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AND THE COMIC MASK OF *PHASIS*:
AN UNNOTICED LEGAL PUN
IN *ACHARNIANS*?

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1. *Introduction* (1).

The play *Acharnians*, put on stage in 425 B.C., includes a significant number of passages where *phasis* is specifically mentioned (2). The unusual recurrence of these explicit references to the procedure remains one of the only sources in the last quarter of the fifth century to provide a complex example of the technical use of the action — and its dramatic possibilities — in the context of the judicial arena (3). In the framework of a comprehensive study of legal references in *Acharnians* (4), my intention here is to suggest that the repeated allusions to *phasis*, connected in the play and elsewhere with the appearance (and rejection) of blackmailers, can contribute to a long debated issue: the nature of the name of the comic protagonist and its relationship to the author. The nature of the play, which can be interpreted as a legal response to Kleon's accusation the year before, allows us to suggest that Aristophanes could have used his own name to play with "Dikaio-polis" and thus use the stage to

(1) This paper was written within the framework of an ongoing research project UBACyT 2016-2018 on poetic/political bodies and the democratic embodiment of poetry in ancient Greek literature, which I jointly supervise with Prof. Elsa Rodríguez Cidre at the University of Buenos Aires in Argentina (*Cuerpos poéticos. Discursos y representaciones de la corporalidad en el mundo griego antiguo*, 20020150100127BA, financed by Res. CS N° 4756/16).

(2) "The frequent reference to *phasis*, for instance, in Aristophanes' *Acharnians* (542, 819, 912) may suggest that this procedure was used more often than we might otherwise suppose" (TODD 1993, 41-42).

(3) During the fourth century, the importance of the action is well attested in forensic oratory (cf. Dem. 22.27; 35.51; 38.23; 58.5-13; Hyp. *Eux.* 35). The appearance of unscrupulous volunteers, who started to come forward at Athens and become active participants in court trials with the main intention of obtaining a financial profit, as MACDOWELL 1986, 62, explains, is closely related (even in its designation) to the procedure. As far as the fifth century is concerned, Aristophanes rests the sole source of information on this judicial procedure, which is a fact that should not surprise us if we consider that only four law court speeches earlier than 403 have survived (three of which, by the way, are from homicide cases).

(4) I have dealt with the chorus's "legislative" proposal in vv. 676-718 in BUIS 2011. On a balanced perspective on the play's influence in Athenian public opinion or contemporary politics, see CAREY 1993.

represent a proper “denunciation” to counterattack the demagogue’s attempt to prosecute him.

It should be reminded that the legal procedure of *phasis* takes its technical name, within the Athenian legal system, from the sense of “revealing” or “discovering” which lies at the origin of the Greek verb *phainein*. From this perspective, the *phasis* is usually related to the idea of showing a certain object in connection with which the illegal behavior of the accused took place (5). The procedure, therefore, seems to a modern eye more closely identified with a material object — offered and presented to the magistrate (6) — than with the person of the alleged criminal. The wide range of situations which were able to give rise to a procedure of *phasis* in classical Athens — including mining offences, maltreatment of orphans, impiety, shipping and trading cases — has made it difficult for legal historians and classicists to propose a comprehensive definition (7). MACDOWELL 1991 found an interesting rationale when he suggested the existence of three different kinds of actions underlying the general concept, joined by a common characteristic: they could all be initiated — as public denunciations — by anyone interested in doing so (ὁ βουλόμενος) (8). However, unlike *graphai*, if the plaintiff or prosecutor was successful at the outcome of a *phasis*, he could obtain a reward consisting in one half of the money raised as a fine (9). Being a legal procedure whereby the voluntary prosecutor, though acting for the state, can gain materially from the proceedings, *phasis* brings suspicion and is open to abuse, which makes it an ideal target for Aristophanes.

However, as I intend to show here, I believe that the comic play with *phasis* in *Acharnians* is much subtler and involves an onomastic pun concerning the author himself. Exploring the references to the procedure in the play can prove to be useful in order to shed some light on the comic function of justice on stage.

2. *Replying to Kleon and denouncing blackmailers.*

Aristophanes’ first plays, *Banqueters* and *Babylonians*, seem to have prompted in 426 B.C. a failed legal action against the poet on the part of the demagogue Kleon. The following year, the representation of *Acharnians* could be examined as a dramatic response to Kleon’s political denunciation. The

(5) Cf. WALLACE 2003.

(6) RUSCHENBUSCH 1968, 70-73.

(7) TODD 1993, 119, HANSEN 1991.

(8) MACDOWELL 1991, 198.

