of a murderer. Oedipus himself is comparable to Athens, the *polis tyrannos*, in all its political dynamism, its intelligence, its will to power; his action is presented in terms of the legal process, an aspect of civilized social organization in which Athens was an example to all Greece and to succeeding generations.

The proud Aeschylean claim that the civilized administration of justice began on the Areopagus in Athens, under the patronage of Athena,¹¹⁴ is echoed by other voices, among them Aristotle,¹¹⁵ and Attic legal procedure had developed by the end of the fifth century into the most advanced and progressive code of law and procedure, the admiration of other cities, and, for many of them, a *paradeigma*, a model and example.¹¹⁶ The name of Athens, for the Greeks of the fifth century, was inseparably associated with the legal institutions, and the litigiousness, for which Athens was famous. "That's not Athens," says Strepsiades in *The Clouds* of Aristophanes, when shown his native city on a map; "I don't see any courts in session."¹¹⁷ "The Athenians," says the critical author of *The Constitution of Athens*, a fifth-century antidemocratic pamphlet, "sit in judgment on more legal actions, public and private, more investigations, than all the rest of the human race put together."¹¹⁸ Athenian preoccupation with legal forms, as the sarcastic tone of this comment indicates, was often carried to excessive lengths, and the Aristophanic comedies show that the Athenians were conscious of this failing, and, among them-

selves, always willing to listen to a joke on the subject. But they were none the less convinced of the superiority of their institutions and the principles underlying them. The statement made by the Athenian envoys at the first Peloponnesian congress before the war makes no concession to criticism on this point. "We are supposed to be lovers of litigation," they say, "because in cases involving contractual relationships with the allied cities of our empire we reduce ourselves to their level and bring the case to judgment at Athens under laws before which both parties are equal."¹¹⁹ As they go on to point out, the complaint that such cases are tried at Athens admits the superior justice of Athenian rule, in that they are tried at all: "this is not a reproach that is made against other imperial powers, which are less moderate in their attitude to their subjects." There may be abuses of law in the Athenian system of imperial administration, but there is at least law to abuse.

To the outsider Athens was a city of law courts; to the Athenian citizen himself the legal process was a familiar part of his daily life to an extent which we can hardly imagine. The large juries and the long sessions, the frequency and multiplicity of public and private legal action in every imaginable sphere, and above all the absence of a professional class of lawyers and the consequent obligation to plead one's own case in person made the Athenian citizen familiar with legal procedure as a normal part of his existence as a citizen. Legal technicalities were as familiar in his mouth as household words. Almost every Athenian citizen, would sooner or later serve on a jury, and, very likely, plead before one; the legal context was as native to the Athenian citizen as the political, and in both he acted not through representatives but in person.

It is in this thoroughly and typically contemporary Athenian atmosphere that Sophocles has set the action of the *Oedipus Tyrannus*. The hunt for the murderer of Laius is presented

in terms of Attic private and public law. Once again the language of the poet suggests that Oedipus is a contemporary rather than a mythical figure.

The task which Oedipus undertakes at the suggestion of the oracle—to find the murderer of Laius—is one which, in the legal framework of Athenian democracy, would have involved both private legal action (for in Attic law it was the individual, not the state, which prosecuted for murder) and public, politico-legal action (for the murdered man was king of Thebes, and the oracular response makes clear not only that his murderers were Thebans¹²⁰ but also that the preservation of the city depends on their identification and punishment). Accordingly the investigation of the murder of Laius is invested by Sophocles with the current forms and formulas of both the politico-legal and the private process.

When Creon tells Oedipus (100-1) that Apollo demands action, in the form of banishment or death, against the murderers to requite the "blood which brings storm and winter on the city," Oedipus characterizes Apollo's statement and the resultant situation with a word which transfers the action out of the mythical and supernatural atmosphere springing from the Apolline response into the contemporary and practical context of Athenian politics and law. "Whose blood?" he asks. "Whose mischance does he inform us of?"¹²¹ "Inform" (*mênyci*) is a basic technicality of fifth-century law, and its technical significance is strictly applicable to the situation presented in the opening scene of the play. An "information" (*mênycis*) was the name given to a denunciation made to the Athenian assembly of past crimes which the informant considered worthy of investigation, but could not himself prosecute, since he was not a citizen.¹²² On receipt of the "information" the assembly would assess its validity, and if it was not dismissed as patently false would elect investigators (*zêtêtai*).

