JUSTICE AND GOOD GOVERNANCE

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ABSTRACT  A reading of Solon's elegy to eunomia through Castoriadis's seminal theory of autonomy as the explicit and reflective self-institution of society can elucidate the question of what constitutes sound governance. Solon proposes that the dignified realm of mortal life is the ethos of citizenship in a political state. Accordingly, this regime, which relies on intrinsic justification, needs to be understood in ethico-political terms. Its inherent ordinance is the rule of justice – the reciprocity of equitable proportion governing relations among citizens. It is the responsibility of these citizens to safeguard the governing reciprocity, and when they neglect it, the entire state suffers the dire consequences of hubris. The political order that best observes and promulgates the rule of justice is good governance, which functions both as self-limitation and as a balancing measure by arranging the contest of civic forces into a fitting harmony.

KEYWORDS autonomy Castoriadis governance justice Solon

Every 'modernity', every critical confrontation with an established tradition, needs to confront its dominant heritage, its 'classical'. And every western modernity, whether it is geographically located in the 'west' or not, needs to come to terms with the western classics, namely, the Greeks and the Romans. This confrontation will always include both approvals and rejections of the classical as they both constitute aspects of the new modernity.

The fate of the 'Greek legacy' over the last 20 years has been a similarly paradoxical one in that it has inspired opposite reactions. On the one hand, it has been roundly denounced by cultural studies (for example, deconstruction, literary criticism, feminism, Afrocentrism, and postcolonialism) for its Eurocentric, logocentric and phallocentric biases. On the other hand, it has been rediscovered by political theorists in several disciplines (ethics, history, political science, comparative literature and classics) for its experiments in radical democracy. Where the former tendency exposes a history of oppression, the latter extols the potential for self-rule.

Cornelius Castoriadis has been one of the most eminent representatives of the latter tendency since the 1970s. In a long, unbroken series of lectures and papers (and under Greek-named categories such as polis, koinonia, kairos, psyche and logos), he has built his theory of autonomy by elaborating
on the ‘imaginary institution of society’ in ancient Greece, especially democratic Athens and its philosophies. Castoriadis has called democracy a ‘tragic regime’ because, as he has explained, it has no external norms (and therefore must posit its own), because it lacks marked boundaries (and therefore must issue its self-limitation) and because it is subject to hubris (and therefore open to historical risk):

Autonomy is only possible if society recognizes itself as the source of its norms. Thus, society cannot evade the question: why this norm rather than that? – in other words it cannot evade the question of justice by answering, for example, that justice is the will of God, or the will of the Czar, or the reflection of the relations of production. Neither can it evade the question of limits to its actions. In a democracy, people can do anything – and must know that they ought not to do just anything. Democracy is the regime of self-limitation: therefore it is also the regime of historical risk – another way of saying that it is the regime of freedom – and a tragic regime. . . . The question of the limits to the self-instituting activity of a community unfolds in two moments. Is there any intrinsic criterion of and for the law? Can there be an effective guarantee that this criterion, however defined, will not be transgressed? With the move to fundamentals, the answer to both questions is a definite no. There is no norm of norms which would not itself be a historical creation. (Castoriadis, 1983b [1991]: 114–5)

Thus it is the indwelling character of the regime, its complete reliance on intrinsic justification and legitimation, that makes it, in this view, ‘tragic’. The tragic regime is the autonomous one where society rejects the idea of an otherworldly or a priori foundation (a norm of norms derived from a sacred or other unassailable tradition) and accepts itself as the historical source of its norms. Therefore the tragic, the democratic and the autonomous regime all refer to one and the same creation: the institution of society according to the principles of explicit self-reflectiveness and self-governance.

Since this dynamic conception emphasizes historicity, creativity, social process and critical reflection, it does not do justice to the tragic dimension of human existence and action (Castoriadis, 1993 [1997b]: 114) or to the nature of autonomy as an unfolding project to limit the conditions of the ‘tragic regime’ to democracy. The source of such a limiting view is an occasional conflation of democracy with politics. Castoriadis draws a fine distinction between the common occurrence of the political and the unique manifestations of politics:

*politics – la politique* – does not exist everywhere and always; true politics is the result of a rare and fragile social–historical creation. What does necessarily exist in every society is *the political sphere in a general or neutral sense, the political* – *le politique* – the explicit, implicit, sometimes almost ungraspable dimension that deals with power, namely the instituted instance (or instances) that is (or are) capable of issuing sanction-bearing injunctions and that must always, and explicitly, include at least what we call a judicial power and a governmental power. (Castoriadis, 1995 [1997c]: 1)
While the political is everything that concerns the particular arrangements and functions of an explicit power (of any kind), politics is 'the activity that aims at the transformation of society's institutions in order to make them conform to the norm of the autonomy of the collectivity (that is to say, in such a way as to permit the explicit, reflective and deliberate self-institution and self-governance of this collectivity)' (Castoriadis, 1988b [1991]: 76). If, however, the activity of politics and the transformation of institutions are limited to the moment of their fulfillment, the attainment of democracy, the project of autonomy unavoidably comes to a halt, its movement arrested in a specific place, time and set of arrangements. If democracy and politics are one, then self-institution is not a historical process but a unique miracle – the one familiar to us from 19th-century humanism which reduced Hellenism to Athens and western history to the 5th century BC.

Castoriadis himself has warned that 'self-institution is a movement that does not stop, that it does not aim at a ‘perfect society’ (a perfectly meaningless expression) but, rather, at a society that is as free and as just as possible. It is this movement that I call the project of an autonomous society and that, if it is to succeed, has to establish a democratic society' (Castoriadis, 1995 [1997c]: 4–5). Therefore we need a view of politics that does not limit it to its perfection, identifying it with the democratic constitution alone, but comprehends it as a long, adventurous, arduous, searching development – the very project of autonomy; a view of politics that can accommodate opinion, plurality, experimentation, conflict, even failure; a view that can account for the political experimentations and tribulations (specifically, the tremendous range of constitutions) of other poleis in the Greek world. We find such a broader view in another comparison of politics to philosophy that does not identify either (chronologically or constitutionally) with democracy.

Judging and choosing, in a radical sense, were created in Greece, and this is one of the meanings of the Greek creation of politics and philosophy. By politics I mean ... a collective activity whose object is the institution of society as such. In Greece we have the first instance of a community explicitly deliberating about its laws and changing those laws. ... Just as in Greek political activity the existing institution of society is called into question and altered for the first time, similarly Greece is the first society where we find the explicit questioning of the instituted collective representation of the world – that is, where we find philosophy. (Castoriadis, 1988b [1991]: 101–2)

If politics is not limited to a specific constitution, that of democracy (which Castoriadis always calls 'regime'), but includes the whole project of civic autonomy, with all its glories and miseries, it follows that politics should be attributed to the entire history of the regime of the citizens' state/polis, from its inception in the 9th century BC (Raflaub, 1993: 77) until its demise in the early Christian period (Hansen, 1993: 21) – a continuous history of collective self-examination and self-institution of over 12 centuries.
A comparable and equally important observation ought to be made about the genealogy of autonomous thinking. Castoriadis has argued that the moment of the birth of politics

is *not* the reign of law or of right, nor that of the ‘rights of man,’ nor even the equality of citizens as such, but rather the emergence of the questioning of the law in and through the actual activity of the community. Which are the laws we ought to make? At that moment politics is born; that is to say, freedom is born as social-historically *effective* freedom. And this birth is inseparable from the birth of philosophy*. (Castoriadis, 1988a [1991]: 164)

The co-birth of politics and philosophy is inseparable because the collective deliberation about the institution of society and the explicit questioning of the instituted representation of the world are mutually supportive. Therefore the emergence of philosophy should not be dated, as is often the case, to the creation of democracy but much earlier, to the first explicit reflections on judging and choosing the right institution of society.

Furthermore, and still in the same vein, the idea of the tragic regime too should not be narrowly identified with its explicit articulation and conscious institution in the theater but with the entire political project of an autonomous society. Thus, although it is factually accurate to connect closely and exclusively the genre of tragedy with Athenian democracy, the idea of the tragic should be broadened beyond the democratic constitution to cover the regime of the polis itself.

