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ANTIGONE'S LAW

What is Antigonè's law?

Why would anyone ask this question? Does not everybody know the answer already? It is perhaps the most famous of all statements ever made about law. Even if one has not actually read it oneself, one has at least heard it cited time and again, perhaps in college lectures, or in speeches at various political arenas. Even if one cannot recite it precisely as Antigonè said it, one can likely paraphrase it more or less accurately. At the very least, one can explain in very general words what Antigonè "was trying to say": There is such a thing as a higher law, by the measure of which an officially existing law can be found so wanting as to justify us in refusing to obey. Must we now hear again about this old and boring matter of civil disobedience?

Well, not quite. Something dreadful has happened to Antigonè's law on its way to fame. That dreadful thing has been fame itself. Fame transformed a great jewel of a great work of art into a platitude, capable of being parroted by everyone, without the support of any thought or experience, just like gossip. Antigonè's law has fallen into the stock of quotations from which speech-writers in the service of rabble-rousers of all kinds can draw on a moment's notice. How could this fall have happened without the words of Sophoklès actually having ceased to be heard?

Everyone knows Antigonè's law. But who has in truth heard it and thought? Perhaps for once we can try and listen. What does it say?

The Law in Translation.

The key text may be found at verses 447-457 of the tragedy that bears her name. But how can we hear what they say? Antigonè spoke a language that has long ago been dead. Only a handful of scholars and antiquarians are able to read what she said, and even they cannot hear

what they read. Nevertheless, owing to mass education, ancient texts such as this have now been made available to us all in translation. Let us then read the English translation of Antigonè's law. We shall confine ourselves to the two most authoritative versions of it, those to which a law-review editor would first turn to check a citation. The first, by David Grene, appeared in the 1991 edition of the tragedies of Sophocles by the University of Chicago Press. It reads:

> *Creon*
> did you know the proclamation against your action?
>
> *Antigone*
> I knew it; of course I did. For it was public.
>
> *Creon*
> And did you dare to disobey that law?
>
> *Antigone*
> Yes, it was not Zeus that made the proclamation;
> nor did Justice, which lives with those below, enact
> such laws as that for mankind. I did not believe
> your proclamation had such power to enable
> one who will someday die to override
> God's ordinances, unwritten and secure.
> *They* are not of today and yesterday;
> they live forever; none knows when first they were.[1]

The second, by Hugh Lloyd-Jones, appeared in 1994 in the Loeb Classical Library edition of Sophocles by Harvard University Press, with Greek text on the facing page. It reads:

> CREON
> did you know of the proclamation forbidding this?
>
> ANTIGONE
> I knew it; of course I knew it. It was known to all.
>
> CREON
> And yet you dared to transgress these laws?
>
> ANTIGONE
> Yes, for it was not Zeus who made this proclamation, nor was it Justice who lives with the gods below that established such laws

[1] *Sophocles I*, Chicago, 1991, p. 178.

> among men, nor did I think your proclamations strong enough to have power to overrule, mortal as they were, the unwritten and unfailing ordinances of the gods. For these have life, not simply today and yesterday, but for ever, and no one knows how long ago they were revealed.[2]

The two translations differ in small details, but agree with each other in all essential respects. On their basis, we may sum up the chief theses of Antigonè's jurisprudence. Roughly speaking they are as follows: (1) Laws come into existence by way of commands (namely by proclamations, enactments, ordinances). (2) Law-making commands proceed either from mortals or from gods, gods of the Sky or gods of the Earth. (3) The commands of mortals have no power to override the commands of gods. (4) Divine commands are unwritten and of immemorial age.

Laws by commands? Now we should be quite astounded, for it is almost unthinkable that a jurisprudence of this kind could have been entertained in the tragic thought of Ancient Greece. It bears the marks of a purely metaphysical concept of law, since it requires that a being (*ein Seiendes*), either man or god, ground the being (*das Sein*) of laws. It must therefore have emerged from a projection upon the Greek text of a thoroughly modern understanding of the matter with which the text is concerned, as though all law in all times had to be conceived on the model of positive law. Authoritative as they may be, our translations are not to be trusted. Let us turn away from them, learn Greek, and go back to the text of Sophoklès. It is already there before us, on the facing page of the Loeb translation.

The Greek Text.

Not so fast, however. This text is an edition produced by the same English scholar in whose translation we found the marks of un-Greek thought. Did he perhaps also tamper with the Greek text? He did indeed. In these eleven lines alone he makes two major corrections that have no

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[2] *Sophocles II*, Loeb Classical Library, Cambridge, Mass., 1994, pp. 43-45.

support in the manuscript tradition; of the two only one, the less important one, is pointed out in the critical apparatus. David Grene's translation shows that he accepts one, the more important, and not the other. The text below follows Karl Reinhardt,[3] who does not accept either. The corrections are briefly discussed in footnotes. The sub-linear translation (mine) follows the Greek word order as closely as possible:

KREωN
ᾔδησθα κηρυχθέντα μὴ πράσσειν τάδε;
did you know it was commanded not to do that?

ANTIGONH
ᾔδη· τίδ᾽ οὐκ ἔμελλον; ἐμφανῆ γὰρ ἦν.
I knew; how would I not? It was manifest.

KR.
καὶ δῆτ᾽ ἐτόλμας τούσδ᾽ ὑπερβαίνειν νόμους;
And yet you dared to transgress this law?

AN.
450 οὐ γάρ τί μοι Ζεὺς ἦν ὁ κηρύξας τάδε,
Not at all indeed to me was it Zeus who commanded that,[4]
οὐδ᾽ ἡ ξύνοικος τῶν κάτω θεῶν Δίκη
nor the *Dikè* dwelling with the gods below,

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[3] Sophokles, *Antigone*, Übersetzt und eingeleitet von Karl Reinhardt, Mit griechischem Text, Göttingen, Vandenhoek & Ruprecht, 1961, p. 48.

[4] Most translators read the pronoun τάδε (neuter accusative plural, "that") as referring to Kreôn's decree, rather than to Antigonè's deed. Two notable exceptions are Karl Reinhardt, *Sophokles*, 1933, p. 84, and Martin Heidegger, *Hölderlins Hymne "Der Ister,"* 1942, Gesamtausgabe Bd. 53, p. 145, who preserve its ambiguity, and thus allow the text to be read also as pertaining to Antigonè's law. So does also Wolfgang Schadewaldt in his *Griechisches Theater*, 1964. Note that when Kreôn says τάδε at line 447, he can mean only what Antigonè did.

οἳ τούσδ᾽ ἐν ἀνθρώποισιν ὥρισαν νόμους,

[it was not they] who determined this law for men,[5]

οὐδὲ σθένειν τοσοῦτον ᾠόμην τὰ σὰ

nor of such strength did I think your

κηρύγμαθ᾽ ὥστ᾽ ἄγραπτα κἀσφαλῆ θεῶν

command that the unwritten unfailing divine

455 νόμιμα δύνασθαι Θνητὸν᾽ ὄνθ᾽ ὑπερδραμεῖν.

lawfulness it could override, [you] being a mortal.[6]

οὐ γάρ τι νῦν θε κἀχθές, αλλ᾽ ἀεί ποτε

Not indeed now or yesterday, but always ever

ζῇ ταῦτα, κοὐδεὶς οἶδεν ἐξ ὅτου ᾽φάνη.

it lives, and no one knows whence it came to light.