These investigators would offer rewards for further information, promise immunity to persons involved who were willing to denounce their accomplices, and examine witnesses. If their investigation produced a strong case against definite persons, they would hand it over to the assembly or the courts of law for further action.

In the Sophoclean play *Apollo*, a noncitizen, lays information¹²³ against the murderers of Laius (that they are to be found in Thebes) and demands their punishment, stating that the unavenged murder of Laius is the cause of the plague. Oedipus replies that the crime was committed so long ago that no trace of the criminals can possibly be found, but Creon, quoting Apollo, refutes this objection: "They are in this land, he said. What is investigated can bring capture and conviction [*haloton*]; what is neglected allows escape and acquittal [*ekpheugei*]." ¹²⁴ The word translated "investigated" (*zêtoumenon*) suggests the investigators (*zêtêtai*) of Athenian procedure. Oedipus assumes their functions, and by further questioning assesses the possibility of a successful outcome. He learns that one eyewitness of the murder survived to report it to the Thebans, and he leaps to the conclusion that the murder was the fruit of a political intrigue which had its roots in Thebes itself. This conclusion confirms the information of Apollo that Thebes is the proper place to enquire and also involves Oedipus personally in the search, for his own power may be at stake. He assumes full responsibility. The investigation is launched. "I shall start over again from the beginning, and bring this matter to light" (132).

His first step is that of the Athenian investigating commission—he tries to gather new evidence by offering a reward, and, to anyone who may himself be involved, comparative immunity.¹²⁵ With the rewards he couples punishments, pronouncing a sentence of excommunication from all normal civic

and domestic functions on any Theban who withholds information (236-40), a solemn curse on the actual murderer (246-8),¹²⁶ the same curse on himself if he should knowingly give the murderer shelter and on all who refuse to cooperate with his efforts to find the guilty man (269-72).

The situation, the measures taken, and the formulas used are exactly paralleled in the investigation of the sacrilegious actions of 415 B. C., as it is described in Thucydides, Andocides, and Plutarch. "No one knew who had done it," says Thucydides of the mutilation of the Hermae, "but the perpetrators were searched for by means of public rewards for information, and the assembly decreed that if anyone had knowledge of any other act of impiety, he should volunteer information about it without fear, whether he was a citizen, an alien, or a slave."¹²⁷ Oedipus' activity and authority is like that of an Athenian investigator;¹²⁸ and the first step in the search for new evidence is the calling of a witness, Tiresias the prophet.

The situation and action of the protagonist recalls the politico-legal process of denunciation and investigation, but the language of Sophocles also suggests a parallel to a purely legal process, the prosecution for murder, *dikê phonou*. Such proceedings, in fifth-century Athens, could be set on foot only by a relative (or by the owner) of the murdered person.¹²⁹ This fact gives an additional dimension to the passage (258-64) in which Oedipus emphasizes his close connection with Laius: "as if he were my father," he concludes, "I shall fight on his behalf, and go to every length in the investigation to catch the man whose hand did the deed." It is as if Oedipus were trying to establish a basis in relationship to ground his right and duty to search for and prosecute the murderer of Laius.

The curse pronounced on the murderer and the proclamation aimed at getting information correspond to the normal initial measures against "a person or persons unknown" as far as

we can reconstruct them from Athenian juridical literature.¹³⁰ The next of kin made a proclamation by means of a herald, announcing the circumstances of the murder and asking for information. Such a procedure is described in detail in Plato's *Laws*, and, although that work is not a safe authority for fifth-century Attic legal procedure, the account given there is not inconsistent with the scattered references to the fifth-century process which are to be found in earlier literature. "If anyone be found dead," says the Platonic law, "and the slayer be unknown, and remain undiscoverable after careful search, there shall be the same proclamations made as in other cases, and the same interdict on the murderer. They shall proceed against him, and announce by the agency of a herald in the market place that the slayer of so-and-so has been convicted of murder and shall not set foot in the temples nor anywhere in the country of the murdered man." This is exactly the procedure (except that Oedipus is his own herald) and these are exactly the formulas of the opening scenes of the play.¹³¹ Oedipus' curse on the murderer would remind the Athenian audience also of the normal procedure in a prosecution for murder in which the defendant was named; the accused was formally interdicted by the magistrate presiding over the preliminary trial from access to temples, sacrifices, prayers, and public places.¹³²