The polis is much more important than democracy, and some four centuries older. Of course the polis went through several widely different constitutions, such as aristocracy, oligarchy and tyranny. Autonomy was not always achieved, preserved or defended. Democracy did not prevail everywhere nor did it always attain unadulterated forms. Following Pierre Vidal-Naquet, Castoriadis has wisely distinguished two historical turning points, two creations. There is the creation of the *polis qua polis*, which subsequently might turn out to be oligarchical or tyrannical; and later, especially at Athens (so as not to enter into a discussion about Chios), there is the creation of democracy properly speaking* (Castoriadis, 1992 [1996]: 121). There were thus two revolutions, the emergence of politics first, and the creation of democracy later. The project of autonomy (the quest for self-institution, the questioning of tradition, the rejection of otherworldliness, the demand for public account, the ethical examination of governance) did not congeal with any particular constitution, even democracy, but kept unfolding, positing the problem of self-limitation (measure) and searching for legitimacy without external guarantees. This is precisely what made the polis itself a tragic regime.

Castoriadis’s repeated references to a ‘tragic regime’ as well as his stern rejection of ‘the melodramatic aspect [of human existence], the false tragedy – the one in which catastrophe arrives without necessity’ (Castoriadis, 1964–5
[1987]: 94) enable us to rescue the idea of the tragic from its existential appropri-ations, with their strong religious orientation, in such works as Lukács's 'The Metaphysics of Tragedy' (1911), Unamuno's The Tragic Sense of Life (1912), Scheler's 'On the Phenomenon of the Tragic' (1915), Krutch's The Modern Temper (1929), Heidegger's Introduction to Metaphysics (1935), Artaud's The Theater and Its Double (1938), Jaspers' 'On the Tragic' (1947), Goldmann's The Hidden God (1955), Szondi's Essay on the Tragic (1961) and Girard's Violence and the Sacred (1972). Tragic thought is historical in nature (even though the material of tragedy is not history but myth), and therefore contingent and skeptical, not absolute or theoretical. Nothing is tragic in itself. Only a political situation and the ethical conduct it elicits can be tragic. The tragic situation is not a moral struggle that arises out of double obligation (good vs good, right vs right). It consists in the agonistic confrontation between law and governance, and the ensuing competing loyalties and responsibilities toward the supreme criterion of justice. Such loyalties and responsibilities develop directly out of the inherent tension between contention/polemos and citizenship/polis, strife/eris and reciprocity/dike, contest/agon and assembly/agora, quarrel/neikos and alliance/philia, power/dynamis and measure/metron, opinion/doxa and judgment/kritisis, freedom and order, equality and proportionality.

The genre of tragedy explores the confrontation between law and governance within the particular polity of democracy, the constitution which openly acknowledges and gives institutional expression to the tragic nature of politics. But the tragic itself is not limited to the work of the dramatists: it is an inescapable feature of any political society: specifically, the modality of freedom in it. What is tragic is not the conflict of two values of equal albeit different order but the agon of doubled, opposed logos over the meaning of justice, and therefore over the kind of right that should prevail in the citizens' state. The tragic is inconceivable without feud/diaphora and agonism - without the diaphoric character of the common good. What makes an agon tragic is that it must remain unresolvable, its polemical character insurmountable, its eristic division irreconcilable. What Castoriadis says about democracy applies to all politics:

Democracy, when it is true democracy, is the regime that explicitly renounces all ultimate ‘guarantees’ and knows no limitations other than its self-limitation. It certainly can transgress such self-limitation, as has so often been the case in history: it can thereby sink into oblivion or turn into its contrary. This amounts to saying that democracy is the only tragic political regime – it is the sole regime that takes risks, that faces openly the possibility of its self-destruction. . . . Democracy always lives within the problem of its self-limitation, and nothing can ‘resolve’ this problem in advance. (Castoriadis, 1983a [1997a]: 316)

To try and overcome the conflict, to aspire to dissolve it, is to commit the ultimate mistake, the insolence of unity and agreement, of the single,
homogeneous, naturalized, all-encompassing dominant logos – the hubris of logic.

The tragic is the search for human measure which remains faithful to the conflictual essence of truth because it cannot have recourse to an outside, higher authority – the search which accepts that there is no other measure than the human one. That is why it is permeated by wonder, questioning, radical doubt, movement, action, struggle and eruptions of liberation. The tragic is cosmic, it is eros and eris of this world/cosmos, this worldly order. It is the confrontation of the equity of law (right) and the legitimacy of governance (might) in the polis when politics is accepted as the noblest human reality. Tragic thought is the scrutiny of what is just (dike) after it has been accepted that this scrutiny can only be a political question – that logos are opposed exactly because they are double, and they are double because they are made of opinions. It begins with the conscious, ethical, responsible acknowledgement of the political (everything that pertains to an instituted explicit power) and arrives at some higher justice which explains why contention and right are mutually constitutive.

To amplify a comment by Hegel, ethical action can be defined and actualized only by virtue of the tragic conflict. A fundamental presupposition of the tragic situation is freedom of judgment and election, that is, the ethical possibility of responding to the call of a citizen’s duty by expressing an opinion/doxa and taking a stand on public matters. Freedom in a political society is by definition tragic on two accounts: first, because it entails acting not under commandment or obligation but out of responsibility/aidos; and second, because its requirement is excellence, rather than suffering. Furthermore, in sharp contrast to promises of delivery or salvation, which are guaranteed by theodicy, freedom is not paradoxical but deeply doxological, that is, its own only guarantee and recognition. Thus Castoriadis’s appeal for autonomy can be read in all its urgency:

We must overcome the ethics of heteronomy. And to do that, we must first overcome the politics of heteronomy. We need an ethics of autonomy, which can only become articulated along with a politics of autonomy. . . . Whether it is exercised on the individual or collective level, such an autonomy obviously furnishes no automatic response to all the questions posed by human existence. We will always still have to make our lives under the tragic conditions that characterize those lives, for we do not always know where good and evil lie, either on the individual level or on the collective level. (Castoriadis, 1993 [1997b]: 121–2)

This is the tragic politics both recognized and advocated by Castoriadis. It is also the intellectual environment that gave birth to philosophy as the systematic reflection of the polis on the tragic character of its autonomous nature, and of politics in general. Philosophical reflection did not begin with democracy in the early 5th century but during the 7th, when the archaic lawgivers for the first time posited explicitly the question not of law
(which was even older) or even justice, but of institution. Early (commonly known as ‘Presocratic’) philosophy is also tragic, like the regime of the political society which produced and nurtured it. Long before the appearance of drama as the institutional and democratic expression of tragic thought, the tragic found its early diction and elucidation in the first philosophy, the philosophy of citizenship. We can comprehend its character and its interest in autonomy better by looking at one of its earliest instances, specifically, the thought of Solon as captured in his celebrated elegy to eunomia.

It has not been popular or easy to discuss Solon (c.640–c.559 BC) in modern times, even though he was universally admired in antiquity. It has not been popular because most historians and political writers from Machiavelli to Malby and from John Adams to Mitford (Roberts, 1994) found his reforms woefully inadequate. Positive evaluations, like Schiller’s in The Legislation of Lycurgus and Solon (1790), Hegel’s in the Philosophy of History and Jaspers’s in his essay ‘Solon’ (1948), remain rare. It has not been easy because it appears impossible to fit him in a single, familiar role. He has been anthologized as a poet, discussed as a lawgiver, and neglected as a philosopher (even though his Vios calls him philosophos). His compositions, with their stentorian emphasis on political reflection, do not fit the dominant model of archaic lyric poetry. H. Diels did not include him in his epoch-making Fragments of the Presocratics; neither, to the best of my knowledge, have any later specialists in this philosophical period tried to add him to the corpus. He is portrayed as a statesman but then his political program, as outlined in his own words, is judged vague. In the United States, where cities have been named after him and Senators are often called ‘Solons’, he has been the object of an uncomprehending fascination in the popular political imagination as a archetypal lawgiver. Where does he belong? Since this is still difficult to determine, he remains an elusive, hybrid figure. Our categories are not adequate to the task. A contemporary of Thales, he lived in an era when the function of the intellectual had not been differentiated yet into exclusive tasks and specific positions. Statesman, orator, poet, performer, lawgiver, social reformer, military leader, world traveler, philosopher – Solon appears to have been all these in one.