Before we attempt again to reconstruct Antigonè's jurisprudence on the basis of this new text, two observations are in order. First, by reading and translating the Greek more faithfully, we have restored a major ambiguity that the earlier two translations suppressed. They read Antigonè as though she spoke only of Kreôn's decree and of its want of divine sanction. The text can be so read, and that is likely what Kreôn heard. But it can also be heard as though Antigonè spoke of *her* deed and of its lawful ground. The ambiguous demonstrative pronouns, "that," τάδε (v. 450) and "this," τούσδε (v. 452), permit this reading, and make her words far more illuminating. She does not say much if she says only

[5] Such is the text of the manuscripts: the relative pronoun οἳ (masculine nominative plural) refers back to Zeus and Dikè; τούσδε νόμους, "this law," is indeterminate and may refer to Antigonè's law. Most editors find this text unsatisfactory. Some, e.g. Mazon-Dain, substitute οὐ for οἳ, and make the line a new sentence: "Non, ce ne sont pas là les lois qu'ils ont jamais fixées aux hommes." Some, e.g. Bollack, if we may infer from his translation, put a period at the end of verse 451, and read οἳ as a personal pronoun referring back to Zeus and *Dikè*, and τούσδε as referring to the laws Antigonè followed: "Eux, ils ont defini ce qui dans ce domaine fait loi chez les hommes." See Jean Bollack, *La mort d'Antigone*, Paris, 1999, p. 88. Many, e.g. Loeb, 1994, write τοιούσδε . . . ὥρισεν νόμους, and have the line continue the sentence begun at the preceding line: "nor was it Justice . . . that established such laws among men"; τοιούσδε refers back to Kreôn's decree, the τούσδε νόμους of line 449. So reads the Pearson edition Heidegger used, and the Gesamtausgabe prints in *Der Ister*. But Heidegger did not follow it on this point. His translation reads: "die (οἳ) unter Menschen setzten (ὥρισαν) dies (τούσδε) Gesetz" (p. 145). The editors of the Gesamtausgabe must have failed to notice the difference (the same failure occurs in *Erläuterungen zu Hölderlins Dichtung,* Bd. 4, p. 61, where the printed Greek text of Pindar, Fragment 169 is manifestly not the text Hölderlin translated).

[6] Some editors, e.g. Loeb, 1994, correct the text to read θνητὰ γ᾽ ὄνθ᾽, "it (the decree) being mortal."

that Kreôn's command came from Kreôn, not Zeus nor Dikè. This we know already from Kreôn's own mouth: he has assumed *all* powers (v. 173), over the living and over the dead (v. 209-210), so much so that the Chorus mocks him for it (v. 211-214). Antigonè says a lot more if her words are (also) that *her own deed was mandated neither by Zeus nor by Dikè*. Of that we knew nothing. Sophoklès is a master of double-sense. Much if not all "Sophoclean irony" depends upon the play of ambiguity.[7]

Second, in refusing to correct the manuscripts as Lloyd-Jones and many others do, we restored "infelicities" of speech that are characteristic of Antigonè's native manner.[8] Indeed it belongs to her figure that she should stumble in complicated sentences. She does it in the second sentence she utters in the prologue, and then again and again.[9] She prefers short and simple phrases. Compared to the polished and sophisticated style of Ismènè,[10] Antigonè's speech is rough, simple, at times clumsy. She is "born" that way, ἔφυ, bearing like her father the marks of a certain wildness. The Chorus observes repeatedly that she owes this trait to a "fierceness" she has inherited from her father.[11] By her birth, her *phusis*, she is indomitable, even in grammar.

Let us now reconstitute her "jurisprudence":

(1) Gods, of the Sky or of the Earth, may now and then, within their respective domains, command (κηρύσσειν) a man to do this or that. Gods do speak to men individually, in dreams, oracles, or other apparitions. (But, say verses 450-451: "neither Zeus nor subterranean Dikè commanded *me*[12] to do *that*.")

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[7] For an example see Ismènè's last lines in the prologue: "although thoughtless you go, to your friends (φίλοι) rightly you remain a friend (φίλη)." She may mean to say: "though you are foolish, we who love you will not stop loving you." But the words she utters also signify: "you are a fool, but the way you love those whom you love, is right." Unwittingly, she condemns her own refusal to join Antigonè in burying their brother.
[8] Perceptible only in the Greek text. A sub-linear translation cannot render that.
[9] See e.g. v. 4-6, 905-913.
[10] See e.g. v. 49-68.
[11] See v. 471-472, v. 853-856, v. 876, and v. 929-930.
[12] Some translators read the dative μοι as an "ethical" dative, in which case the possibility of a command addressed uniquely to Antigonè is discarded: "In my view, Zeus did not command that." "That" is then taken to refer to Kreôn's decree.

(2) Gods, of the Sky or of the Earth, may at times, within their respective domains, delimit (ὁρίζειν) a law for a people. We know, for example, that Athèna founded the council of the Areopagos in Athens; she did so when Orestès came there to seek her protection.[13] (But, says verse 452: "neither Zeus nor subterranean Dikè delimited *that* as a *law* for *men*" among whom I belong.)

(3) Men may at times, within their domains, command (κηρύσσειν) things to men, individually or as a group. (So *tried* Kreôn, according to verses 453-455: "your command . . . [you] being a mortal," though he exceeded the limits of his powers, and thus failed.)

(4) There is[14] a law that binds gods (θεῶν νόμιμα) as well as men, even when they exercise their power to command or to delimit laws. (So say the same verses 453-455: "your command did not have the power to override a law that even the gods follow.") That is the law Antigonè obeyed.

(5) Of that law, Antigonè can say *negatively* that it is unsayable (verse 454: ἄγραπτα[15]) and inviolable (verse 454: ἀσφαλῆ), and that it does not originate from any being (*Seiendes*) (verse 457: οὐδεὶς οἶδεν ἐξ ὅτου[16]).

(6) *Positively*, she says that it simply came to light (v. 457: ἐφάνη), and that, now we know, it always already is (verses 456-457: ἀεί ποτε ζῇ).

