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ON SOME LINGUISTIC FEATURES OF SOLON'S LAWS[1]
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Abstract

Plutarch, in his *Life of Solon*, gives us an interesting testimony of the importance assigned by the Athenian statesman to the role of language in his political strategy. Most of the features observed by Plutarch are euphemisms, introduction of new technical terms, change of meaning of old words, and preference for the Attic vocabulary.

Starting from these Plutarchean comments, the author analyses the lexical particularities and innovations of the Solonian laws and concludes that, with a clever combination of tradition (including the use of Atticisms), creativity, specialisation and precision at the lexical level, Solon made a great effort of adaptation to the new historical, social, and political circumstances, and tried to facilitate the assimilation by the citizens of the new legal framework. Moreover, this trait of the laws coincides with some linguistic particularities formerly detected by the author in the poetic work of Solon. This study corroborates the validity of the remarks made by Plutarch and tries to put forward an explanation of these traits.

I

Plutarch, in his *Life of Solon*, comments on some particularities of the language used by the Athenian statesman in his legislative activity. He says in the first place that, to the νεώτεροι, the tendency of the Athenians to ἀστείως ὑποκορίζεσθαι –in other words, to use euphemisms (for instance, ἑταῖραι for πόρναι, σύνταξις for φόρος and φυλα-καί for φρουραί)– was inaugurated by Solon (Plutarch says that it was a σόφισμα of him), when he called the abolition of debts (χρεῶν ἀποκοπή)[2] **σεισάχθεια**. He adds that, according to other sources (he cites Androtion), the σεισάχθεια was not the name for the condonation of debts, but for the φιλανθρώπευμα (the 'humanitarian effects') resulting from this decision (including the increasing of

measures and the new currency values)[3]. However, as some scholars have rightly argued[4], Androtion's opinion seems a deliberate reinterpretation of this measure in a period when χρεῶν ἀποκοπή was a synonym for a revolutionary procedure. In the following chapter[5] Plutarch explains that, after a first period of incomprehension and hostility towards the laws, the citizens realized that they were very positive and eventually, in order to sanction the validity of the reforms, they celebrated a common sacrifice that was called also σεισάχθεια. Surprisingly, Aristotle seems not to credit Solon with the invention of the word, as it could be deduced from the plural καλοῦσιν in his mention of this measure[6]. At least, this Aristotelian passage casts doubts about the presence of the word in the Solonian poems[7]. On the other side, it has been argued recently that the word occurred in a poem written in iambic trimeters[8], what is far from having been demonstrated[9]. From my point of view, it is quite reasonable to think that a compound like σεισάχθεια comes either from a poetic context or, at least, from a text composed according to quite refined criteria of word selection. Aristotle confirms only that the name became usual and even popular, but his assessment does not preclude the Solonian paternity. Moreover, the second occurrence of the name in Aristotle[10] seems to support the poetic context[11]. Alternatively, a solid possi-

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[3]   On the problem of the actual scope and details of the σεισάχθεια see the commentary by MANFREDINI – PICCIRILLI (1998⁵), 186-99. The *testimonia* on the σεισάχθεια can be found collected in MARTINA (1968), n. 274-96 (pp. 141-6). From now on I will quote these *testimonia* according to Martina's numbering preceded by 'T'.

[4]   See MANFREDINI-PICCIRILLI, *ad loc.;* RHODES (1981), 127.

[5]   Solon, 16.

[6]   Aristotle, *Athenaion Politeia.* 6,1.

[7]   Cf. RHODES (1981), 108.

[8]   LUJÁN MARTÍNEZ (1995). He defends the form σεισαχθίη.

[9]   Though Aristotle mentions it in a passage where he quotes a iambic fragment: *Ath.* 12, 4. Cf. also *Athenaion Politeia.* 6, 1 y 2.

[10]   *Athenaion Politeia* 12,4.

[11]   Perhaps composed for the above cited ceremony. I am not as sceptical as Noussia in her recent Introduction to the new Italian translation (by Fantuzzi) of Solon (NOUSSIA-FANTUZZI 2001, 31-32, with n. 28): she assumes that if the term came from a poem, the fragment would have been quoted by Aristotle or Plutarch. However, it has been demonstrated that both authors omit fragments most probably cited by their common source. For example, in *Athenaion Politeia* 5, 3 Aristotle uses the plural ἐν τοῖσδε τοῖς ποιή-μασιν to introduce a quotation of a single fragment. "This prompts the suspicion that the quotations from Solon in *A.P.* have not been inserted from his own knowledge by the author (…) but were already present in his source, and that at this point his source gave

bility is the occurrence of the name somewhere in the laws, and eventually we should not rule out the choice of this word in a public allocution by Solon. Whatever it could be, the significant point is that the most important of the Solonian reforms received a specific (and 'poetically coloured') designation, attributed to him and judged by Plutarch representative of a specifically Solonian linguistic trend.