As a result of all these difficulties, he is overlooked in most histories. The history of poetry is more interested in the personal voices of early individuality or the prestige of later figures, like Theognis (who was younger than Solon by a generation) and Pindar. The history of politics lavishes its respect on Cleisthenes for his reforms of 508, even though we do not have a single word from him. As for philosophy, at least since the young Nietzsche (and through Heidegger, Arendt, Derrida and Castoriadis himself) it has always heard the first announcement of its coming in the oracular fragment of Anaximander, who was some 30 years younger than Solon (and whose brief statement resonates with Solonian words and ideas). Thus Solon’s over
40 fragments, some of them extensive, the work of half a century, continue to suffer undue neglect, even though they help us reconstruct the best-documented Greek intellectual figure anywhere before Socrates. 'Solon – even with such predecessors as Hesiod and Archilochus – is the first Greek who is really comprehensible to us both in his historical position and in his individuality' (Ehrenberg, 1946: 82). What makes him quite inaccessible is our inability to locate his presence in the proper political (rather than historical) context. An analysis of his elegy to euonmia in terms of political theory can help us understand his undifferentiated, infrangible, dense role as an intellectual statesman at the dawn of western philosophy.

The long tradition of the elegy, the poetic genre used by Solon, is an especially interesting one. A development of the epic hexameter which appeared in Ionia in the 8th century, it acquired new importance when used in the wars of the 7th century to inspire the warriors not just with the hope of victory but with the love of their polis. Thus the genre expressed the combined polemical and political (Lambropoulos, 1995: 3–5) character of the archaic polis. 'Callinus and Tyrtaeus mark the creation of that political elegy which was to be heard as long as the Greek polis had a life of its own and while the orator had not yet replaced the poet' (Lesky, 1966: 120). The next phase of the elegy came at the end of the archaic age, when two poets gave great prominence to civic virtue, the valor of the citizen. Here, 'instead of a warlike zeal still close to the epic model, we have in Solon and Theognis the testimony of two men who took part in, and pondered, the political struggles of their time' (de Romilly, 1985: 30). While previously the elegy gave a rather bellicose expression to the polemico-political identity of the citizens' state, now ethico-political concerns take priority. The difference is obvious in Solon's own work. While an earlier elegy (Fragments 1–3) urged Athenians to go to war with Megara for the possession of the island of Salamis, the elegy on euonmia explores the intrinsic features of the well-ordered state. This poetic genre was most appropriate for an education in citizenship, given its explicitly public character. The ancient elegy was by nature didactic, advisory, educational. It is always an address either to a community – a circle of friends, of comrades in war, in politics or in social gatherings, or the whole city – or to individual members of such a circle, to whom the speaker turns because of his inner bond with this community, even where he acts fully as an individual' (Jaeger, 1966: 81). Solon is constantly addressing himself to an audience in the agora and the streets – to all opinion-forming and decision-making circles and assemblies. He was reciting his poetry in public, raising issues of reflective and deliberative concern which needed to be addressed collectively and immanently.

Here, then, is the complete surviving text of the elegy (translation mine, with certain Greek words in italics):
But our citizens' state/polos will never perish by the dispensation/ordinance/aisan of Zeus
or the intentions of the blessed immortal gods;
for our great-hearted/megathymos guardian/episkopos, daughter of a mighty
father,
Pallas Athena holds her hands over it.
But the citizens/townsfolk/astoi themselves are willing to destroy
this great citizens' state/polen with their stupidities/afradiesin, persuaded by
money/wealth/ebremasi,
and the community's/(common) people's/demou
government/governing class [i.e. nobles]/leaders have an unrighteous/adikos
intent/mind
and many pains are certain to come from their great insolence/ibyris,
for they do not know/epistatai how to restrain their excess/satiety/koron
nor how to order/cosmein [i.e. conduct decently/govern] the present
pleasures/festivities of their feast/dattos in quietness/besychte.

but they grow rich by being persuaded by unrighteous/adikoi deeds/ergmasi

sparing neither sacred possessions [i.e. the goods of the temples] nor those
belonging to the public/demoston [i.e. those of the city],
they steal rapaciously from every direction,
nor have heed/fylasonta of the venerable foundations/themelhia of
justice/dikes [i.e. governing reciprocity]
who is so well aware/synoide in her silence of what is happening/ta
gignomena and what has been/eonta
and comes always/inexorably/pantos in the course of time/to chronon to
claim/demand the payment/retribution due/apoteisomene.
This [i.e. the outrageous behavior of the rich] is coming immediately upon the
whole citizens' state/polei [i.e. rich and poor alike] as an inescapable
wound/elkos. And it [i.e. the state] swiftly comes to wretched
slavery/doulosynes
which arouses internecine/civil/emfylon discord/stasen and sleeping
war/polemou
that [i.e. war] destroys the lovely youth of many.
For in associations dear/philai to the unrighteous/adikousi
the delightful town/asty is quickly wasted at the hands of those who are her
enemies/dysmeneon [i.e. the unruly rich].
Such are the evils/kakas which then are at large among the
community/populace/en demo [i.e. at home.]

[Meanwhile] Many of the poor folk are wandering in a foreign land,
having been sold and enslaved in shameful bonds
there to bear perforce/via the evil deeds of servitude/doulosynes.
Thus the public/demoston ill/kakon comes homeward/olkeide to each man,
the courtyard doors can no longer hold it
but it leaps over the high wall/erkes, and inexorably/pantos finds you
even if, fleeing, you run to hide in the inmost corner of your chamber.
This is what my spirit/ibymes tells me to teach/didaxai the Athenians,
how bad governance/lawlessness/dynomia brings to a citizens' state/polis countless ills/kakas,
thus good governance/lawfulness/eunomie makes/apofainei all things
orderly/eucosmu and fitting/artia
and often places fetters around those who are unjust/adikeis;
it smooths the rough, stops excess/satiety/koros, weakens wanton
insolence/hybris;
withers the blooming flowers of derangement/folly/ate,
straightens/ethynei crooked/shokus judgments/dikas, and gentles
arrogant/hyperetana deeds/erga;
it stops deeds/erga of dissension/faction/dichostasies
and stops the wrath/anger/cholos of troublesome strife/eridos, and under its
reign
all men's affairs are made fitting/artia and sound/pinyta.

The very beginning of the poem presupposes and reasserts an ethico-
political self-understanding of society: 'Our citizens' state/polis . . . What, in
antiquity, is suspended over everything else is the idea that the law is us,
that the polis is us' (Castoriadis, 1990 [1997b]: 94–5). This is both the subject
and the context, the focus and the audience of the elegy: the state of the citi-
zens, the state as citizenship, the possibility and the future of a state con-
sisting not in native territory, ethnic blood, royal command, divine
commandment, ancestral tradition or any other prior justification but in the
belonging together of its citizens. The entire poem is a meditation on the
order, the freedom and the responsibility of this belonging.

The first and longer part (lines 1–30) is diagnostic. The state is in serious
danger and faces catastrophe. The reasons are again not external (the wrath
of gods) but internal (the failures of the inhabitants). This 'great' and 'beautiful'
state will not perish by the dispensation of Zeus but by the civic vices of
its citizens/astoi. What follows is the 'earliest political aetiology' (Jaeger, 1966:
94). Two groups are responsible for the current crisis: the common people
and their leaders. But responsibility is not shared equally. Only 2 lines are
devoted to the failures of the citizens but 23 lines to those of their leaders.
The fault of the common people/demos is that the pursuit of wealth can drive
them to folly. We notice here the expanded significance of demos that came
with the new political awareness. As the citizenry became an increasingly
conscious and active element in the political process, the older, undifferenti-
tated meaning of demos=polis came to have grafted onto the older meaning
a more specific, socio-political one. For Solon demos 'signified neither the
total community (polis) nor "the commons" or "the masses", as the term was
used later, but the citizenry exclusive of the minority which was in a position
of power and control' (Donlan, 1970: 391).

The failures of the governing class, the nobles, are many more and more
serious. They amount to a total disregard for justice. 'The catalogue of aris-
tocratic faults is impressive: greed, injustice, violence, excess, love of luxury,
factionalism, arrogance. The ills these produce are stated in terms of the harm to the whole community. Solon in his poems reflects faithfully the major elements of the common man's view of the aristocracy (Donlan, 1980: 72). The actions of the leaders have dire consequences for the entire population. At home, the state experiences civil discord, war, death of its youth. Abroad, many poor people are sold in foreign lands and suffer the humiliations of servitude. There is no escape from these calamities because their consequences reach everybody, even when people hide at home.