The chorus of Thebans feels confident that the terrible imprecations of Oedipus will frighten the unknown criminal into surrender or flight (294-5), though Oedipus does not share their confidence. The arrival of Tiresias, the first witness, is greeted by the chorus with enthusiasm—"here is the one who will convict the criminal."¹³³ But when Oedipus' appeal to the prophet is followed by Tiresias' disturbing regrets that he has come, we find ourselves suddenly in a familiar ambience, the examination of a reluctant witness. "How dispiritedly

you have come in," says Oedipus (319), and this word "come in" (*eiselēlythas*) is the technical term for "coming in to court."¹³⁴ Tiresias replies in similar language: "Send me home" (*aphes m'*, 320); the word he uses is the normal law-court term for release, acquittal, and dismissal.¹³⁵ Oedipus' answer draws on the same source: "Your proposal is illegal" (*out' ennom' eipas*, 322).¹³⁶ Tiresias' repeated refusal to speak provokes a veiled accusation of complicity—"You know, and will not denounce?"¹³⁷ "Your questioning," Tiresias replies, "is useless" (*allós elencheis*, 333). Oedipus, as his anger mounts, now makes explicit the accusation he hinted at before: he charges Tiresias with complicity in and responsibility for the murder of Laius. The accusation is hurled back at him at once, a common phenomenon in the Attic law court where it was clearly a time-honored maxim that the best means of defense is attack.¹³⁸ But Oedipus sees more in it than a defensive reaction. The pieces are beginning to fit together in his swift and suspicious mind, and he now denounces Creon as the real inspiration of Tiresias' charges. This is followed by a passage typical of Athenian courtroom pleading. Oedipus contrasts the record of his own services to the city with that of his adversary: at the moment of supreme crisis for Thebes, the appearance of the Sphinx, Tiresias was silent; it was Oedipus who saved the city.¹³⁹

Tiresias' terrible reply (408-28) begins with a forensic claim to an equal right to free speech: "you must make me your equal in this at least, the chance to make an equal reply."¹⁴⁰ For I too have power, in this respect."¹⁴¹ He is no slave, he asserts, nor an alien who must be registered as a dependent of a free citizen—"I shall not be inscribed on the rolls as a protégé of Creon" (*Kreontos prostatou*, 411)—but a citizen who has the right to conduct his own defense. His defense, as so often in Attic courts, is an attack. It is a prophecy of

Oedipus' future blindness and fall, containing a series of hints at the terrible truth of his identity. Yet even in the mantic invective of the outraged seer the forensic tone can be heard. When Tiresias asks Oedipus if he knows who his parents are (415), we are reminded of the vituperation of the law court, where one of the commonest weapons of both prosecution and defense was a suggestion that the adversary was of low, illegitimate, foreign, or even servile birth.¹⁴² The mysterious questions of 420-1—"What shall not be a haven of your cries, what Cithaeron not ring in echo?"¹⁴³—recall the indignant rhetorical questions which are a recurrent formula of the forensic orator. "What suit would they not bring to judgment, what court would they not deceive . . . ?" asks Antiphon in the speech *For the Choreutes*; "What opinion do you think they would have of him, or what kind of a vote would they give . . . ?" asks Lysias in the speech against Agoratus.¹⁴⁴ Tiresias concludes by qualifying his opponent's speech as vulgar abuse (*propēlakizein*, 427), a regular device of the courtroom orator.¹⁴⁵ It provokes the standard reply: "Am I supposed to tolerate this kind of thing from this man?"¹⁴⁶ Oedipus angrily and insultingly orders Tiresias out, and the prophet's reply contains a word that defines the relationship of the two men and their situation: "I would not have come if you had not *called* me." The word he uses (*'kaleis*) is the normal legal term for "calling" a witness.¹⁴⁷

When the chorus, in the second half of the following stasimon, discuss the prophet's accusations, the legal process advances to a further stage of development. Their deliberations are phrased in terms appropriate for a board of judges weighing the charge and countercharge of prosecutor and defendant.¹⁴⁸ They cannot decide between them—"I neither affirm nor deny" (485). But a significant development has taken place. Oedipus was the first accuser, yet the chorus

considers him, not Tiresias, as the accused: they do not mention Oedipus' charges against Tiresias, but are concerned only to examine Tiresias' accusations against Oedipus. The action is moving towards a reversal; in terms of the legal mode of the action, the investigator and accuser has become the defendant.