Later in the same work, Plutarch confirms this euphemistic feature of the Solonian laws, when he comments that in the text on women and adultery he spoke of "those women who manifestly go up and down", ὅσαι πεφασμένως πωλοῦνται, instead of (using the rougher speaking) ἑταῖραι[12]. Plutarch refers too to the norm that forbids the slaves to ξηραλοιφεῖν, which is not simply "to rub dry with oil", but implies "to attend the palaestra" and, consequently, to have the opportunity of holding paederastic relations[13].

On the other side, he attributes to Solon the introduction of some 'techni-cal' (specialized) terms. In this class we could include, for example, those concerning the division of citizens into groups according to their incomes, that is, the πεντακοσιομέδιμνοι, the so-called ἱππάδα τελοῦντες, the ζευγῖται and the θῆτες. Even the most sceptical acknowledge that at least the first term was coined by Solon[14], because there was no such class of citizens before him. Even so, it must be accepted that he probably established a full classification by means of available terms integrated now *ad hoc* in this system.

Again according to Plutarch[15], Solon gave also a technical and restricted sense to the term παρασιτεῖν, meaning now the honour of 'having a seat at the public table', ἡ ἐν δημοσίῳ σίτησις. Although not recorded by Plutarch (but cf. T 10), the same could be said of σῖτος, meaning the 'allowance of grain' to widows and orphans.

Another Solonian innovation was the new names for the last and first days of the month, the ἔνη καὶ νέα and the νουμηνία respectively[16]. The former

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more than one quotation, the first being intended to confirm Solon's μεσότης, and that *A.P.* in abbreviating has retained the introduction but not the quotation which it introduced", RHODES (1981), p. 124.

[12] Solon, 23, 1; See F 29a- 30b (F + a number refers to RUSCHENBUSCH' edition of the Laws, [1966]).

[13] Solon, 1, 6. Cf. F 74a-e.

[14] On the problem of the existence of some kind of social classification before Solon and the dimensions of the Solonian modifications, see MANFREDINI-PICCIRILLI (1998⁵), 208-210.

[15] Solon, 24,5

[16] Solon, 25, 5.

gave Aristophanes[17] the opportunity of making fun of an old-fashioned expression (used almost exclusively in some specific utterances concerning the 'days'). The pun is very clever, as it occurs in a context dealing with the problem of debts.

But there was more. Plutarch comments also that Solon used the term λυκιδεύς, 'wolf cub'[18], found only here and, some centuries later, in Theocritus[19]. This form has a typical Attic suffix for cubs, well attested in different authors: beside λυκιδεύς we find ἀλωπεκιδεύς, ἀετιδεύς, λαγιδεύς and so on[20]. The importance of the testimony derives from the fact that it demonstrates that Solon did not hesitate to introduce common terms in the laws, fitting in the 'middle' and most 'familiar' level of language. Finally, it is not at all sure, but it is of course possible, that of the two terms designating the material support of the laws, ἄξονες and κύρβεις, at least the former was introduced with this sense by Solon[21].

II

These few remarks, seemingly irrelevant, point to an important trait of Solon's measures: his effort to consolidate his reforms at the level of language, not only compelled by the need to elaborate a specific legal vocabulary, but also actually aiming to build up a feeling of national identity by means of both the use of ordinary Attic words (which later where obviously judged to be old-fashioned) and the introduction of new and precise terms suitable for the new needs of his ambitious legal and political reforms. Plutarch's evidence can be easily supported by an analysis of other interesting testimonies dealing with the Solonian reforms, and by a careful study of his own poetical compositions, which present particular lexical trends. As I have already done the latter somewhere else[22], I will focus now on the former aspect, that is, the lexical characteristics of Solonian laws, though I will return briefly to the poetic fragments in the last section of my paper.

A first procedure was to create new judicial terms with the aid of word-composition and/or, more generally speaking, morphological means. So, for instance, in order to designate with a noun the relationship among the ἀνεψιοί, he had recourse to the usual suffix -της,

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[17] I am alluding to *Clouds*, 1134 ff. (see especially 1187, where Solon is qualified as φιλόδημος τὴν φύσιν for having introduced this 'double' day).