Even though he blames both groups, Solon clearly takes the side of the demos and presents the grave situation as a crisis in governance. The governing class commits hubris, generates division/stasis, and is thus primarily responsible. The present troubles (including the threats of civil war, tyranny and slavery) have a political origin. In his critique of oligarchic rule, Solon offers the first pathology of the body politic. The legitimacy and direction of rule are at stake. The question, therefore, is how 'our citizens' state' ought to be governed. The answer, as we shall see, is, 'In a way that best reflects that it is "ours"'.

Let us take a closer look at the problems of aristocratic rule. What is wrong with its way of government? Why has it brought the state to the brink of disaster? The aetiology is clear: the nobles have an unrighteous mind, they yield to satiety/koros, they pursue unrighteous deeds, they commit hubris, and they drive government to derangement/ate. 'Koros-hubris-ate: satiety and excess in abundance breed transgression which brings on ruin. That this is the natural course of events became a commonplace in later Greek literature, but it was Solon who first explained why this sequence is unalterable' (Versenyi, 1974: 94). The nobles do not realize that their outrageous behavior is coming immediately upon the whole state, that the public ill inescapably wounds every person. They arouse civil discord because, instead of acting as friends of the state, they behave as friends of each other, and enemies of the state. The reason is that they do not respect the foundations of justice/Dike, they do not recognize the reciprocity governing relations among citizens, they do not accept that citizens are responsible for the welfare of the political community and not just that of their allies/philoi. Thus, while indulging in their unruly, unjust, unpolitical behavior, they pay no attention to the highest rule, the rule of justice, who may be silent for the time being but knows well what is happening and what has happened before, and always comes in the proper course of time to claim what is due to her: the payment for injustice and retribution for hubris which are already part of the original reciprocity of political association, of autonomous rule, of the conscious and reflective institution of society.

Solon's principle of governing reciprocity presupposes Hesiod's goddess Dike/Right. In Theogony 901, the daughters of Zeus and Themis/Custom-Law are the Horai/Seasons (the forces of order in nature), Eunomia/Good Governance, Dike/Right, Eirene/Peace (the force of order in society)
and the three Moirai/Fates. Having evolved through the meanings of ‘path’, ‘boundary mark’, ‘custom’, ‘vengeance’ or ‘punishment’, and ‘judgment’, dike is for the first time personified here as the goddess of right before becoming the abstract idea of justice in Solon (Thomson, 1977: 232). Justice is no longer just a procedure and its verdict, a process and its outcome from daily reality. Hesiod invents a special female divinity, Right, with her own power which ‘replaced time/honor as the central virtue for the community and its leaders ...’ (Murray, 1993: 61). Out of a concern with the common good (as opposed to individual claims), justice was moved from the court to the agora and brought into political discourse. It developed into the goddess of Right, whose role can be defined and debated. Common people are aware of its benevolent presence, rulers of its awe-inspiring vengeance. ‘Homer’s gods are sometimes oblivious to right and wrong, though they occasionally reward and punish mortals on moral grounds; but Hesiod’s gods are primarily protectors of justice against its abuse by rulers who foster hubris (an insolent disregard for what is right) by looking only to their own advantage’ (Gagarin and Woodruff, 1995: xxvi). Hesiod’s gods have come down from heaven to inhabit the polity and protect its institutions. His Right belongs to the state, which benefits by respecting it and harms itself by betraying it.

To give urgency to this message, Hesiod constructs a new antithesis, which is not found in Homer, between dike and hubris. The root δείκτης of the cognate verb δείκνυμι means not only ‘to show, to declare’, but also ‘to direct’. In this sense, dike is the indicated way to the state. It is the course/όδος the good citizens take to arrive at, to build and preserve, their state. Wrong judgment/dike leads astray into derangement/ατε. Insolence/hubris races justice to the city but always loses, and those evil people who tried to drag justice out of the race are punished. Adopting a parallel scheme, Hesiod contrasts two entirely different states in his other epic (Works and Days 225–47). In the first, straight judgments are given to all, foreigners and citizens alike, and society is blessed with peace, prosperity and all the goods of the earth. In the second state, insolence reigns and Zeus ordains punishment to its inhabitants for their evil deeds with famine, plague, death, sterility and defeat in war.

Right is also sharply differentiated from Themis, the custom-law of the early archaic age.

In the epic world of aristocracy it is Themis who rules, Themis the law divinely appointed to regulate the behaviour of men, finding fulfillment in the decisions of the just king. The Dike whom Hesiod proclaims comes from a different social milieu. In her the oppressed victims of hubris cried out for justice with a voice that was never again to be stilled in the Greek world. (Lesky, 1966: 124)

Those who felt that they had suffered wrong could now appeal to a higher order, the real order of things, and demand that it be observed and respected. Instead of personal vengeance or punishment, they could ask for their due
share in citizenship.

Dike means the due share which each man can rightly claim; and then, the principle which guarantees that claim, the principle on which one can rely when one is injured by hubris – which originally signifies illegal action. The meaning of themis is confined rather to the authority of justice, to its established position and validity, while dike means the legal enforceability of justice. It is obvious how, during the struggles of a class which had always been compelled to receive justice as themis – that is, as an inevitable authority imposed on it from above – the word dike became the battle-cry. Throughout these centuries we hear the call for dike, growing constantly more widespread, more passionate, and more imperative. (Jaeger, 1945: 103)

It is in the nature of justice to be not just rendered (as a decision) but demonstrated (as a standard). ‘Ideally, then, in Hesiod, as in Homer, a dike is a true demonstration of the “way things happen”, resulting from honest, intelligent application of a themis, truly discerned and rightly selected, to the facts of the case’ (Myres, 1927: 181). Furthermore, the right claimed by the weak and the oppressed becomes a matter of collective concern, if the state is to avoid the perils of violence and insolence. With Hesiod, the citizens’ state acknowledges that it is ruled by the principle of justice. ‘Opposed to force (víta) and wantonness (byros), it is the expression of the spirit of the Polis, a community the inner coherence of which was steadily growing stronger’ (Ehrenberg, 1946: 71).

For the state to strengthen its cohesiveness, Right needs to be closely linked to ‘an ideology basic to the polis, namely, the notion of community through the participation of social equals’ (Nagy, 1990: 269). Dike made this linkage possible and meaningful when it emerged as a norm of justice as well as a public standard.

The word dike contained another meaning, which was to make it still more useful in these struggles – the meaning of equality. This sense must have been innate in the word. . . . Throughout all Greek thought, the word retained this original significance. Even the political philosophers of latter centuries depend on it, and seek only to redefine the concept of equality. . . . Early Greece strove, above everything else, for equal justice. . . . What was needed was a correct norm to measure legal rights, and that norm was found in the concept of equality which was implicit in the idea of dike. (Jaeger, 1945: 103–4)

The norm did not emanate from god’s will but was a new civic ideal based on the principle that all citizens, regardless of high or low birth, are equals. ‘Thus Hesiod conceptualizes the polis as a community of justice and fairness, in which the common good is a shared responsibility of all, high and low’ (Raaflaub, 1993: 63). Citizenship becomes the all-encompassing articulation and the basic exercise of Right.

Solon adopts Hesiod’s dike-hubris polarity but makes his dike less the-
logical and more political, less mythological and more naturalistic. ‘And where Hesiod had to rely on his belief in the justice of Zeus (Works and Days 273), Solon postulates certainty (pantos) because the laws of politics are as predictable as those of nature’ (Raaflaub, 1993: 72). Dike always comes in the course of time to exact payment. Everything happens ‘in the judgment/court of time’ (en dike chronou), as he asserts in Fragment 36, a principle adapted by Anaximander in his fragment as ‘according to the ordinance of time’ (kata ten tou chronou taxen). In due time, reciprocity (the equitable balance of equal forces) is restored. Reciprocity governs and inexorably prevails with time as its ally. This is the inherent logic of political society.

He conceives of justice as a kind of natural and objective order immanent in human affairs. . . . Solon does not oppose this natural order of things to a supernatural one, since for him, as already for Hesiod, all order is one, natural and divine at the same time. Nevertheless he takes great care in eliminating all divine arbitrariness from its operation. . . . Homeric ate; heaven-sent blindness and ruin, is replaced here by simple human ignorance followed by ruin. (Vernéyi, 1974: 92)

Likewise, injustice is no longer natural (as in Hesiod) or religious pollution (as in Draco) but a disease of the state organism.

Although Solon does not yet use the powerful metaphor of a ‘body politic’ explicitly, its conception underlies his view of the state as a social organism and of injustice as a kind of pollution and disease of the whole community. Homer and Hesiod knew only of physical pollution; Solon extends the idea into the moral-political realm (93).