The chorus searches for, and fails to find, a motive that would make accusation against Oedipus plausible. "What quarrel was there between the son of Labdacus [Laius] and the son of Polybus [Oedipus]? I never learned of one in time past, nor do I know of one now" (490-3). This is of course the stuff of which murder trials are made; the prosecutor seeks to prove and the defendant to deny enmity between the victim and the accused. "What, according to them, was my motive for killing Herodes?" asks the defendant in Antiphon's famous speech. "There was not a trace of enmity between us."¹⁴⁹

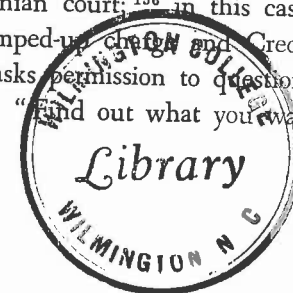
The chorus can find no motive to buttress the charge; its authority must rest solely on Tiresias' credibility as a prophet. They are willing to believe that Zeus and Apollo know the truth (498-500), but Tiresias, though a prophet, is only a man, and between his word and another man's there is "no true judgment" (501).¹⁵⁰ Against Tiresias' word must be set Oedipus' record; he was tested, and seen to be wise, and the city's delight (509-10).¹⁵¹ "Therefore he shall never in my mind incur the charge of baseness." The chorus speaks like a board of Athenian judges; it reviews the evidence so far presented and rejects the case against Oedipus. But it is significant that they consider Oedipus the defendant; the accuser is now the accused.

But Oedipus has directed his accusations against a fresh target; Tiresias, he claims, is only the mouthpiece of Creon. And Creon comes on stage ready to deny the charge. "Fellow citizens, I hear that Oedipus makes dreadful accusations against me . . ."¹⁵² I am here to refute them. If he believes that I

have injured him in word or deed . . . I have no desire to live out the rest of my life, subject to such a reputation" (513-19). This is the familiar tone of indignation, the introductory cliché of the Athenian defendant in all his injured innocence. "If anyone," says Aeschines, "either of the spectators here . . . or of the judges, is convinced that I have done anything of the sort, I consider the rest of my life not worth living."¹⁵³

Creon's exploratory dialogue with the chorus is interrupted by the entry of Oedipus, who savagely denounces Creon as a traitor and attempted murderer. "Have you so bold a face as to come here . . . you who are so plainly proved my murderer?" (532-4). Both the indignant protest against the opponent's boldness in appearing to argue his case and the illogical use of the word "murderer" are commonplaces of the Athenian courtroom. "I am astonished at my brother's boldness," says the prosecutor in Antiphon's speech *Against the Stepmother for Poisoning*.¹⁵⁴ "By these actions," says Demosthenes in the speech against Meidias, "he has become, in my opinion, my murderer." "They are planning my death by unjust means, upsetting the laws, and becoming my murderers," says the defendant in one of the forensic tetralogies of Antiphon, and his opponent replies with a hit at the rhetorical exaggeration of the cliché—"Alive and with his eyes open he calls us his murderers."¹⁵⁵

In the heated exchange which follows this outburst, Oedipus questions Creon, and uses the answers to the questions to attack Tiresias on a new ground—that he did not accuse Oedipus when the initial investigation was made. Such a delay in prosecuting was always used to good advantage by the defense in an Athenian court;¹⁵⁶ in this case the inference is clear—it is a trumped-up charge and Creon is behind it. Creon in his turn asks permission to question Oedipus, and is told to go ahead. "Find out what you want. For I shall



never be convicted as the murderer."¹⁵⁷ Creon's questions lead up to his famous speech in his own defense, a masterpiece of the new sophistic rhetoric; it employs the argument from motive (probability), or rather, in this case, from lack of motive. This was the most widely used forensic weapon of the period. Antiphon's *Tetralogies*, a sort of textbook for aspiring legal speakers, is a collection of ingenious arguments for and against hypothetical accusations, all based on the canon of probability. It is a remarkable coincidence that the only surviving fragment of Antiphon's great (though unsuccessful) speech in his own defense against the charge of treason¹⁵⁸ presents an argument exactly parallel to Creon's in the play. After dismissing many motives that might be thought to make plausible the charge of antidemocratic activity, Antiphon proceeds as follows:

My accusers state that my profession was the writing of speeches for persons involved in lawsuits, and that the Four Hundred profited from my activities. But is it not true that under an oligarchic régime I could not exercise my profession, while under the democracy I am a power in the city, even as a private individual? That under an oligarchy my powers as a speaker would be as worthless as they are valuable under a democracy? Tell me, what probability is there in the idea that I would long for oligarchy? Do you think I could not figure this out for myself? Am I the only man in Athens who cannot see what is profitable for him?¹⁵⁹

This is exactly the tone and import of Creon's argument: the down-to-earth sensible appeal of one man of the world to another—"I am not so deceived as to want anything but what is proper—and profitable" (*ta syn kerdei kala*, 595); the emphasis on the speaker's material reasons for satisfaction with

the existing régime—"Now I am hailed by everyone, everyone salutes me, the men who need something from you flatter me" (596-7); and on the disadvantages he would experience if the régime were changed—"If I were ruler I would have to do many things against my will" (591).

After rejecting Oedipus' accusation as unreasonable because of its psychological improbability, Creon offers something more substantial. "As a test of my statements [*tônd' elenchon*, 603] go to Pytho and enquire what the oracle said, to see if I delivered an exact account."¹⁶⁰ This appeal to objective evidence corresponds to the calling of witnesses in an Attic law case; Creon is in a sense calling on Apollo as a witness to his honesty. The conclusion of his speech is a miniature anthology of the clichés with which the Athenian defendant customarily padded his final appeal to the judges. "If you prove me guilty of conspiracy with the seer, kill me, and not by a single vote, but a double one, yours and mine"—so runs the beginning of Creon's appeal; "if I have acted impiously, kill me," says Andocides in his speech *On the Mysteries*.¹⁶¹ "You will know the truth in time without fail, for time alone shows who is the just man," is Creon's last sentence; "Make a concession to time, with the help of which those who seek the truth of the event most successfully find it," says Antiphon in the speech on the murder of Herodes.¹⁶²

Though the chorus approves Creon's speech and advises caution, Oedipus replies with vigorous counteraction. In a blaze of anger characteristic of Athenian assembly and law court alike he passes sentence—death. Jocasta's arrival interrupts the passionate argument which follows, and she and the chorus now combine in urging Oedipus to absolve Creon. It is to her that both parties in the argument address their pleas, as if she were a judge. "Sister, your husband Oedipus thinks it just [*dikaioi*, 639] to take terrible action against me . . ."

says Creon, and Oedipus explains his reason: "I have caught him acting evilly against my person, with evil skill" (*sun technēi kakēi*, 643). This phrase is a legal technicality of the fourth-century courtroom, and its use as a technical term almost certainly dates back to the fifth century.¹⁶³ As a legal term (*kakotechnian*) it means "to suborn perjury," and this is precisely the nature of Oedipus' accusation against Creon, that he is using Tiresias to bear false witness.¹⁶⁴

Creon swears a solemn oath protesting his innocence and placing himself under a curse if he is lying. Jocasta and the chorus both urge Oedipus to respect the oath. "Do not," says the chorus, "subject to accusation and dishonor on the basis of obscure hearsay evidence [*aphanei logōi*, 657] a friend who has put himself on oath." "You seek to destroy me," says the defendant in the case of the murder of Herodes to his accusers, "by means of obscure hearsay evidence" (*aphanei logōi*).¹⁶⁵

Oedipus yields and reprieves Creon, not, as he says, because of any pity for Creon himself, but because he is moved to compassion by the pleas of the chorus. "It is your words, not his, that move me to pity and compassion . . ." (672). This is the atmosphere of the law court again: it is a weary commonplace of Attic forensic oratory to appeal to the mercy of the judges, or, in the case of the prosecutor, to attempt to undermine their pity for the defendant. "If they start lamenting," says Demosthenes, for the prosecution, "just consider the victim more to be pitied than those who are going to be punished."¹⁶⁶ The defendant, with the famous exception of Socrates, never omits this appeal, no matter how strong his case, and the appeal is often couched in maudlin terms that explain why Socrates refused to demean himself by making it—"take pity on my misfortunes," "have pity on my child."¹⁶⁷

The trial of Creon ends, if not with an acquittal at least with a reprieve, but Oedipus is still the accused. "He says I

am the murderer of Laius," he tells Jocasta (703). When Jocasta discovers that the basis of the accusation is a declaration by Tiresias, she dismisses the charge. For she can prove the general unreliability of all prophets. "Acquit yourself of this charge you mention" (*apheis seauton*, 707), is the opening line of her speech, which is intended to release Oedipus from anxiety. Before she reaches the end of it, Oedipus is a frightened man. She has mentioned, almost casually, a detail full of terrible significance, the fact that Laius was killed at place where three roads meet. In a series of swift questions Oedipus establishes, with legal precision, the place and time of Laius' murder, the age and description of the victim, and the number in his party.¹⁶⁸ Jocasta's answers tally exactly with the circumstances of his own bloody encounter at the crossroads. "O Zeus, what have you planned to do to me?"