Phusis **as Law.**

Such is the way the Ancients understood Antigonè. Our best witness on this matter is Aristotle, who twice in the space of a few pages quotes verses 456 and 457.[17] The context makes it apparent that Antigonè's

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[13] Aischulos, *Eumenides*, v. 482-484.
[14] This is better said in German: *es gibt.*
[15] ἄγραπτα not as an accidental property ("unwritten") but as an essential determination of that law: "unwritable," because unsayable.
[16] ἐξ ὅτου being taken in its widest sense, as ambiguously masculine and neuter at once: "from whom or what."
[17] *Rhetoric*, I, xiii, 1373 b 10; xv, 1375 b 1.

law was then part of the public understanding of the Greeks. In the first case, Aristotle shows how, in a dispute, one may speak against the claims of a law "proper" to one's people (ἴδιος) by appealing to a law that is grounded in *phusis*, and thus "common" (κοινός) to all men. *Phusis* is the name for the action of the verb φύειν, "to grow," a cognate of our "to be" and of the Latin fui, futurum. Here, it signifies the rise and growth of all that rises and grows by itself, without a making, ποίησις, by either man or god. That is what simply "comes to light" (v. 457), on its own. The laws made by human rulers vary from place to place and change over time. So do the laws provided by gods for men. Although Aristotle does not mention the latter, we know: Different gods give different goods to different people, in accordance with whom and what they favor; the grace they now give, they may later take away. Common to all people at all times would be law that proceeds from a *dikè* grounded in *phusis*, κατὰ φύσιν or φύσει δίκαιον.[18]

In the second case, Aristotle shows how one may speak against what a "written" law would require in a concrete situation, on the ground of an "unwritten law," ἄγραφος, that would be more "fitting," ἐπιεικής, under the circumstances. The latter is also "common," "in accordance with *phusis*." "It always stays and never changes." It shows "the true *dikè*, ἀληθές, and not what only seems to some, οὐ τὸ δοκοῦν." That is what Antigonè did.

In the first case, Aristotle also cites two verses of Empedoklès.[19] They are worth recalling here because they cast some light on the thinking of Sophoklès:

> ἀλλὰ τό μὲν πάντων νόμιμον διά τ᾽ εὐρυμέδοντος
> but the lawfulness of all beings through the wide-ruling
> αἰθέρος ἠνεκέως τέταται διά τ᾽ ἀπλέτου αὔγῆς
> ether unbroken extends itself and through the immense light.

[18] See also *Nic. Eth*., V, vii, 1134 b 18 ff.
[19] *Katharmoi*, Fr. 135; Aristotle, *Rhetoric*, I, xiii, 1373 b 16.

The word νόμιμον, "conformable to law," is that employed also by Antigonè to designate her law: θεῶν νόμιμα, the law to which even gods conform. The extension of this lawfulness through ether and light is also sung by the Chorus in Stasimon II of *Oidipous Turannos.* The first strophe reads:

εἴ μοι ξυνείη φέροντι μοῖρα τὰν
    Let a destiny be-with me that I carry
εὔσεπτον ἁγνείαν λόγων
    reverent purity in all words
865 ἔργων τε πάντων, ὧν νόμοι πρόκεινται
    and deeds, the laws of which are-set-forth
ὑψίποδες, οὐρανίαν
    high-stepping, across heavenly
δι᾽ αἰθέρα τεκνωθέντες, ὧν Ὄλυμπος
    ether engendered, of whom Olumpos
πατὴρ μόνος, οὐδέ νιν
    [is] the one father; neither did
θνατὰ φύσις ἀνέρων
    the mortal being of men
870 ἔτικτεν, οὐδὲ μάν ποτε λά-
    beget them, nor will ever
θα κατακοιμάσει·
    concealment lull-them-down-to-sleep;
μέγας ἐν τούτοις θεός, οὐδὲ γηράσκει.
    great in them [is] god, and does not age.

The Olumpos of verse 867 is neither the mountain upon which the house of the gods is built, nor that house itself. It names the outermost vault of the sky, encompassing the totality of the *kosmos*, and bathing all beings in its light.[20] Only it can be thought as a possible "father" of the law. No mortal can. No god can either, since gods owe their greatness and immortality to their abiding "in" the law (v. 872). They cannot have made the law by which their very being is sustained. They "only" obey and guard it.

[20] Sophoklès uses it in this sense elsewhere. See e.g. *Antigonè*, v. 609. So do Empedoklès, fr. 44; Parmenidès, fr. 11, v. 2.; Philolaos, fr. 16.

The thought of a law of *phusis* as a whole is found in the work of other tragic thinkers. We can briefly refer to two famous texts.[21] Hèrakleitos, fragment 30, says:

> κόσμον τόνδε, τὸν αὐτὸν ἁπάντων, οὔτε τις θεῶν οὔτε ἀνθρώπων ἐποίησεν, ἀλλ᾽ ἦν ἀεὶ καὶ ἔστιν καὶ ἔσται πῦρ ἀείζωον, ἁπτόμενον μέτρα καὶ ἀποσβεννύμενον μέτρα.

"This world-adornment, the same for all beings, neither some god nor some man made it, but there was always and is and will be eternally-living fire, kindling itself within measure and extinguishing itself within measure." The "eternally living fire" is the light shining from Olumpos throughout ether; it is also the law of which Antigonè says that "it always ever lives." *Phusis* is called here *kosmos*, which signifies not only "world," as the order of the totality of being, but also the "adornment" of beings, that belongs to such an order: τὸ κάλλος.

The second text is Parmenidès, fragment 8, verses 5-15:

5 οὐδέ ποτ᾽ ἦν οὐδ᾽ ἔσται, ἐπεὶ νῦν ἔστιν ὁμοῦ πᾶν,
never was it nor will it be, since now it is at once all,
ἕν, συνεχές· τίνα γὰρ γένναν διζήσεαι αὐτοῦ;
one, holding-together; for what origin would you seek of it?
τῇ πόθεν αὐξηθέν; οὔτ᾽ ἐκ μὴ ἐόντος ἐάσω
how and whence would it have grown? out of not-being I shall not let
φάσθαι σ᾽ οὐδὲ νοεῖν· οὐ γὰρ φατὸν οὐδὲ νοητὸν
you say or think; for it is neither sayable nor thinkable
ἔστιν ὅπως οὐκ ἐστι. τί δ᾽ ἂν μιν καὶ χρέος ὦρσεν
that there is not. And what necessity would cause it
10 ὕστερον ἢ πρόσθεν, τοῦ μηδενὸς ἀρξάμενον, φῦν;
later or sooner to arise, beginning from the nothing?
οὕτως ἢ πάμπαν πέλεναι χρεών ἐστιν ἢ οὐχί.
Thus it is necessary that it be wholly or not at all.
οὐδέ ποτ᾽ ἐκ τοῦ ἐόντος ἐφήσει πίστιος ἰσχὺς
And never will the force of belief say that from being
γίγνεσθαι τι παρ᾽ οὐτό· τοῦ εἵνεκεν οὔτε γενέσθαι
something became besides it [i.e. being]; by virtue of that, neither becoming

[21] A third, to which Hölderlin attached great importance, is Pindar, Fragment 169, but the Greek text upon which he relied is so questionable that, for present purposes, it is better left out of consideration. See Hölderlin, *Sämtiliche Werke, Frankfurter Ausgabe*, herausgegeben von D.E. Sattler, Bd. 15, pp. 354-355.

οὔτ᾽ ὄλλυσθαι ἀνῆκε Δίκη χαλάσασα πέδῃσιν,
nor perishing did *Dikè* allow, releasing her chains,
15 ἀλλ᾽ ἔχει·
but she holds;

The name for what "always ever lives" is here τὸ ἐόν (v. 7), "what is."[22]

We cannot and need not here enter into a discussion of how Parmenidès differentiates "what is" (ἀλήθεια) from *kosmos* and *phusis* (δόξα).