He offers a pathology of the state based on a diagnosis of the ethico-political epidemic of injustice. This demonstrates how ‘the question of justice becomes the question of politics as soon as the institution of society has ceased to be sacred or based on tradition’. (Castañadas, 1995 [1997c]: 11) If there is no absolute norm to be derived from divine law, ethnic tradition, nature or magic, what is the criterion of just institution, of a self-founding institution that both encourages and restrains agonistic dynamism? ‘The solution requires us to look beyond the dilemma to a third option. Not to the traditions of a hierarchical world, nor to the dynamics of a self-legislating (autonomous) society but to what lies in-between them: the striking of the balance of opposites’ (Murphy, 1993: 57).

In order to prevent lawlessness and show respect for the political order of governing reciprocity, a moderating principle needs to be observed at all times, the principle of right measure/metron. Thus ‘Dike stands guard over the new order as Erinyes stood guard over the old. Just as Erinyes punished the violation of Moira, so Dike punishes the violation of Metron’ (Thomson, 1977: 232). Moira was the destined lot in life, a share that could not be negotiated. ‘Metron is Moira in a new form, with a shift of emphasis to its negative aspect: “nothing too much”, as the proverb said. . . . Thus, while Moira had
denoted the equal "share" which constituted each man's birthright, Metron signifies that he is entitled to a limited "measure", which he must not exceed. Such was the aristocratic conception. Solon reinterpreted it so as to restore something of its positive aspect. . . . In general, he believed that by application of this principle the conflict of opposites could be, not indeed eliminated, but kept under control (233). The question of the conflict of opposite but equal forces becomes, with Solon, available for public negotiation and arbitration. If unrestrained conflict results in disaster, the solution is not to control it under fixed categories of entitlement but to restrain it by applying the common principle of measure which, by preserving their creative tension, does justice to all forces involved. 'The root idea of jus, of justus and justitia, is a joining or fitting together -- a jungere, a union -- of contraries, of conflicting, warring, disputing, partisan parties ' (Murphy, 1995: 44). Defending his legislative record in Fragment 36, Solon says that he fitted/armosas to each his justice/dikē, that is, he allotted each his due share. Justice adjudicates conflict by fitting contraries together into the reciprocity of equitable proportion. 'Dikē's reference is to a process of adjustment, of negotiation. This is necessary because the measurements made are proportionate, are relative to status and circumstances; they have to be "fitted" individually. The question here is of equity, not equality' (Havelock, 1978: 253-4).

We can see now the entire range of Solon's aetiology of state crisis together with the principles of his political theory, which renders explicit the tragic character of the polis. The citizens' state is governed by the reciprocity of the conflict of opposites. 'This involved seeing society not in terms of hierarchy but in terms of a social exchange' (Murphy, 1993: 54). When the opposites are given their due share that enables them to compete without inflicting damage, measure is observed, conflict is kept under control and everybody prospers. When, however, the pursuit of satiety transgresses measure, when opposites encroach upon each other and a single force tends to dominate, then discord arises, hubris is committed and punishment comes in the form of derangement and ruin until the balance of contending powers is restored. This is the order of governing reciprocity that makes the state what Castoriadis has aptly called a 'tragic regime' and that a century later found its fullest articulation in the democratic institution of the theater. 'When we see Hubris, Dike and Ate as agents, when we see a confidence in the moral government of the world side by side with grief at the outcast condition of man, we feel ourselves already in the intellectual climate of early tragedy; and in Solon, who is in many ways Hesiod's heir, we see the spiritual ancestor of Aeschylus' (Lesky, 1966: 125). Because the polis cannot appeal to external norms, and therefore has no marked moral boundaries, it must abide by the natural and objective order of justice, which is inherent in political affairs. When its laws and its government respect the foundations and observe the standards of justice, the state is healthy, prosperous and functions harmoniously. When the laws disregard the right measure of power and government violates the
rule of law, when either law or governance claims justice as its exclusive purview, the state transgresses boundaries, commits hubris and suffers punishment. The political agon of the opposed logoi of law and governance over the meaning of governing reciprocity (the supreme criterion of justice) must be conducted with all due respect for measure – for legitimacy and limits. Violations of the governing reciprocity obviously harm the entire state.

'Ve have not a prophetic vision, it is a statesman's diagnosis of the facts. It is the first objective statement of the universal truth that the violation of justice means the disruption of the life of the community' (Jaeger, 1945: 141). Since this is the responsibility of men, not gods, calamity for the first time originates within the state. Conversely, if injustice injures everybody, the preservation of justice becomes the task of everybody. As Protagoras (the sophist who was also a lawgiver) says in his 'myth' in the Platonic dialogue by the same name, the existence of a state depends on dike and ethical responsibility/aidos. Citizens ought to acknowledge their interdependence, accept communal responsibilities, establish shared limits and apply proper measure.

Solon is speaking calmly and confidently about public affairs in a voice that appeals to civic reason. 'He is not a prophet, filled with the power of simple faith, who proclaims the inspiration of a god; it is a prudent political teacher, soberly instructing his people to understand the universal laws that govern the living relationship of men in their city by making them recognize the essential connection between the social behavior of the citizens and the city's welfare' (Jaeger, 1966: 90). After Solon, there is nothing magical or mysterious about justice: it is the immanent, comprehensive, self-regulating order of the human state, the rational and dynamic principle of governing reciprocity which oversees and restrains the conflict of political forces. As such, it is available to every concerned, responsible and honest citizen.

The nobles had claimed the giving of justice as their exclusive prerogative. So long as justice remained shrouded in mystery and magic, their claim was uncontroversial; for they were themselves the accredited representatives of the oracles. They 'had knowledge of divine things . . . and were interpreters [exegesta] of things sacred and holy' [Plutarch Theseeus 25.2]. . . . [Solon] cleared a wide area in which justice was 'the immanent righteousness of events' [Jaeger], and as such a matter of 'common' or 'public' truth. This could never be claimed as the guild secret of a closed corporation. It was open to all men of understanding who could follow the sequence of events and 'teach' it to others. Thus the naturalization of justice meant its socialization: it became the common possession of the polis, for it defined the common peace and the common freedom of all. (Vlastos, 1946: 83)

Solon uses a very interesting metaphor to depict justice as a common possession of all citizens. When blaming the leaders for their satiety, he says that they do not know 'how to order/cosmein [= conduct decently/govern] the present pleasures/festivities of their feast/daitos in quietness/besychie'. In this passage, political disorder is marked by the absence of cosmos at a feast. The
cognate noun cosmos of the verb cosmos means ‘order of governance’. The city formed an organized whole, a cosmos, which was harmonious if each of its constituent parts was in its place and had the share of power it was due by virtue of its own quality’ (Vernant, 1982: 92). The absence of cosmos, of rightful governing order and measured share of power, produces chaos, not a void but a ‘gap’ in this whole, and therefore political disorder. This chaos–cosmos polarity has been insightfully compared by Castoriadis (1983b [1991]: 104) to the hubris–dike one. When insolence and disorder are contrasted to reciprocity and order, we realize that cosmos and dike are closely related and that the supreme principle of order is justice.

Already in the epic, the reciprocity of justice is presented as the apportioning of meat at a feast, a meal duly shared by people near and dear to each other/philo. The name of the meal, dais, which means both ‘feast’ and ‘portion’, comes from the verb datomai– ‘to divide’, ‘to apportion’, ‘to allot’. Dais is the feast where each has his part. Thus the evidence of elegiac poetry, as supplemented by that of epic poetry, implies a coherent picture of dike “justice” in terms of an orderly apportioning of meat at a feast that centers on a correctly executed sacrifice; conversely, hubris “outrage” is represented as the disruption and perversion of this process’ (Nagy, 1990: 272). The nobles do not know how to apportion meat at a feast, that is, how to govern by distributing justice. When portions are not allotted properly, the meal becomes disorderly; when justice is perverted, chaos befalls the community of the feast. The two fundamental features of reciprocity/dike, justice and proportionality, apply to the feast/dais as well. Those who participate in a feast do so under conditions of equity. Solon, and the genre of the elegy in general, use the imagery of the aristocratic feast, namely, the symposium, to illustrate the principles of political order in the citizens’ state. ‘It is the function of feasting which distinguishes the aristocratic house. Those who feast together do so on equal terms. . . . But this equality and reciprocity of feasting only serves to create a competitive society, where each noble strives through “feasts of merit” to acquire yet more time or influence’ (Murray, 1983: 197).