[18] Solon, 23, 3.

[19] Theocritus, 5, 38.

[20] Cf. SCHWYZER (1968[4]), p. 510.

[21] Solon, 25, 3.

[22] SUÁREZ DE LA TORRE (2003).

and the ἀνεψιότης (F 5a-5d) began its existence as an exclusively legal substantive[23]. The additional penalties in case of misdeeds against property were called ἐπαίτια, corresponding to the more usual προστιμήματα (F 23b). In a very 'logical' way the "price to be paid by the murderer" (to a relative of the deceased), that is τα ἐπὶ φόνῳ διδόμενα χρήματα, received the name of ὑποφόνια (F9). At least in one case the new compound had a poetic flavour, perhaps to add some venerability to the phrasing: instead of the common λυτροῦν (derived from λῦτρα), Solon prefers ἀποινᾶν (from the old epic ἄποινα, retrieved now also as a legal term), to express the 'atonement' in a crime of murder (F 11, 12). In this group of word-composition we also find one example with the prefix ὁμο-, ὁμοερκής (F 59), "within the same house or prison", a compound with some poetic resonance.

Distinguishing this new language from the ordinary utterances is not a difficult task, provided you have the adequate suffix. This is what happened with the 'new' δρασκάζω, specifying the act of 'attempting an escape', and this is why the more 'vulgar' κλέμμα, the 'stolen thing', was replaced by κλέπος, a *hapax* (F 24). And it was also an easy procedure to form a new adverb by means of a regular suffix, as is the case with ἀγχιστίνδην, 'within the near kin' (F 43).

No less important than the morphological are the lexical tools. Solon either creates or adds a new sense to usual words, some of them belonging to the deepest strata of the vernacular language. There are specific terms for some particular objects, such as the ποδοκάκκη, for the instrument commonly known as ξύλον, the 'stocks' (F 15b, 23c); or the προπτόρθιον, for the 'projecting branch' (F 61). In fact some of the innovations came from the agricultural lexical field. A μορτή is a 'portion' of an estate, and the divided (and shared) land is a γῆ ἐπίμορτος (F 67). The olive trees planted κατὰ στοῖχον are called στοιχάδες (F 90), according to a suffixation usual in this rural terms, as can be seen in ὀργάδες, 'fertile spot of land', also present in the Solonian laws (F 91). In other lexical fields it is also reasonable to think that Solon either introduced or, at least, contributed to the consolidation of the new legal meaning of such names as ναύκραρος and ναυκραρία (a financial and administrative term, F 79-80), or ὀργεῶνες (F 76a-77), employed in Athens for the members of a religious association.

In other semantic field, Solon seems to be responsible for the introduction of the term ἐξούλης, as well as the verb ἐξείλλειν (T6a-b), expressing the 'ejectment', or (as explained in LSJ *Lexicon*, *s. v.*) "action of ejectment brought by one who claims property in consequence of a judgment of court and is excluded

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[23] It appears only in one legal text cited by Demosthenes referring to Solon and to Plato's *Laws*.

(ejected) from it by the former defendant or his agent, against a defendant who has seized or refused to surrender property".

It was not always necessary to create new words nor to restore odd or unusual meanings. Solon was responsible for the regularization of the semantic opposition between βινεῖν (the 'illicit' –sic LSJ– sexual intercourse) and ὀπυίειν, a very ancient term, which became the 'official' term for 'to marry' (actually its normal meaning, but now with the sense κατὰ νό-μον). The innovation is to have added to the semantics of βινεῖν a 'negative' connotation, instead of leaving to this verb the general, neutral meaning of *coire* (F 27).

Sometimes we find words with a slightly 'poetic flavour'[24], best perceived in some epithets such as ἀφελῆ, instead of ἔμπηρα (i.e. the victims for sacrifice which are 'crippled', 'maimed'; F 82), or even in the substantive ἴδυοι or ἴδυῖοι, the μάρτυρες or συνίσ-τορες ('witnesses', F 41a-41c). Very expressive, evocative of some old poetic formulae, was the turn of phrase describing the adulterer surprised ἐν ἔργῳ (F 28b): ἄρθρα ἐπ᾽ ἄρθροις (F 8c). They are perhaps in line with the above commented tendency towards euphemism, but, conversely, we know also that in the Vth century, people sometimes found some terms of these *nomoi* too

heavy. We can rely, for instance, on the testimony of Lysias 10, 6-12 (F 32b), dealing with verbal offences, as he contrasts a series of 'polite' (not liable to be punished) expressions with other offensive (though 'legal') definitions: τὸν πατέρα ἀπεκτονέναι ("to kill one's father") is opposed, as tolerable, to ἀν-δροφόνος[25], τὴν τεκοῦσαν ἢ τὸν φύ-σαντα τύπτειν ("to strike one's mother or father") to πατραλοίας and μητρα-λοίας, and ῥῖψαι τὸν ἀσπίδα to ἀποβε-βληκέναι τὸν ἀσπίδα, an expression which deserves a 50 drachms fine.