If *phusis* (*kosmos*, τὸ ἐόν) is the right name for Antigonè's law, it can remain so only if we leave it untranslated. For as soon as we render it by its English, i.e. Latin equivalent, "nature," we fall into inextricable confusion. Antigonè's law may be the law of *phusis*, but it cannot be anything like a "law of nature," or a "natural law," in any of the ordinary senses of these words. Three such senses may be briefly mentioned.

First, in medieval theology, which is occasionally still remembered even today, "lex naturalis est participatio legis aeternae in rationali creatura," natural law is a "participation" in created intelligences of the divine reason by which the world is created and ruled.[23] In other words, *natural* law is the eternal law of God insofar as this law is present in man's own *natural* intellect, and thus discoverable by him for the government of his own actions. "Natural" here signifies: "belonging to a created being;" "law" signifies "reason." Second, the "nature" of a being, rational or non-rational, is often synonymous with the "essence" or "whatness" (quidditas) of the being in question, the "kind" or "species" of being to which it belongs. Insofar as the essence of a being determines what this being must become if it is to fulfill the possibilities of its kind, "nature," as "essence," may be said to constitute the "law" by virtue of which a being becomes what it is. This "essence" may be called "nature" in the same sense as above, insofar as the essential constitution of every kind of being is first conceived

[22] See also fragments 4, v. 2; and 6, v. 1. At times Parmenidès says τὸ εἶναι, *das Sein*, *l' être*. See e.g. fragment 6, v. 1. No sharp distinction is ever made in Greek thought between τὸ ὄν and τὸ εἶναι. The participle has a verbal as well as a nominal sense.
[23] Thomas Aquinas, *Summa Theologica*, Question 91, Article 2.

in the creative thought of an intellectus archetypus, be it God or man.[24] Here again, "nature" is "creature." The "law of nature" is the necessity under which a being stands by virtue of its essence as created by reason. Third, in its most familiar modern scientific sense, a "law of nature" is a causal rule governing the behavior of *non*-rational beings of "nature," including man himself insofar as, in his animality, he does *not* govern himself by his own intellect (by "laws of freedom"). Since all scientific inquiry by which such rules are produced, presupposes, in one form or another, the Leibnizian principle of sufficient *reason* -- "nihil est sine ratione," "nihil fit sine causa," -- the "nature" of "natural" science retains the fundamental character of an intelligible "creation," made and governed by "reason," albeit blindly. On this ground rests every will to master nature by technique.

Contemporary jurisprudential treatments of "natural law," in the juristic sense of a law that would govern man independently from officially valid enactments, are more or less explicit, more or less confused combinations of all three senses above.[25] All rest upon metaphysics. No such natural law could have found place in the thinking of Sophoklès. No such natural law could satisfy Antigonè's description of her law as unsayable and always already holding sway.

What then is Antigonè's law of *phusis*?

In attempting to answer this question, we must observe two important constraints. The first is that, by Antigonè's own words, her law is never capable of being written: it is, strictly speaking, unsayable. Because it is unsayable, Sophoklès must leave it unsaid. He can only hint at it, and he does so in his poetic drawing of Antigonè's *Gestalt*. The Chorus itself tells us, at a high point of the *kommos* (v. 821-822) they sing accompanying her on her way to death:

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[24] Compare Aristotle, *Physics*, II, i, 193 a 28 - 193 b 12, where φύσις as μορφή is *not* thought as the work of a creation.

[25] See for example Philip Selznick, "Sociology and Natural Law," 6 *Natural Law Forum* (1961) 84. Let us neglect the "law of nature" such as what would precede and ground a contractarian establishment of law proper à la Rousseau. "An infamy, one must say." Hegel, *Grundlinien*, § 75.

ἀλλ᾽ αὐτόνομος ζῶσα μόνη δὴ
as yourself-a-law-to-yourself, living, alone
θνητῶν ᾽Αίδην καταβήσῃ.
among mortals, you will step down to Hadès.

Antigonè's living law is Antigonè. If that law is the law of *phusis*, then Antigonè is a *Gestalt* of *phusis* as law. However we may wish to formulate her law, what we say must also be such as to leave it unsaid. The "formula" would have to be purely "formal," leaving entirely open the question of what the law might require. Attempts to determine its "content" by the actual laws that her deed seems to honor, be they the rules of funeral rite or the bonds of blood-relation, are in principle ill-guided. We must instead look for the unsayable and hence unspoken ground upon which such actual laws have a claim upon her.

A second constraint follows from the character of Antigonè's knowledge of her law. Her knowing does not emerge from any prior experience of worldly matters, such as might ground the practical wisdom of a mature man. She is a child, παῖς, a young girl, κούρη, just old enough to be promised in marriage to Haimôn. Nor does she know from any reflective consideration of the problem before which she is put. At no time do we see her deliberating, weighing alternatives, questioning herself regarding the ground of her actions. She does not act "from principle" at all, and yet from the very beginning, she stands in full clarity regarding her task and the suffering to which she is destined. Last, this clarity does not originate in any revelation a god, either Zeus or Dikè, might have given to her (v. 450-451). Nor is she, like Kassandra, possessed by a god of prophetic vision. Alone, without having lived or been taught, with no need of reflection, she knows her law from her native humanity. On this point also, in the same *kommos* (v. 875), the Chorus gives a helpful hint:

σὲ δ᾽ αὐτόγνωτος ὤλεσ᾽ ὀργά.
An *orgè* your-own-known-to-yourself destroyed you.

The law that Antigonè is to herself (v. 821: αὐτόνομος) has the character of a *self-known orgè.* We leave the word ὀργή (here in its doric form) untranslated. It signifies something like "what rises from earth," and is

commonly used, with respect to man, to speak of temper, moods and passions of various kinds, especially anger. An ὀργάς is a plot of fertile land. The verb ὀργᾶν signifies "to grow fertile, to ripen, to swell," and, for man, "to swell with desire." From a lengthened form of this verb, ὀργάζειν, comes our word "orgasm." Antigonè's law rises into the clarity of self-knowledge. Whence? From out of the earth that brings it forth.[26] But is it not the essence of *phusis* itself, to rise from the earth and to show itself in the clarity of daylight? Does not Antigonè herself say of her law simply that ἐφάνη, "it came to light," and no one knows how or by whose doing (v. 457)?

However we may formulate Antigonè's law, the formula will have to fit the character of her knowledge as αὐτόγνωτος ὀργή.

What may we say?

"The Law of the Gods."

We may begin by drawing a negative inference.

If Antigonè's law stems from the light of Olumpos in which the *whole* of *phusis* is bathed, then all formulations by which her loyalty[27] is restricted to *one domain* of being in opposition to another that Kreôn would defend, must be rejected outright. Such are almost all interpretations of the poem in wide currency today. Antigonè is said to stand for religious duty as against the interests of the state; or to cherish the bonds of family above those of the political community; or to revere the dead, rather than care for the living; or to speak for feminine feeling in opposition to masculine calculation; or to be carried by youthful enthusiasm in rebellion against elderly wisdom; or to represent some combination of two or more of the polarities listed sofar.[28]

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[26] Compare v. 355 in Stasimon I: ὀργὰς ἐδιδάξατο: "he [man] taught himself the *orgè*" of speech and understanding.