In its turn, the ability to exhibit merit and gain honor is premised on the ‘equitable distribution of communal property among equals’ (Nagy, 1990: 270). Sources document that ‘the archaic Greek custom of competing for prizes in contests presupposes the communalization of property that is to be apportioned and distributed in a manner that is egalitarian in ideology – but without excluding the option of awarding special privileges’ (269). Can the agonism between proportionality and competition, due share and merit, equity and excellence be restrained without canceling their tension? Can the conflict between order (the principle of governance) and justice (the principle of law) be restrained under conditions of reciprocity? Thus in the elegy on eunomia the symposium, the archaic formalization of eating and drinking together, serves as a metaphor both for the aristocratic rule and the polis as
a whole. It provides a microscopic situation where issues of political community can be examined in elementary forms. At the same time, this metaphor enables the elegy in general, and much of archaic poetry, to reflect on its own value in a political society, since in many respects (generic form, subject matter, intended audience, performance, circulation, etc.) poetry can be directly related to the practices and rituals of the symposiac event.

As described in this elegy, the symposium is no longer driven by ideals of equity or excellence, just satiety and insolence. During the later 7th century, 'the aristocracy withdraws and becomes an aristocracy of leisure. So too with the symposion: the aristocratic life-style became enclosed within itself, no longer relevant to wider social functions; the symposion became a refuge from the real world, an escape into entertainment and luxury for its own sake' (Murray, 1983: 198). This self-absorbed entertainment often breeds excess and produces drunkenness and unruly public behavior which ancient authors often condemned as 'hubris'. Solon criticizes the failure of the aristocratic political organization, with the symposium as its model, to achieve social harmony. At the same time, he criticizes implicitly the failure of symposiastic poetry to play a proper public role. When he claims in the middle of his poem that his elegy is what his spirit tells him 'to teach the Athenians', he is also announcing that the state needs a verbal art of public performance that can play a didactic role and directly reach all the citizens, not just the privileged participants of a noble's feast.

Solon recognizes that the paradigm fails to account for the fact that, in the polis, members of all levels of society will necessarily be present, not only the aristocrats. His criticism of begemones demou 'the leaders of the people' for their inability to control their keros or to regulate properly the manner of their feasting is, therefore, both a criticism of the failure of aristocratic political organization to achieve social harmony in the polis and a criticism of the exclusivity of symposiastic praise-blame poetry. (Anhalt, 1995: 93)

An exclusive conception of society produces an elitist art which cannot serve to unify the state by defining a shared civic identity available to all. Traditional poetry is designed, by and large, to serve the needs of small, cohesive (and exclusive) groups of philot “friends”; Solon seeks to create poetry that will serve the needs of the polis as a whole (7). Politics and poetics address here the entire community of citizens. As a poet, a guide and educator of the community, Solon

turned outward to social and political action ... spoke of and attended to the public interest ... rose above the particular occasion and took a long-term view of events. . . . Even as a lyric poet he did not merely adopt the poetic forms developed by his predecessors; he adapted them to his own purpose by transforming the lyric song of impotent lamentation, delightful-woeful self-revelation and personal invective into an efficient educational tool for social and political reform. (Versényi, 1974: 89)
Solon is writing during the dissolution of social homogeneity and political harmony in 7th-century aristocratic Attica, and the ensuing crisis which he sees as a crisis in governance that puts the entire state in grave danger. The governing class has an *a-dilbos* mind, one that ignores the reciprocity governing public affairs, is unable to order the communal feast (keeping the proper measure of its nature), and instead pursues its own greedy pleasures. This situation allows conflict to develop into civic and external war. The only way this conflict can be restrained is 'through the forging of a genuinely political solidarity. Solon, the mediator appointed by the Athenians to end the crisis, gave shape to the idea of the polis by absorbing the traditional aristocracy in a definition of citizenship which allotted a political function to every free resident of Attica. Athenians were not slaves but citizens' (Farrar, 1988: 21) – or, to put it more dramatically, they were all nobles. A new, ordered, and well-regulated form of festivity/εὐπροσυνή should open the aristocratic symposium up to every citizen and also facilitate a new artistic medium to express its spirit. The feasts of the city need a civic-minded poetry which will teach citizens how to be each other's ally/φίλος. This is their proposed ideal identity, one that emphasizes collective reciprocity rather than obligations to the state. Solon takes the aristocratic social relation of solidarity/πλήθος and turns it into a civic relationship – that of the solidarity among citizens in a citizens' state which is now understood as a community meal, a festivity open to all. The aristocratic category is not abolished but radically broadened. The state consists not in its institutions or its people but in the self-instituted relations among its citizens when the people act as interdependent allies, when they develop a political solidarity among themselves in order to work together, pursuing their collective interests. Since citizens have full responsibility for the state of their community, there is a direct connection between their conduct and their welfare.

What a 7th-century polis like Athens expected when, during a crisis, it appointed a lawgiver to reform the polity was

that he should first make himself acquainted with the facts of the case, the processes which were now going on, and leading to the current problems, just as a physician is expected to begin by diagnosis of the disease from its symptoms, and then, on the basis of this knowledge and his other experience of such matters, to formulate fresh νόμος, or revise and reformulate old ones, in such a way as to make them accord with his new recognition of what really goes on; and all this can be done and is to be done, in the view of this phase of Greek thought, by rational inspection of the facts and rational interpretation of them in their actual relation to each other. (Myres, 1927: 276–7)

Even before he was appointed chief magistrate/archon in 594 BC to promulgate a new law-code, Solon, in his elegy on eunomia, explained the pathology of the state, described the tragic character of politics, and defined the form of justice appropriate to it. It is wrong, however, to suggest that 'Solon was essentially concerned with a particular crisis in an individual polis'
and that therefore reflection on the polis ‘conducted outside the context of
individual political debates first appears as a distinct mode of intellectual
activity during the period between the Persian and the Peloponnesian wars’
(Finley, 1981: 37). This view makes the Sophists and Socrates ‘the first
genuine theorists of the polis’ (38). Political theory, however, was long avail-
able to citizens before it became the specialty of theorists since ‘political
activity in Greece leads to the question not merely of whether this particu-
lar law is right or wrong, just or unjust, but of what justice is in general . . .’
(Castoriadis, 1983b [1991]: 102). Solon’s philosophical reflections provide the
best example. His ‘rising above the occasion and taking a long-term view of
human events goes hand in hand with his affirmation of the rule of law and
his faith in the power of human intelligence’ (Versényi, 1974: 90). His para-
mount concern was not the Athenian crisis but the ethical capacity of citi-
zens to institute and safeguard good governance. That is why it was clearly
Solon’s intention in communicating through poetry to subsume the problems
of Athens under the eternal questions of justice and the good for the com-
unity; specific political issues and grievances are expressed in terms of the
moral issues they raise’ (Murray, 1993: 183). Drawing on common socio-
political experience, namely, the disasters accompanying the decline and
decadence of the aristocratic system, he made a resolute effort to present
the world of humans as something meaningful in itself by establishing a sys-
tematic diagnosis of the disease and then formulating the laws of civic health
and prosperity. These laws are intelligible not within the context of a theo-
logy or ontology but of a politology. They constitute the indwelling order of
human affairs, of the ethico-political universe citizens share. We compre-
prehend them by looking at the workings of the citizens’ state, which is the true human
world, the world of free, equal, responsible humans entering a voluntary and
purposeful association. The supreme law of this state world is the reciprocity
governing relations among citizens. This reciprocity belongs to all of them
and constitutes their share in the state and their responsibility toward it. When
they nurture it, they make good laws and live under a just government. When
they ignore it, laws are transgressed, order is violated and everybody suffers.
That is why Castoriadis has argued that, in a world where observing recipro-
city was considered the highest virtue, ‘no opposition existed in principle
between the “private” and “public” spheres (though they were clearly distinguis-
hed), nor did any opposition exist between ethics and politics. . . .
The highest virtues of man were the civic or political virtues’ (Castoriadis,

In the second part of the elegy, having completed his diagnosis, Solon
offers his cure, his solution to the problems of the state, by translating the
ethico-political principle of just reciprocity into terms of polity. Expressions
like politeian katesesin (= he established polity) and dietaxe ten politeian (=
he arranged the polity) used in his Vios (Greek Elegy 1982: 104) indicate that
his main concern was politeia/politeia, the institutional structure of governance.
Questions of constitution, of the specific kind of polity, of the particular organization best suited to a state, are not raised here. Solon is still moving in the larger realm of politics itself, reflecting on the conditions of self-governance and posing the fundamental issue of philosophy itself, of the task of thinking in an autonomous society, which Castoriadis defined so forcefully in his critique of Heidegger:

Philosophy is not about the question: What is being, or what is the meaning of being, or why is there something rather than nothing, etc. All these questions are secondary, in the sense that they are all conditioned upon the emergence of a more radical question (radically impossible in a heteronomous society): What is it that I ought to think (about being, about physis, about the polis, about justice, etc. – and about my own thinking)? (Castoriadis, 1988c [1991]: 21)

Time and again, Castoriadis has insisted that the originary questions of philosophy are not any particular issues but the direction of thinking/making/doing itself, 'the questions: What are we to think? What are we to do?' (25). For these questions to become available and remain open, rather than elided into particular topics of more limited interest (like being or physis), the tragic politics of autonomy, of a self-examining and self-limiting political society, is required.