III

Furthermore, all this is in full accordance with the lexical characteristics of Solonian poetry, as I have advanced above[26]. No less than 32 words (33 if we add the σεισάχθεια) appear in his fragments for the first time in Greek literature. Other 5 are *hapax*, and at least 8 are used with a new or modified meaning. Solon shows a high degree of virtuosity in combining tradition and innovation, Panhellenism and vernacular features. As we have observed in the remaining references and texts of the laws, the lexical innovations evidence a rich variety of procedures. Sometimes, as in the laws, it is a simple change of suffix (as in αἰθρίη ['clear sky', 1, 22 G.-P.] or

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[24] Cf. what has been said above about the σεισάχθεια.

[25] Also ἀνδραφόνος F 3.

[26] See the table with a classification of this vocabulary in the Appendix.

ὑπερηφανία ['arrogance' 5, 1G.-P.]). There is, of course, no shortage of traditional compounds (a normal procedure in Greek poetry)[27], but more usually (and this is the aspect I wish to emphasize) *the reason for the innovation can be found in the new historical, social, and political situation.* We find in Solon, attested for the first time in a poetical context, the technical term for 'colony", οἰκισμός, but employed (Fr. 11,5 G.-P.) to describe actually the συνοικισμός of Soloi, in Cyprus. The same can be said of τυραννεύω ('to be absolute ruler' 29[a] 6 G.-P.), διχοστασίη ('sedition' 3, 37 G.-P.) or σύνοδοι ('meetings' 3, 22 G.-P.), terms describing institutions or circumstances of the highest importance for the political and civic life. Or others describing positive and negative situations lived by the citizens, like ἰσομοιρία ('equal share' 29[b], 9 G.-P.), πένομαι ('to be poor' 6, 1 G.-P.), δουλοσύνη ('slavery' 3, 18; 12, 4; 15, 4 G.-P.), not to speak of the judicial and administrative verbs συμμαρτυρέω ('to bear witness with' 30, 3 G.-P.) or εὐθύνω ('to put straight' 3, 36 G.-P.). The vernacular tone is represented by words like φλαύρη ('trivial' 1, 15 G.-P.), λατρεύω ('to work for hire' 1, 48 G.-P.), τρώγω ('to eat' 32, 1 G.-P.), λαχνοῦμαι ('to become downy' 23, 6 G.-P.), ἀφαρπαγή ('abreptio', 'steal' 3, 13 G.-

P.)[28], χαῦνος (in the sense of 'frivolous', 'empty' 15, 6; 29[b], 4 G.-P.), and so on. Language is in Solon a tool at the disposal of a well calculated political program, so much so that we could speak of the same criteria in his public activity and in his use of language, above all the search for a balance between Panhellenism and Attic traditions. A long time and a complicated process will be still required for the formation of the *koiné*, but, in my opinion, these Solonian (linguistic) reforms were a first (and important) step in that direction.

IV

We can confidently assume that the particularities we have observed are by no means irrelevant and that Plutarch has had a special sensibility in drawing a complete portrayal of all the Solonian reforms[29]. The task was not easy. The only antecedent legislative corpus, the Draconian laws, was 'primitive' not only in contents, but probably also in form. As we can infer from the abundant testimonies, the Solonian corpus was much more subtle and richer in aspects and nuances than his predecessor. He needed to use a wide range of terms embracing a great variety of cases and possibilities.

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[27] So, for instance, ὀξύχολος ('quick to anger' 1, 26 G.-P.), ξανθόθριξ ('yellow-haired' 22, 1 G.-P.), φιλοκτήμων ('greedy of gain' 30, 21 G.-P.) or πολυτέχνης ('skilled in many arts' 1, 49 G.-P.).

[28] Some manuscripts have the alternative reading ἐφ' ἁρπαγῇ.

[29] On the features of this plutarchean biography see RUSCHENBUSCH (1994).