[27] In the strict sense of "lawfulness." *Loy-auté* is the French form of the Latin *leg-alitas*.

[28] The last of this kind is Bollack's, who restores its possibility simply by dismissing Antigonè's appeal to *phusis* as pulled from a bag of rhetorical tricks. See *La mort d'Antigone*, pp. 90-91.

Whether their proponents know it or not, all these interpretations of *Antigonè* owe their currency to the overwhelming authority with which Hegel's explanation of the tragedy came to dominate nearly all later thought. In the history of God's revelation, Hegel says, *Antigonè* represents the first appearance to man of spirit proper, as the world of the Greek πόλις, which Hegel calls "das wirkliche sittliche Wesen."[29] This world collapses when the two great powers by whose opposition it maintains itself, are moved to assert themselves each to the exclusion of the other. These powers are "human" law and "divine" law, by which Hegel means here the law of the subterranean gods. Kreôn stands for the former, Antigonè for the latter. Their "collision" brings about their mutual destruction, and prepares a new stage in the revelation of spirit.

The same tragic events acquire a different sense in the later works of Hegel, where they are considered as a phase in the history of divine creation, the culmination of which is to accomplish the becoming-man of God. There *Antigonè* is an episode in the war of the old and the new gods, the gods of the Earth and the gods of the Sky, which Hegel conceives metaphysically as a conflict of the powers of nature with the powers of spirit. Antigonè appears as onesidedly devoted to the gods below, Kreôn to the new gods, especially Zeus, whom Hegel calls "the political god, the god of laws, of lordship, . . . das Recht und die Sittlichkeit des Staats, diese höchste Macht auf Erden."[30]

However magnificent it may be, the Hegelian explanation must now be left behind us. Antigonè's own words contradict it. It finds no support in Sophoklès' text *other than the blasphemous words with which Kreôn sentences Antigonè to death* (v. 777-780):

And there [in the cavern], Hadès whom alone she reveres among

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[29] *Die Phänomenologie des Geistes*, Ch. VI, A, in *Werke*, Bd. 3, p. 326 (Suhrkamp Taschenbuch Wissenschaft, 1973). The phrase defies translation. Perhaps we can paraphrase it: the being-at-work of that being whose essence lies in a lively custom. Hegel's explanation of *Antigonè* begins at the end of Chapter V (p. 320) and extends through Chapter VI, A, b (p. 354).

[30] *Vorlesungen über die Philosophie der Religion*, Second Part, Second Section, C, II, in *Werke*, Bd. 17, p. 104, 105 and p. 132-133. See also *Vorlesungen über die Aesthetik*, Second Part, Second Section, Chapter I, 2, in *Werke*, Bd. 14, pp. 46-64; also Bd. 13, pp. 287 and 301, and Bd. 15, pp. 549-550; and *Grundlinien der Philosophie des Rechts*, §§ 144 and 166.

gods,
she can pray and somehow obtain not to die,
or she will know now at last that
it is pain beyond [need] to revere things in Hadès.

The Hegelian explanation is not only untenable, but it, and all modern derivations from it, are originally an integral part of the violence that Kreôn does to Antigonè, and through her, to her law.[31]

Of course Antigonè's law is a "law of the gods" in the sense of θεῶν νόμιμα (v. 454-455). But since this law "always ever lives, and no one knows whence it came to light," it cannot be thought to *proceed from* any determinate god or group of gods, either above or below. The "law *of* the gods" must therefore be read as a genitivus objectivus: The phrase refers to a law that *sways over* the gods themselves, *before* all differentiation of their domains and jurisdictions. This law must always already have determined all that gods or men may enjoin upon man. In Heidegger's words,

> Das Bestimmende, das Antigone zu ihrem Sein bestimmt, ist über den oberen und den unteren Göttern. Aber es ist zugleich doch Solches, was den Menschen als Menschen durchstimmt. Gleichwohl ist es nicht nur menschliche Satzung, die schon über den Götterspruch nichts vermag, und deshalb erst recht unter das herabfällt, was auch noch über den Göttern waltet. Zu keiner Zeit lässt dies Bestimmende sich irgendwo als erst gesetzt antreffen und ist doch allem zuvor schon erschienen, ohne dass einer ein Seiendes nennen könnte, daraus es entsprungen.[32]

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[31] Here is what Antigonè herself says of the gods below: that the gods below did not institute the law of her deed (v.45l); that Hadès desires the laws [of burial] (v. 519); that the gods below may well not hallow the difference between useful and bad men (v. 521); that Hadès will know who did her deed (v. 541); that Hadès, where all rest, leads her living to the banks of Acherôn, the river of Grief (v. 811-812); that her only wedding will be to Acherôn (v. 816); that Phersephassa has already received most of her family among the dead (v. 894); that her mother and father are hidden in Hadès (v. 911). The god, δαίμων, who "takes her to bed," κατευνάζει (v.832-833), is not named, but may be Hadès (as in v. 811-812). By the way, there is no ground for hearing "erotic" overtones in that phrase; κατευνάζειν signifies "to bring to rest, to lull, to quiet down, to calm," as a parent does to a child.

[32] "What determines Antigonè to her being (*Sein*), rules over the gods above and below. But it is at the same time such as to determine man as man throughout. However it is not just something posited by man, which would be incapable of overriding the word of gods, and therefore must first rightly fall down under what sways even above the gods. At no time does this determinant let itself be met somewhere as first posited, and yet it has before all already appeared, though no one could name a being (*Seiendes*) out of

Such is also the law against which Kreôn's "edict" offends. Kreôn does not affront one god out of overzealous devotion to another. He assaults *all* gods at once. In the tragedy, we do not hear this explicitly said until Teiresias points it out to Kreôn at the beginning of the fifth episode (v. 1015-1020):

> And that is how the *polis* is ill from your thinking.
> For our altars and pits are all completely
> full of the meat brought by birds and dogs
> from the ill-fated fallen offspring of Oidipous.
> Hence the gods no longer receive sacrificial prayers
> from us . . .

Altars, βωμοί, stand above ground, designed for sacrifices to the gods of heaven. Pits, ἐσχάραι, are dug into the ground, to receive offerings to the gods below. All have been soiled by Kreôn's deed. All gods now refuse to hear the prayers of Thebes. That the gods above would also be offended, *we* should have expected long before Teiresias told Kreôn. Is it not Apollo who rises at the assembly of the gods to protect Hektôr's body from defilement, and to demand that Achilleus have pity, ἔλεος, and respect, αἰδώς, for it? Is it not Zeus himself who agrees and sees that Achilleus shall comply?[33]

Kreôn does not affront only the powers of the Earth, rather he strikes at the *difference* between Earth and Sky, assailing them both as one whole, namely as the *phusis* of being in its totality (*das Seiende im Ganzen*). The Chorus tells him, mirroring his madness to him, as soon as he has announced his edict (v. 213-214):

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which it has sprung up." *Der Ister*, pp. 145-146. For an echo of Sophoklès, see Hölderlin's hymn *Wie wenn am Feiertage . . .*, third strophe.