As a germ, autonomy emerges when explicit and unlimited interrogation explodes on the scene . . . . I am speaking intentionally of germ, for autonomy, social as well as individual, is a project. The rise of unlimited interrogation creates a new social-historical eidos: reflectiveness in the full sense, or self-reflectiveness, as well as the individual and the institutions which embody it. The questions raised are, on the social level: Are our laws good? Are they just? Which laws ought we to make? And, on the individual level: Is what I think true? Can I know if it is true – and if so, how? The moment of philosophy's birth is not the appearance of the 'question of Being' but rather the emergence of the question: What is it that we ought to think? . . . [Autonomy] is the unlimited self-questioning about the law and its foundations as well as the capacity, in light of this interrogation, to make, to do and to institute (therefore also, to say). (Castoriadis, 1988a [1991]: 163–4)

Solon is proclaiming and practicing the open self-questioning of the autonomous state about its foundations in the reciprocity governing politics. This is the moment of philosophy's birth. Unlimited interrogation explodes on the scene of the citizens' state. Explicit self-reflectiveness about doing and instituting becomes publicly available. Solon is asking his fellow citizens: What is it that we ought to think? His answer is, good governance/eunomia. Having expanded on the evils of lawlessness/dynomia, he proceeds to offer in eight compact lines a defense of its opposite. Commentators have looked at this passage for a political program, even more specifically, for information about Solon's legislative intent, but they have been disappointed because it contains next to none. This elegy is not a lawgiver's plan of action – it is a statesman's philosophy. Notice, for example, that, while the description of
dysnomia is given in terms of people's actions and their consequences for the state, in the praise to eunomia human agents are completely absent. The sole heroine of the section is eunomia herself. Furthermore, she is not defined in terms of her characteristics but of her actions. We do not learn about her attributes but about her force, her activities and their results. Solon points out what she does, not who she is. Thus this is a highly philosophical answer to the question about the proper course of tragic thought.

What is the work of eunomia? In negative terms, it restrains the intrinsic conflict of forces so that the pernicious cycle of satiety, hubris and derangement does not develop. Second, it repairs damage and restores reason: roughness and arrogance are gentled; crooked judgments are straightened; dissension and strife are stopped. Third, it punishes injustice by law. In positive terms, it shows forth /apotatnet/ all men's affairs orderly, fitting and sound.

Thus Solon's eunomie is the resultant of two opposing tendencies. One of them . . . is the 'negative principle of universal moderation', whose maxim is 'let none encroach' and whose purpose is not reform but restraint. From this point of view the Solonian polis looks like a formidable array of balanced negations, checks and counterchecks, everyone on his guard against encroachment by anyone else. But there is a mainspring which keeps this system in motion, and this is the initiative of every member of our polis in the interest of the common well-being. Here is a positive, creative principle, even when conceived under the aspect of quietness /beychhe/ for this is the law not of mechanical stability but of organic health; it is not a curb upon growth and development, but the reverse. (Vlastos, 1946: 82)

Eunomia functions as both the limit (negative) and the mean (positive): 'The idea of the mean and the limits – an idea of fundamental importance in Greek ethics – indicates the problem which was of central interest to Solon and his contemporaries: how to gain a new rule of life by the force of inner understanding' (Jaeger, 1945: 148).

Following the example of Hesiod's contrast between the unjust and just cities, Solon combines in this poem a warning about imminent evils with a hymn to the gifts of justice. However, while Hesiod portrays the divine punishment of the unjust city as famine, pestilence and war, Solon comprehends the consequences of injustice as social diseases inherent in the corruption of the state.

The same significant difference occurs again in the Hesiodic picture of the 'Just City' and in Solon's parallel description of the blessings of eunomia. The concrete heavenly rewards offered in the former are the blessings of harvests and children, peace and glorious festivals, wealth of sheep and honeycombs; in the latter the promised dispensation includes public harmony, prosperity among the citizens, freedom from arrogance, covetousness, egoism and excess on the part of individuals, in short the health of the social organism. (Jaeger, 1966: 92)
Eunomia does not bring external blessings but social harmony and peace.

The entire vocabulary of political theory is contained in this short concluding section of the elegy, which is modeled after the proem in Hesiod’s Works and Days – the eulogy to Zeus, protector of Dike (96–7): state and the affairs of men; satiety, insolence, and folly; judgment and deed; dissension and strife; crime and punishment; justice and injustice; order and lawlessness. All this is succinctly placed in the realm of human responsibility and accountability, of the active life, of the common good, of the reciprocity governing political communities, without any references to traditional or otherworldly authorities, any invocations of outside threats, any nostalgia for a golden past, any promise of deliverance. There is no legitimacy other than internal coherence, no justification other than shared prosperity. A self-fulfilling indwelling and awareness radiates throughout the passage. The state of eunomia brings to light, renders visible and common, order and harmony by fitting things together, by arranging the civic world in a peaceful, meaningful manner. Eunomia is the public order of the ethos in a citizens’ state, not yet the logos of dike as cosmic justice according to Heraclitus a century later.

In that conception of political virtue, ethos was still far more important than logos. . . . The early city-state was, in the eyes of its citizens, the guarantee of all the ideals which made life worth living, politevesothe means ‘to take part in communal life’; but besides that it simply means ‘to live’ – for the two meanings were one and the same. At no time was the state more closely identified with all human values’. (Jaeger, 1945: 113)

Until the end of the 6th century, eunomia has little or nothing to do with the political and judicial sense of nomos=statute. It describes in a broader sense a political condition in which nomos means ‘lawful order’.

Before 464/3 B.C. the suffix of eunomia, dynomia, anomia and their related forms does not reflect the political or judicial sense of nomos but it reflects nomos as (a) the norm of proper conduct and (b) the condition of law-and-order, connotations which have moral rather than political overtones. The opposite of eunomia in the first sense (a) is anomia, attested in the early period only in the adjectival form anomos, which signifies conduct defying law-and-order, while its opposite in the second sense (b) is dynomia, which describes a condition in the state which is almost tantamount to anarchy. (Ostwald, 1969: 94)

The nomos contained in these words was a general expression of the good or bad order of state affairs. Anomia (which does not appear in Solon) is the opposite of eunomia as a quality of decent human behavior, while dynomia is the opposite as a condition of orderly and just governance (70).

Before Solon, eunomia had been used by Homer, who contrasted it to byrnis in Odyssey 17.486, and by Hesiod, who contrasted it to dynomia, ‘a descendant of Strife and Night, that is, . . . part of the old order which is eclipsed by the order of Zeus’ (67). In the latter, she is part of the new order of justice and light.
With Hesiod it begins to assume social significance which never quite leaves it for the rest of its history. Hesiod is also the first to make Eunomie into a personal cosmic force and to give her a place in the divine genealogy. She is the daughter of Zeus, begotten with Themis, the primeval goddess of order, after he had consolidated his power over the universe, and her sisters are the Horai [(Seasons)], the forces of order in nature, Dike (Justice) and Eirene (Peace), the forces of order in human society, and the three Moirai (Fates), the forces that represent the rhythm of the life of the individual (Theog. 901–6). Andrews aptly calls Eunomie here ‘one of the guardians of the social order, keeping the city from violence and lawlessness’; but it is not merely in the city that she maintains order. Her pedigree makes her part of a larger order which transcends the city, a universal order established by Zeus. (Ostwald, 1969: 63)

Also, it appears that Eunomia was the name of a poem by Tyrtaeus concerning the polity of Sparta (Fragments 1–4).