"What is this matter that so haunts you?" (*enthymion*, 739), asks Jocasta. This word is pregnant with sinister meaning. It is a word characteristic of the fifth-century murder trial, and describes the mental disturbance which the revengeful spirit of the murdered man is supposed to produce in his murderer. "If you unjustly acquit the defendant," says the prosecution in the first tetralogy of Antiphon, to the judges, "it is not on us that the wrath of the murderer will fall, it is rather you who will be haunted." And in the second tetralogy the defense uses the same argument in reverse: "if my son, who is innocent, is put to death, those who have condemned him will be haunted."¹⁶⁹ The word which Sophocles puts into Jocasta's mouth is a fine example of poetic economy; it is appropriate in the sense in which she intends it, but points ironically to the real situation of Oedipus, of which she is ignorant.

The intervention of Jocasta shifts the emphasis from Tiresias to a new witness whose veracity cannot be impugned by attacks

on prophecy, for he is no prophet but a servant of Jocasta's household and, at the moment, a shepherd. He is an eye-witness of the murder of Laius. Oedipus insists that he be sent for at once, and then, at Jocasta's prompting, gives his account of the affair at the crossroads and of the events which had brought him there. He begins at the beginning: "My father was Polybus of Corinth, my mother Merope, a Dorian" (774-5). The fullness of his account has often been censured as dramatically implausible, for Jocasta, though it is conceivable that she does not know of Oedipus' fight at the crossroads or the oracular response (one can well imagine that Oedipus suppressed and even tried to forget these uncomfortable facts), surely knows the identity of Oedipus' supposed parents. This implausibility is to some extent relieved by the fact that the formality and abruptness of this beginning recall the courtroom speech, especially that section of it which comes after the introduction and aims to present the relevant facts, tracing them from the beginning. Thus Lysias, in the great speech against Eratosthenes, makes his introduction and then goes right back to the beginning of the affair, his father's decision to emigrate from Syracuse to Athens. "My father Cephalus was persuaded by Pericles to come to this country, and lived here thirty years."¹⁷⁰ "Diodotus and Diogeiton, gentlemen of the jury, were brothers, born of the same father and mother," says the prosecutor of Diogeiton in the speech Lysias wrote for him (xxxii. 4). And Demosthenes' client, Euxitheus, who is pleading to retain his citizenship, goes even further back: "My grandfather, men of Athens, the father of my mother, was Demonstratus of Melite."¹⁷¹

The opening of Oedipus' narrative, after his preliminary address to Jocasta, reminds us once again of the atmosphere of the court of law. But in ironic circumstances, for Oedipus' speech is a self-indictment. He presents the killing of the man

he now fears was Laius as self-defense, but nevertheless, if it was in fact Laius, Oedipus is excommunicated by his own curse and banished from Thebes by his own sentence. And he cannot return to Corinth, for fear of the oracle: "Nor can I set foot in my fatherland" (825); the word he uses (*embateusai*) is another legal term, its technical significance in Attic law is "to enter into possession of a father's estate."¹⁷²

Oedipus cannot take up his inheritance in Corinth, and now stands to lose what he has won by his own efforts in Thebes. "Would not one who judged that this is inflicted on me by some cruel power be right in his estimate?" he asks bitterly (828-9). Even here there is an echo of the court of law, for *ōmos* (cruel) is the word customarily used by the defense to describe a demanding and savage prosecutor. Demosthenes, for example, in the speech against Aristogeiton, refers to the prosecutor's "cruel and bitter attitude," "his bitterness, blood-thirstiness, and cruelty."¹⁷³

The prosecutor is cruel, but the evidence is contradictory, or at least incomplete. There is a discrepancy between Jocasta's account of the murder of Laius by brigands, and Oedipus' knowledge that at the crossroads he was alone. The testimony of the eyewitness is now vital. Jocasta does not see the need to question him. "Let me assure you that this was the public version of his story, and he cannot retract it now."¹⁷⁴ But Oedipus insists, and Jocasta finally agrees to summon the witness.