[33] Homer, *Iliad*, XXIV, 18-76. From the beginning, the language of Sophoklès evokes familiar scenes of the *Iliad* where warriors in the frenzy of battle threaten to deny burial to the dead enemy and to abandon his body to be eaten by dogs and birds. See e.g. XVII, 125-127, 240-241; XXII, 248-272, 335-353. By another tradition that Sophoklès ignores in this tragedy, Kreôn sought to prevent the defeated Argives from recovering and burying the bodies of all their dead ones. The hero who came to their support and prevailed against Kreôn was Theseus, the Heraklès-like monster-slayer, founder of Athens, protector of suppliants, adversary of Hadès. The story was told by Aischulos in *Eleusinoi*. See Plutarch, *Life of Theseus*, 29. According to the same source, it is possible that Heraklès himself, son of Zeus, first granted this privilege to his own enemies.

> any law at all is possible for you to use,
> about the dead as well as about us who live.

If that is not clear enough already in view of the edict, it becomes a glaring evidence when Kreôn sentences Antigonè (v 773-776):

> I shall lead her where there is a path deserted by mortals
> and I shall bury her alive in a rocky cavern
> providing of food as much as is piety alone,
> so that the whole *polis* escapes staining.

This, his second crime, is nothing other than *the first again in inverted form*: after having denied burial to a dead man, he orders the burial of a living one.[34] First he keeps a dead body above ground, in daylight, when it belongs underground, in the darkness of Earth; then he encloses underground in darkness a living body who belongs above in daylight. Living, Antigonè is expelled from the community of the living, while she is still inadmissible into that of the dead. Dead, Poluneikès has irrevocably lost membership in the community of the living, yet he is kept excluded from the community of the dead.[35] Thus Kreôn accomplishes, in both directions, a radical violation of the boundary between Earth and Sky. Just in case we do not see this right away, Teiresias will tell us in his second speech to Kreôn (v. 1070-1076):

> . . . having thrown one of those above below,
> housing a life in dishonor down into a tomb,
> and keeping here one who belongs to the gods below,
> a dead man without-his-share, without-funeral-gifts, without-rites.
> Of these things none is your part nor that of the gods above,
> but by you they are done violence in that way.
> Because of that the bringers-of-disgrace who-eventually-destroy,
> the Erinues of Hadès and of the gods [above] lie-in-wait
> to take you in these same ills.

In accordance with the law of Rhadamanthus,[36] Kreôn is "to suffer what he worked." He is indeed destined to finish his existence like an ἔμψυχον νεκρόν, "an animated corpse" (v. 1167), one who is "not more than a no-one" (v. 1325). Like Poluneikès, he is condemned, as a corpse, to be kept

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[34] Does it matter that the second appears motivated by a surge of that very ritual piety that was disregarded in the first?
[35] So explains Patroklos to Achilleus in *Iliad*, XXII, 61-74.
[36] Hesiod, *Great Works*, fr. 286; Aristotle, *Nicomachean Ethics*, V, v 1132 b 25.

above among the living, to be denied the death for which he begs, a non-being who *is*; like Antigonè, he is condemned, as a living man, to be like a corpse, a being who is *not*, whose existence is, by his own words, μέλεος and μάταιος, futile and vain (v. 1319 and 1339).

The Radiance of τὸ κάλλος.

May we attempt a positive formulation of Antigonè's law?

If *phusis* is the unwritten law that always already holds sway over gods and men alike, and if Antigonè's own essence is determined by her obedience to that law, then we should expect that violence done to her in her essence would also be violence to the gods. As Karl Reinhardt puts it: "Wodurch das Göttliche verletzt wird, ist nichts anderes als was für die Natur [in ihr] zur Qual würde," that through which the divine is violated, is nothing other than what would turn into a torment for *phusis* [in her].[37] We may then, as he does, take as our point of departure what Antigonè herself says of her own experience of Kreôn's edict (v. 465-468):

465 οὕτως ἔμοιγε τοῦδε τοῦ μόρου τυχεῖν
Thus to me, meeting this destiny
παρ᾽οὐδὲν ἄλγος· ἀλλ᾽ ἄν, εἰ τὸν ἐξ ἐμῆς
is next to no pain; but if, him [who came] out of my own
μητρὸς θανόντ᾽ ἄθαπτον ἠνσχόμην νέκυν,
mother, [him being] dead, I endured that his body not be buried,
κείνοις ἂν ἤλγουν· τοῖσδε δ᾽ οὐκ ἀλγύνομαι.
by that I would be pained; but by this I am not pained.

She returns to this matter in her last speech on her way to death, when she asks herself what was the law of her deed. For her deed did not spring from some idiosyncratic feature of her sensibility; rather, her pain disclosed to her a truth that had the character of law. Here are her question and her answer (v. 905-912):

905 Never indeed, if I were born (φύειν) the mother of children,
or if a husband of mine had died and was melting,

[37] *Sophokles*, p. 85. I have added the words "*in ihr*," because the context of the quoted sentence is the question concerning the character and source of her *Wissen*, her knowledge of the law.

would I, in violence to the people of the *polis*, have taken this trouble.
By virtue of what law do I say that?
If my husband had died, there could be another for me,
910 and a child from another man, if I lost this one,
but with my mother and father hidden in Hadès,
there is no brother who could ever sprout.[38]

Antigonè is manifestly unable to articulate anything remotely resembling a "universal rule" by which her conduct would have been guided. She does rule out that funeral laws *in general* were the determining ground of her deed. *These* laws were indeed part of that against which Kreôn's edict offended, and to which Teiresias recalled him. But they were not that for the sake of which Antigonè defied the edict and sacrificed herself. Beyond this negative indication, the wild girl succeeds only in obscurely pointing to the uniqueness of something so compelling *to her* that *for her* it suspended the authority of ordinary human laws. This unique something is an incomparable loss *she* suffers in the death of her brother, and remembers in honoring his body. What might it be?

The words that say it most pointedly occur in her first account of the deed. They bear being repeated, for they likely escaped our attention when we first heard them, as they almost always escape the attention of translators (v. 466-468):

. . . εἰ τὸν ἐξ ἐμῆς
. . . if him [who came] out of my own
μητρὸς θανόντ᾽ ἄθαπτον ἠνσχόμην νέκυν,
mother, [him being] dead, I endured that his body not be buried,
κείνοις ἂν ἤλγουν·
by that I would be pained;

In the dead body of Poluneikès, in immediate proximity to Antigonè, are present, inseparably joined, the event of this body once

[38] Goethe found this passage of *Antigonè* such a "blemish" (*Fleck*) that he would have paid a philologist to demonstrate it was not authentic (Eckermann, *Conversations with Goethe*, Wednesday March 28, 1827). But Aristotle cites it as said by Sophoklès' Antigonè (*Rhetoric*, III, 16 at 1417 a 32). Its authenticity is no longer questioned. It echoes a story told by Hèrodotos in *Histories*, III, 119. These were likely not published until after *Antigonè* was written, but Hèrodotos is said to have formed a friendship with Sophoclès in earlier visits to Athens (Plutarch, *Moralia*, 785 b).

having *come out of* her *mother's womb*,[39] and the event of this brother's death, -- birth and death, the two ends between which spans a life, *her own as well as his*. She too came out of that womb, she too is destined to death. In this dead body, lies what remains of this other, ἕτερος, who by birth was most nearly the same, αὐτός, as herself, and whose being is thus most properly called "her own," φίλος, that is, a ἕτερος αὐτός, "another self."[40]

What is the significance of this joint presence of birth and death in the body of her other self?