Solon follows Homer in contrasting eunomia to hubris, and Hesiod in presenting it as a cosmic force. But its power is no longer natural or mythical. Neither is it a metaphysical notion derived from a theory of life in general.

Solon’s Eunomie is not meant to be a transcendent and absolute ideal of universal validity to which he hoped to attune his countrymen. The negative tone of his definition is alone sufficient to reject an idealistic interpretation. Eunomie is for Solon simply that condition of law-and-order in which the dynomie of the present will be eliminated or at least be suppressed, so that the unity and harmony of the city will be re-established . . . (68–9).

It is a principle of civic ethics which guides public conduct. Its realm is the entire range of political action. Furthermore, as a political articulation of the rule of reciprocity among citizens, eunomia is an ideal frame of state affairs that is not limited either to governance or to a set of statutes. ‘It is not a definite constitution, nor is it a State with good laws. It is a human community which is ruled by moderation, unity and order’ (Ehrenberg, 1946: 84–5). It signifies collective, deliberate and due respect for tragic limits, for self-imposed limitations in the agonistic contention of forces within the state. A society governed in eunomia is one that knows how to take good measure of its autonomy.

To be sure, eunomia means lawfulness, political order, and harmony, the foremost characteristic of the just state. But to legislate and act justly means to observe due measure, to harmonize claims, not to diminish or inflate anyone’s due, not to let anyone encroach on others’ portions, not to transgress limits by wanting or giving more than is fit, right, appropriate. Thus eunomia, whether it is translated as lawfulness or due allotment, legal-political or distributive justice, comes to the same thing: proportion and right balance between man and man in possession, freedom and power. (Versényi, 1974: 98)

Proportion and balance, rather than rights and equality, are central to Solon’s vision of eunomia. His state is not structured as a democracy yet. But his principles are more fundamental than the democratic ones in that they
facilitate the circulation of politics itself. Castoriadis has offered a fine distinction, defining 'politics as explicit and lucid activity that concerns the instauration of desirable institutions and democracy as the regime of explicit and lucid self-institution, as far as is possible, of the social institutions that depend on explicit collective activity' (Castoriadis, 1995 [1997c]: 4). Politics, the pure regime of the tragic, pertains to the indwelling of civic instauration, the autonomy of polity which posits that justice is common possession and good governance is based on equity. Democracy, the constitution characterized by '(political) self-reflectiveness' (Castoriadis, 1986c [1991]: 20–1), arrives later, when political reflection is institutionalized (for example, in the form of theater) and when indwelling itself (rather than just its public space) is questioned in a way that makes commonality/demos common possession and bases good governance on equality. Therefore democracy is the constitution that tries to achieve, as far as it possibly can, both individual and collective autonomy and the common good such as it is conceived by the collectivity concerned in each particular case (Castoriadis, 1995 [1997c]: 16).

But the achievements of democracy should not distract attention from the primary operations of politics, where the rule of reciprocity (the demand for equitable proportion) among free citizens first emerges as the cardinal principle of justice, together with the search for inherent norms and limits (the demand for balance). It is the reflective recognition of the polemical character of the polis that makes politics possible as the restraint on civic conflict and the harmony of tensions. The elegy on eunomia acknowledges that

harmony is possible within the polis, but it is neither a Homeric harmony, in which divine and human will act together and conflict can be resolved utterly, nor an aristocratic, utopian vision in which conflict never arises. Solon's solution would neither preclude problems nor ever resolve them completely. Rather, he envisions a community in which Eunomie is a dynamic force perpetually creating balance and order. It is not a divine agent, but a communal commitment to good order. (Anhalt, 1993: 114)

Solon proposes that the dignified realm of mortal life is the ethos of citizenship in a political state. Accordingly, this regime, which relies on intrinsic justification, needs to be understood in ethico-political terms. Its inherent ordinance is the rule of justice – the reciprocity of equitable proportion governing relations among citizens. It is the responsibility of these citizens to safeguard the governing reciprocity, and when they neglect it, the entire state suffers the dire consequences of hubris. The political order that best observes and promulgates the rule of justice is good governance, which functions both as self-limitation and as a balancing measure by arranging the contest of civic forces into a fitting harmony. It is the task of poetry to develop an ethical poetics that contributes to the collective institution of good governance by educating the citizens in their political responsibilities.
Soon after composing and reciting in public his elegy on eunomia, Solon was appointed chief magistrate/archon and called upon to introduce specific measures to alleviate the crisis in his state. In response, he established a legal code which covered all areas of the law: criminal, political, public morals, family law, land law, tort, evidence, commercial law and religious law (Murray, 1993: 197–8). Refusing to exploit his tremendous power and become tyrant, he then took the unprecedented step of leaving Athens for ten years in order to let his laws stand by themselves and function independently of their creator. For a number of complex reasons, his reforms did not last long and the tyranny of the Peisistratids took over that state. But several of his laws remained largely in place and their spirit was never lost. 'For centuries, as long as there was an Athenian state with a free spiritual life of its own, Solon was revered as a keystone of its culture' (Jaeger, 1945: 136). Furthermore, as long as there was an interest in statesmanship throughout the centuries in the west, he remained a major point of reference and debate.

Our justified admiration for democracy has blinded us for too long to the adventurous and tempestuous politico-philosophical experiment that was the Greek citizens' state. In our fascination with Cleisthenian reforms and Aeschylean tragedy we have forgotten that Solon was the first Athenian, that before him there was no poetry in Athens (Bowers, 1960: 73) and no Athenian contribution to Greek intellectual fermentation, and that, except for his fragments, nothing survives from 6th-century Athens. In addition, our century-old interpretive quest for Anaximander has made us overlook the extent to which his philosophy of cosmic reciprocity presupposes the Solonian worldview and adopts its vocabulary. It is time to restore Solon to his rightful place in philosophy, politics, law and poetry, recognizing him as a major early figure. 'In Greece', Castoriadis reminds us, 'the philosopher was, during a long initial period, just as much a citizen as a philosopher. It is for this reason too that he was sometimes called upon to “give laws”, either to his city or to another one' (Castoriadis, 1987 [1991]: 6). Solon's philosophical concern with citizenship and justice, order and conflict, ethics and civics, proves that the 'conceptual scheme applied by the pre-Socratics was in large part borrowed from the political sphere' (Rahe, 1992: 194). Solon the lawgiver, statesman and poet constitutes the transition from Hesiod's cosmogony to the cosmology of Heraclitus and Aeschylus. 'He provides the link between the ethical thought of the archaic age and the fight for democracy' (de Romilly, 1985: 31).

This is more than an argument for Solon's chronological priority over the commonly acknowledged Presocratics, for his correct place in archaic culture, or for his proper role in Athenian history. It is also more than an attempt to comprehend or translate better the Greeks, the 'classics' of our modernity. It is above all an effort to come to terms with the forgotten fact that 'first philosophy' is the tragic cogitation of the first ethos of thinking, of
the political ethos, in the first abode thinking knew, the public space of citizenship. First philosophy is about listening not to consciousness, Being, language or the text but to the vociferous exchange and contest of unfettered opinion in the agora. As the particular case of Solon in the specific place of Athens shows, politics, philosophy and poetry are all born together, face the same challenges and ask the same tragic questions, albeit in different levels and manners. All three form major parts of ‘nomoscopic analysis’ (Lambropoulos, 1993: xi; 1996), the collective, prudent scrutiny of participatory self-institution. When they work closely together, they not only generate greatness within their domains (which in fact can hardly be distinguished at this explosively germinating point) but they also create democracy. When they don’t – when ethics denounces politics, politics ignores poetics and poetry rejects ethics – reflective self-governance may have certain local, partial successes but can never achieve full articulation through institutions of agonistic deliberation. Only when politics, philosophy and poetry join forces, reinforcing each other’s views and voices during debates about the accountability of the citizens’ state to justice, can they create an autonomous society, one capable of explicitly self-instituting itself, capable therefore of putting into question its already given institutions, its already established representation of the world. This society also could be described as one which, in living entirely under laws and knowing that it cannot live without law, does not become a slave to its own laws; a society, therefore, in which the question, ‘What is a just law?’, always remains effectively open. (Castoriadis, 1982 [1991]: 136)

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