The need for a new and precise language was huge. There was nonetheless another important aim to be reached: the laws should be accepted and (even more important) understood by every citizen. Moreover, the participation in the institutions was now open to more social groups than before. Therefore, there was an urgent need to create a 'legal style' that could match the new needs. This is probably why Solon not only 'shaped' and adapted the language to the judiciary nuances, but also had recourse to a mixing of levels, from the more usual in the Attic milieu to the adaptation of new senses, and from the more familiar and elementary levels to the 'quasi-poetical' and more sophisticated innovations.

We know that these Solonian efforts (as it happened with the political reforms) did not satisfy everybody. Plutarch echoes a complaint against the text of the laws, as being unclear and contradictory, and therefore giving law courts an exaggerate power: λέγεται δὲ καὶ τοὺς νόμους ἀσαφέστερον γράψας καὶ πολλὰς ἀντιλήψεις ἔχοντας αὐξῆσαι τὴν τῶν δικαστηρίων ἰσχύν[30]. He is perhaps alluding to the critical judgment of Aristotle[31], who affirms that the laws were not written σαφῶς μηδὲ ἁπλῶς. Now, this negative judgment concerning the obscurity of the phrasing does not contradict the above remarks concern-

ing the language of the laws. They reflect a critical attitude against the contents, but not against the form. *Solon's was a great contribution to the creation of the Attic legal language, cleverly combining tradition, specificity, and precision in the use of terms, not to speak of his contribution to facilitate the memorization of the texts by the citizens.*

As a final remark, I wish to let Solon speak about the relation of language to national identity. One of the claims he makes in his iambics, as he defends his reforms, is that, due to their wanderings, the Athenians who emigrated escaping from extreme poverty, were not able to speak the 'Attic' language when they came back. He brought back to Athens, among others,

> ...τοὺς τ' ἀναγκαίης ὕπο
> χρειοῦς φυγόντας, γλῶσσαν οὐκέτ'
>   Ἀττικήν
> ἱέντας, ὡς ἂν πολλαχῇ πλανωμένους.

...those who had fled under necessity's constraint, no longer speaking the Attic
                                          tongue,
as wanderers far and wide are inclined to do.
(fr. 30, 10-13 G.-P., transl. by D. E. Gerber).

Solon is proud of having contributed to the return and reintegration of these exiles. I hope at least to have demonstrated that he made a great effort to enhance the role of language as a basic strategy in his political and social reforms.

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[30] Solon, 18, 4.
[31] Aristotle, *Athenaion Politeia.* 9, 2. On the origins of this accusation, see RHODES (1981), 162.

APPENDIX

LEXICAL INNOVATIONS IN SOLON'S POETICAL WORKS

	Nova	*Hapax*	*Notione nova*
ELEGIES	1, 15 φλαύρη 1, 22 αἰθρίη 1, 26 ὀξύχολος 1, 48 λατρεύει 1, 55 ξυνομαρτήσωσι 1, 64 ἄφυκτα 1, 70 συντυχίη 3, 13 ἀφαρπαγῇ 3, 22 συνόδοις 3, 37 διχοστασίη 5, 1 ὑπερηφανίαν 5, 2 ἡσυχάζω 6, 2 διαμείβομαι 10, 5 οἰκισμός 15, 6 χαῦνος 17, 2 ἀγρευταί 23, 6 λαχνοῦται 23, 11 καταρτύεται 22, 1 ξανθότριχι	1,49 πολυτέχνεω 2, 6 Σαλαμιναφετῶν 20, 1 γνωμοσύνης	1, 21 δηώσας 3, 34 λειαίνει 3, 36 εὐθύνει 3, 39 πινυτά 6, 1 πένονται 7, 3 δύναμιν 12, 4 δουλοσύνην
TROCHAICS	29$_a^a$, 1 βαθύφρων 29^a, 3 ἄγραν 29$_a^a$ 3 ἐπέσπασεν 29$_a$, 6 τυραννεύω 29^b 9 ἰσομοιρίαν	29^a, 1 βουλήεις	29^a, 4 ἀποσφαλείς
IAMBICS	30, 3 συμμαρτυροίη 30, 8 θεόκτιτον 30, 16 ξυναρμόξας 30, 21 φιλοκτήμων 31, 8 μεταιχμίῳ 33 ἴγδιν 34 κόκκωνας	32, 3 γούρους	
INCERTI GENERIS	38 ἀγρεύματα — σεισάχθεια (?)		

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