The famous choral stasimon which follows is a commentary on the situation and conduct of Oedipus and Jocasta in political, ethical, and religious terms. But also in terms of the law. The chorus appeals from the laws of man to higher laws "whose father is Olympus alone—no mortal man gave them birth, nor does forgetfulness lull them to sleep. In these laws the god is great, and he does not grow old" (867-72). This appeal to

a higher law is dictated by the revelations of the preceding scene. Jocasta has been revealed as privy to, if not responsible for, the death of a royal infant, her son by Laius, and Oedipus is now seen to be responsible for the deaths of four (or as he thinks, five) men, one of whom was very likely his predecessor Laius. Whatever may be the extenuating circumstances in either case, according to the normal fifth-century conception of responsibility for the taking of life Oedipus is certainly (and Jocasta possibly) polluted, impure. That is why the chorus prays for *hagneia* (864), "purity, holiness," in word and deed. This word occurs frequently in the speeches of Antiphon which deal with murder cases; not only is the killer impure (whatever his motive and the circumstances may have been) but he makes the whole community which shelters him as impure as he is. "It is contrary to your interests," runs a typical variation on this theme, "that this despicable and impure wretch should pollute the purity of the divine precincts by entering them."¹⁷⁵

The appeal to divine law is prompted also by the fact that human law seems to have failed. Both the exposure of Laius' child and the killing at the crossroads happened long ago, but no human authority has intervened or punished. The laws of man have grown old and powerless, they have been deceived and are forgetful. But the divine law cannot be put to sleep or deceived, and the god does not grow old. Oedipus and Jocasta "walk proudly in word and deed, with no fear of Justice" (*dikés*, 885)—the word means also judgment, trial, and penalty. They scorn prophecy and therefore Apollo. The chorus appeals to a higher authority, to Zeus, as supreme judge. "You who are in power, if you are rightly so addressed, Zeus, let not these things escape the notice of your everlasting rule" (*mê lathoi*, 904). This word *lathoi* is a commonplace of the prosecutor's appeal to the judges. "Let it not escape your

notice," say Demosthenes in a typical passage, "that he is lying."¹⁷⁶

This stasimon marks a further development in the attitude of the chorus. After the argument between Oedipus and Tiresias the chorus spoke like a judge, but it speaks now like a prosecutor before a supreme tribunal, appealing for a condemnation as the only possible vindication of that tribunal's authority. "Unless these oracles are reconciled with fact, so that all mortal men point the finger at them,¹⁷⁷ I shall no longer go in reverence to the untouchable center of the earth."¹⁷⁸

Before the eyewitness can be brought into court, the whole direction of the enquiry, and with it the bearing of his testimony, is changed. The Corinthian messenger reveals that Oedipus is not the son of Polybus and Merope; he is of Theban origin. Jocasta realizes what this means, and rushes off to hang herself, but Oedipus, full of an irrational hope (which the chorus shares), determines to question the shepherd, who is now a witness to Oedipus' identity as well as Laius' murder.

The examination of this witness is conducted in unmistakably legal forms.¹⁷⁹ The witness' identity is established by an appeal to the chorus and to the Corinthian messenger (1115-20). He is then invited to confirm it. "You, old man, look here at me, and answer my questions" (1121-2). So Socrates crossquestions Meletus: "Look at me, Meletus, and tell me . . ." ¹⁸⁰ The question and the answer resemble the semiformal steps of the *erôtêsis*, the questioning of witnesses,¹⁸¹ as it is preserved in a few passages of the Attic orators. "Were you one of Laius' household?" "I was." So Andocides in his speech *On the Mysteries*: "Were you one of the board of investigators?" "I was." And Lysias questions Eratosthenes: "Were you in the council chamber?" "I was."¹⁸²

But the witness' memory is at fault, and he has to be

prompted. "I will remind him," says the Corinthian messenger (1133).¹⁸³ The shepherd is reluctant to admit his former acquaintance with the Corinthian, and when he is asked about a child which he once gave to his insistent questioner, he professes complete bewilderment. The Corinthian condescendingly points out to the apparently stupid old man the importance of the evidence he is withholding. "This man here, my dear sir [*ô tan*], is the child who was then so young" (1145). This complacent *ô tan*—"my dear sir, my good man"—is a characteristic colloquial phrase of the Athenian orator. In Demosthenes it is often put in the mouth of an imaginary objector to the speaker's argument, who is himself ignorant, and is confuted by the speaker's reply—a straw man, in fact. In the first speech against Aristogeiton, for example, Demosthenes, after building up the case against his target, deals with the grounds on which he can be expected to plead for clemency, putting these grounds into the mouth of an imaginary friend of the accused.