In its first and most general sense, the unity of birth and death signifies *phusis* as the eternal movement of φύειν, namely the being (*das Sein*) of being in its totality (*das Seiendeim Ganzen*). Birth is the emergence of beings (τὰ ὄντα) from concealment in the darkness of Earth, into the illuminated openness under Sky, where they show themselves in the radiance of their presence (οὐσία). Death is return into the concealing darkness from the depth of which all birth originates. In the Dionysian mystery that tragedy celebrates, the poet tells, and the people hallow the holiness of *phusis*.

But in a second, restricted sense, -- already implicit in the first, -- birth and death signify a destiny unique to man, indeed not so much to "man in general," as in every case to *this* man who each man is before himself, as Antigonè is in the presence of her other self. To man alone among beings on Earth, is it given at birth to stand in ἀλήθεια, the clearing

[39] The Greek words are quite precise, but translations almost uniformly level them: "my mother's son." Antigonè is known also for her fierce loyalty to Oidipous all the way to his death; he too came ἐξ ἐμῆς μητρός.

[40] Most widely, φίλος signifies "friend," or "friendly," in the active or the passive sense ("loving" or "beloved"). More narrowly, and more originally, it designates "close kin," who may or may not be "friendly." Still more originally, it signifies "one's own" and dearest things, such as one's own life. Antigonè herself speaks of her φίλοι as "my own," using the possessive pronoun. See e.g. v. 48. When Aristotle says that "the friend is another self, ἕτερος γὰρ αὐτὸς ὁ φίλος ἐστίν" (*Nic. Eth.*, IX, ix, 1170 b 7), he can rest on Greek usage. On brotherhood as the primordial instance of inseparable friendship, we may recall the great story of Kastôr and Poludeukès. Pindar, *Nemean* II, 49-91. See also the nearly untranslatable words with which Antigonè calls Ismènè in the first line of the poem, words equally applicable to Poluneikès: Ὦ κοινὸν αὐτάδελφον κάρα, ô common same-brotherly head. Homer too knew the great love of the κασίγνητος ὁμογάστριος (*Iliad*, XXIV, 47).

of the space of unconcealment, so that *phusis* opens itself to him under the light of Olumpos, and lets beings appear in the radiance of their presence. To man alone, among beings on Earth, does death, from birth on, bring his sojourn in the illuminated openness of ἀλήθεια to an irrevocable end. Man alone therefore is the mortal one, βροτός, before whom death stands as "the shrine of the nothing, dessen nämlich, was in aller Hinsicht niemals etwas bloss Seiendes ist, was aber gleichwohl west, sogar als das Geheimnis des Seins selbst."[41] Man alone therefore is drawn into the sharpest difference and the greatest distance from the immortal gods. Insofar as birth and death in their first and most general sense signify appearance in light and return to darkness, they are already experienced and thought from the side of a being to whom such appearance is given to appear and vanish in the clearing of ἀλήθεια. This is the being who is *born* (in the second, restricted sense) to know, that is, whose *mortal* existence (in the second, restricted sense) is thus destined to belong to the play of appearance that *phusis* itself "is." To such a being, his own mortal being is the most unique and immeasurable gift: The gift of the law of unconcealment, ἀλήθεια, as "die Zugehörigkeit zum Sein selbst."[42]

The radiant presence (*das Anwesen*) in which beings (*das Anwesende, das Seiende*) show themselves in the integrity of their being (*Sein*) under the light of Olumpos is called in Greek: τὸ κάλλος. The feeble French-English word "beauty,"[43] with which one ordinarily translates the Greek, conveys nothing of the extraordinariness of the encounter of τὰ καλά, beings appearing in their κάλλος. We are better guided by Plato, who says of τὸ κάλλος that μόνον ταύτην ἔσχε μοῖραν, ὥστ᾽ ἐκφανέστατον εἶναι καὶ ἐρασμιώτατον, "it alone has this part, to stand out in the brightest light and

[41] ". . . the shrine of the nothing, of what namely in any respect never is anything that simply is (*Seiendes*), but what nevertheless sways as the mystery of being (*das Sein*) itself." Heidegger, "Das Ding," in *Vorträge und Aufsätze*, Neske, 1954, p. 171.

[42] ". . . the belonging to being (*das Sein*) itself." Heidegger, *Der Ister*, p. 150. Further references to Heidegger's interpretation of Antigonè in *Der Ister* would, for present purposes, require too long a detour through an explanation of Hölderlin's poetry and its relation to Sophoklès.

[43] Beau, *benellum*, is a diminutive of *bonum*.

to draw Erôs most to itself."[44] Who is Erôs? Erôs is the god of ecstasy, by virtue of which the beholder is transported into the presence of the καλόν, in such a way that all other beings vanish into insignificance and let the καλόν alone stand out in its brilliance. A hymn in praise and fear of his greatness is sung by the Chorus in Stasimon III, at the turning point of the tragedy, just after Haimôn has broken with his father, and before Antigonè enters on her way to death (v. 781-800). In it are sketched out already the main outlines of what Plato teaches in the *Phaedrus* regarding the relation of Erôs and τὸ κάλλος. Without going into a full explanation, we may highlight a few points of special relevance to our topic. Like Antigonè's law, Erôs sways over gods and men alike (v. 787-790). He is not the same as the law of *phusis*, but he is one of its great servants, so much so that "he sits next to the throne at the origin of great statutes, not to be fought" (v. 797-798), giving or withholding his support, as *phusis* itself -- τὸ κάλλος -- may demand. Indeed, as Plato says, he has the power to bring about a "release from the bonds of customary lawfulness."[45] The Chorus, speaking to the god himself, says it with unmistakable fear: "you even out of men true-to-*dikè* *dikè*-less hearts you wrest into disgrace" (v. 791-792). In quick succession, they point to two instances of this dreadful work of Erôs. First, in Haimôn, he nullified the law of filial obedience: "you even this quarrel of men of the same blood you have aroused; victorious is, bright in the eyes, the desire of the bed-ready bride" (v. 793-797). And now, second, he nullifies the loyalty that the Chorus itself had to the king: "But now I myself am carried outside the laws as I see this, and restrain I can no longer the streams of tears when I see to the chamber where-all-rest Antigonè passing" (v. 801-805).

As *Gestalt* of the law of *phusis*, Antigonè herself stands in the brightness of τὸ κάλλος and draws Erôs to herself. Admittedly, the word κάλλος, or καλόν, is not spoken in the hymn itself. Instead, Sophoklès speaks of Antigonè, the bed-ready bride, as ἐναργής (v. 795), the same word

[44] Plato, *Phaedrus*, 250 D.
[45] *Phaedrus*, 265 A; also 252 A.

that Plato uses to characterize τὸ κάλλος, four lines before the sentence quoted above: στίλβον ἐναργέστατα, the most brilliantly gleaming.[46] Since Homer, ἐναργής is the brilliance of the figure in which god appears to man.[47] Antigonè has "obtained a lot-that-borders on the god-like, while living and then in death" (v. 837-838).

As obeying the law that she herself is, Antigonè stands resolved all along to lead her own existence to the end in such a way that she lets herself be claimed by τὸ κάλλος, and her deeds, including death, come to shine in its radiance: "καλόν it will be for me as I [bury him] to die" (v. 72); "I shall certainly suffer nothing as great as not to die καλῶς" (v. 94-95).

Supposing now that, for a while at least, we renounce the language of the poet, can we find for Antigonè's law words more fitting to the sobriety of pure thought? Only the briefest indication is possible within the limits of this short presentation. We shall give it, feeble as it may be, by way of a quotation from the one thinker who attempted again and again to reach the source of Antigonè's law. He gave it a mysterious name, unknown even within his own native tongue, utterly incapable of translation into our own. It is formed from a familiar word, *eigen*, that we still have in English as the adjective and the verb "own," in Latin English "proper." The name is *das Ereignis*. Of it, in one of his later treatments, the thinker says the following:

> [Das Ereignis] er-gibt das Freie der Lichtung, in die Anwesendes anwähren, aus der Abwesendes entgehen und im Entzug sein Währen behalten kann. . . . Das Ereignen ist kein Ergebnis (Resultat) aus anderem, aber die Er-gebnis, deren reichendes Geben erst dergleichen wie ein "Es gibt" gewährt, dessen auch noch "das Sein" bedarf, um als Anwesen in sein Eigenes zu gelangen. . . .
> Das Ereignis verleiht den Sterblichen den Aufenthalt in ihrem Wesen, dass sie vermögen, die Sprechenden zu sein. Verstehen wir unter dem Gesetz die Versammlung dessen, was jegliches in seinem Eigenen anwesen, in sein Gehöriges gehören lässt, dann ist das Ereignis das schlichteste und sanfteste aller Gesetze, sanfter noch denn jenes, das Adalbert Stifter als "das sanfte Gesetz" erkannt hat. . . .

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[46] *id*., 250 D.
[47] *Iliad*, XX, 131; also *Odyssey*, III, 420; VII, 201; XVI, 161.

> Das Ereignis ist *das* Gesetz, insofern es die Sterblichen in das Ereignen zu ihrem Wesen versammelt und darin hält.[48]

Whoever has an ear for the history of jurisprudence will recognize in the next to last sentence of the quotation above (*Verstehen wir. . .*) the famous phrase by which, at the beginning of the Institutes of Justinian, the fundamental principle of "justice" is defined: *suum cuique tribuere*, render to each his own.[49] The Latin phrase translates a Greek formula that may be found in Aristotle's treatise on friendship: ἑκάστοις τὰ οἰκεῖα ἀπονεμητέον.[50] The latter, in turn, is a restatement of the principle of *dikè* that Plato traces back to the late sixth, early fifth century poet Simônidès.[51] Only a slight change in the grammar of the sentence separates Aristotle and Justinian from Heidegger: the former read *cuique* and ἑκάστοις as masculine datives, thereby restricting the scope of "justice" to relations among men: "man is to render every man what is their own." But the *dikè* of tragic thought sways over being (*das Seiende*) in its totality; it is the eternal law of *phusis*, that Antigonè assumed as ground of her existence. The ancient principle is restored if the datives are understood as neuter: let every being (*Seiende*) stand in the radiance of its own being (*Sein*). *Das Ereignis*, as *the* law, is then nothing other than the joining of the unity of the belonging together of φύσις, which grants beings (*das Seiende*) to rise out of darkness into light, and ἀλήθεια, namely unconcealment as the

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48 Heidegger, "Der Weg zur Sprache," in *Unterwegs zur Sprache*, Pfullingen, Neske, 1959, pp. 258-259. The following translation is no more than a makeshift: "[Ownness] gives the freedom of the clearing in which the present can endure, and out of which the absent can go and, in its withdrawal, hold on to its enduring. . . . Owning is not given by something else (as a result), but is the original gift, the giving of which reaches to grant the like of an "it gives" [see above footnote 14], which even "being" needs in order to arrive as presence into its own. . . .
Ownness grants to mortals their sojourn in their essence, in order that they may be those who speak. If we understand by law the gathering of what lets all beings be present in their own, belong into what belongs to them, then ownness is the simplest and gentlest of all laws, gentler even than what Adalbert Stifter knew as "the gentle law." . . .
Ownness is *the* law, insofar as it gathers mortals in belonging to their essence, and holds them therein."

49 Book I, Title I, section 3.

50 *Nic. Eth.*, IX, ii, 1165 a 17.

51 *Politeia*, I, 331 D.

clearing in which man stands as guardian of the radiance of being (*das Sein*).

Antigonè's Death.

If Antigone stands as Gestalt of the law of *phusis*, why then must she "stumble on the high pedestal of *Dikè*" (v. 854), and die? Is her death not punishment for a breach of the law? Against what law did she offend? So runs a familiar chain of questions, that originates in a persistent tendency of modern readers (since Hegel at least) to think this tragedy, and perhaps all tragedy, from a moral-legal standpoint, utterly alien to Greek thought and poetry. Tragedy plays itself "beyond good and evil."

Antigonè's fall is not by way of punishment. It is no consequence of any wrong, not even of her disobedience to Kreôn's edict. Kreôn himself revokes the edict and annuls the sentence he pronounced (v. 1100-1114). Antigonè's fall follows from her *being abandoned* by the gods she revered. As her last words show, she knows this to be her bitter fate (v. 921-928):

> What *dikè* of the gods have I transgressed?
> Why should I , this unhappy one, to the gods still
> turn-my-eyes? Whom can I call to fight-with [for me]? Since
> impiety [is what] I gained in being pious.
> Well, if this is καλόν in the eyes of the gods,
> in suffering we shall know that we erred;
> but if those men are in error, may they suffer no more evil
> than they do me without *dikè*.

Tragedy tells the breach and restoration of the unbridgeable divide that separates man from god, mortals from immortals. The breach may happen by the doing of god (e.g. Apollo to Kassandra) or of man. From man, it may come by way of a violent assault against the divine, *or by intimate unity* with it. The gods invite man to exceed his limits, to excel and reach for greatness. In no case can the breach succeed. Eternal law requires that the difference between man and god be torn open again, however cruel it may be. So the Chorus says in Stasimon II (v. 611-614):

> To those whose house was stirred by the gods, of ruin
> nothing falls short . . .
> . . .
> Over the next and the coming

and the before, it will suffice,
this law: nothing very-great comes
into the existence of man without ruin.[52]

Kreôn assails the integrity of *phusis*. The gods trap and destroy him, casting him alive into non-being.

Antigonè reveres the law to which the gods themselves owe their greatness and immortality. The gods use Kreôn to hold her within the bounds of her mortality. In abandoning her to her death, they also grant her imperishable glory.

[52] The Greek text of the last two lines depends upon reading πάμπολυ γ' instead of the manuscripts' πάμπολις or πάμπολιν, which make no sense.