"What can he say that is true?" "He can cite some action of his father's, by Zeus." "But, gentlemen of the jury, you condemned his father to death in this very courtroom." . . . "Well, by Zeus, if this matter of his father is difficult for him, he will have recourse to his own life, so self-controlled and moderate." "What? Where did he lead that kind of life? You have all seen him; he is not that kind of man." "But, my dear sir [*ô tan*] he will turn to his services to the state." [And now follows the body blow.] "Services? When and where? His father's? Nonexistent. His own? You will find denunciations, arrests, informing—but no services."¹⁸⁴

The use of this condescending phrase by the Corinthian messenger suggests an ironic effect. He, not the shepherd, is

the ignorant man, and his condescension could be knocked out of him with a single word—but it is a word the shepherd would prefer not to pronounce. "Damn you," he bursts out instead, "will you keep your mouth shut?" (1146). Oedipus quickly reproves this recalcitrant and offensive witness. "Do not correct him; your words need a corrector more than his" (1147-8). But the word which Oedipus uses (*kolazein*) is stronger than the context warrants; it is in fact the legal term for punishment. "It is possible to punish [*kolazein*] by means of fines, imprisonment, and death," says the accuser of Alcibiades, and Plato, speaking of incorrigible criminals, says, "In such cases we are forced to assign to the lawgiver, as a corrector [*kolastên*] of their misdeeds, death."¹⁸⁵ This threat of punishment is made more explicit a few lines later. "If you will not speak to please me, you will do it in tears" says Oedipus (1152), and the shepherd understands the import of these words. "Do not torture me, I am an old man" (1153). But tortured he is. "Somebody twist his arms behind him. Quick" (1154). And the old man at last answers Oedipus' questions under the imminent threat and the physical preliminaries of torture.

But this is Attic legal procedure too. The evidence of a slave (and the shepherd so identifies himself at the beginning of the scene, 1123) was admissible in the Attic courts only if given under torture.¹⁸⁶ In most cases, our evidence seems to show, this torture was not administered but was rather a measure which allowed complicated maneuvering—demands and counterdemands for the torture of slaves which served simply as preliminary points that prosecution and defense might score off each other. But sometimes it was administered: the evidence in the case of the murder of Herodes, for example, was mainly extracted by the prosecution before the trial began from slaves under torture.

OEDIPUS AT THEBES

It was a commonplace of the defense against such evidence that the tortured slave naturally made the confession which his torturers wanted to hear. "I need not remind you," says the defendant accused of the murder of Herodes, "that generally, in the case of evidence given under torture, the evidence is in favor of the torturers." "He knew what his own interest was," says the same defendant, speaking of a slave tortured by the prosecution; "he knew that he would cease to be racked as soon as he said what they wanted to hear."¹⁸⁷ But in the case of Oedipus the normal situation appears in reverse. Oedipus forces the slave, reluctant even under torture, to confess the truth that will reveal the torturer as the criminal. "I am faced with the dreadful thing itself, I must say it," says the old man (1169). "And I," replies Oedipus, "must hear it." The final revelation is extracted from the shepherd by the last extremity of the legal process, but the torturer suffers more than his victim. "I am exposed [*pephasmai*—another legal term], born of the wrong parents, married to the wrong wife, killer of the man I must not kill."

The choral stasimon sums up the case of Oedipus. "Time which sees all things has found you out—it gives judgment on the unnatural marriage which is both begetter and begot."¹⁸⁸ The investigator has found the criminal, the prosecutor obtained a conviction, and the judge passed sentence, but, like the marriage, the legal process is both begetter and begot. Oedipus finds himself, convicts himself, and, in his last words before he rushes into the palace, passes sentence on himself. "Light, let this be the last time I look on you." His conviction is, as the chorus says, an example, *paradeigma*, the example which the Athenian prosecutor calls for in speech after speech;¹⁸⁹ Oedipus is an example to all men.