(9) Poll. 8.48; Plat. *Leg.* 928bc, 745a. For LIPSIIUS 1966, 310, this is a distinctive aspect of the procedure. However, it must be stated that other legal actions also allowed an economic gain for the plaintiff, as it happened with the *apographē*; cf. OSBORNE 1985, 44.

play's *didaskalos* decided to come to the theater (παρέβη πρὸς τὸ θέατρον, v. 629) because he had been unfairly attacked by the politician, who dragged him to the Council (εἰς τὸ βουλευτήριον, v. 379) and almost got him killed (ὀλίγου πάνυ / ἀπωλόμην, vv. 381-382). Verbs such as διαβάλλω (vv. 380, 502, 629) or εἰσέλκω (v. 379) have suggested the existence of an attack that Cleon initiated against the playwright, probably an *eisangelia* which was an action generally available at Athens for those crimes that did not have a specific regulation (10).

In any case, it remains interesting to acknowledge that Aristophanes uses his privileged location, *i.e.* the stage, to elaborate and perform a public response to the public aggression. By means of an effective strategy of inversion, the fictional stage is skillfully transformed into a real space of defense (11), in which Dikaiopolis — an *alter ego* for Aristophanes — can elaborate a legal argument that succeeds in dissolving the natural borders of drama by exploiting the possibilities of comedy. The attack at the Council is responded to by a counterattack on stage. This overlapping of public spaces is possible if we consider that in Athenian democracy the theatre, the courtrooms and the Assembly constituted areas that could be clearly connected within the large territory of political activity (12). The proximity of juridical to dramatic experiences should be taken into account in order to understand their interaction and to explain the frequent reference to *phasis* throughout the play.

The interaction between the judicial arena and the dramatic scene, which Aristophanes exploits for his personal apology, allows the poet to criticize those who manipulate tribunals for their own sake and not for the benefit of the *polis*. This criticism shows a negative side of *phasis*.

In the private marketplace created by Dikaiopolis on stage — another relevant space for an open political participation —, a Megarian citizen appears

(10) In his edition, STARKIE 1968, 84, already translated the aorist participle εἰσέλκυσας as “brought an εἰσαγγελία against me, in the Senate”. On *eisangelia*, see HARRISON 1971, 55-59, MACDOWELL 1986, 183-186 and PHILLIPS 2013, 32-33. I have examined the information given by the scholium and the interpretations it gave rise to in BUIS 2004a.

(11) The visual setting is significant. During the opening scene, where the stage represents the Pnyx, the spectators/citizens attend the initial parody of an Assembly meeting where political speech is subverted and the basic conventions of the *Ecclesia* are not observed at all (BOWIE 1993, 20): people who have the good of Athens at heart are thrown out or silenced, while selfish speculators are heard respectfully and rewarded. Dikaiopolis is forced to remain silent and the audience is ready to expect in the comedy new spaces for public speech to be explored. On the importance of the overlapping of different landscapes on stage in the play, see ENGLISH 2007, 199-227.

(12) As formal spaces where every citizen could have his place, where actors and audience had discernible scripts, legislative procedures, legal trials, and drama were basically performative activities organized around the centrality of a competition (*agôn*). On this isomorphism between the dramatic stage, the assembly and the courts, see *inter alios* GARNER 1987, OBER, STRAUSS 1990, HALL 1995 and TODD 2005. A recent collective book edited by PAPAIOANNOU, SERAFIM, DA VELA 2017 deals extensively with these relations.

at 729 with the intention of selling his daughters, disguised as piglets. The arrival of a *sykophantēs*, who starts asking the seller about his origin (v. 818: ὄνθρωπε, ποδαπός;), opens the legal episode (vv. 818-828) (13). As soon as the foreigner introduces himself as dealing with pig flesh (χοιροπώλας), the informer attempts to accuse him (14) (vv. 819-820) through an action of *phasis* (15):

τὰ χοιρίδια τοίνυν ἐγὼ φανῶ ταδί
πολέμια καὶ σέ.

Then I will expose these pigs as enemy goods, and you as well (16).

The verb φανῶ clearly introduces the spectators into the dimension of a judicial accusation (17). The first person future, which appears in the manuscripts but many editions have decided to transform into a present tense following the *emendatio* suggested by BLAYDES 1880-1893 (18), is presented together with a neuter demonstrative pronoun deictically emphasized (ταδί) (19). The procedure, as it seems, is not only addressed towards the enemy goods but also against the person benefiting from their possession. The Megarian comically acknowledges in his own dialect the denunciation, through a middle voice playing with the root of the verb: Δικαιοπόλι Δικαιοπόλι φαντάδδομαι (v. 823) (20). The lexical con-

(13) On the role of *sykophantai* during this period, see the opposite views taken by OSBORNE 1990 — who described them as true public benefactors — and HARVEY 1990 — to whom they were blackmailers dangerous to democracy. Going beyond this debate, SOMMERSTEIN 2009, 140 n. 19, considers that comedy provides overwhelming evidence to show that *sykophantēs* was invariably a term of abuse, frequently used by defendants to discredit their accusers. On the importance of comic scenes involving *sykophantai*, see also PELLEGRINO 2010, who deals with this episode in pp. 131-141.

(14) DOVER 1972, 81, considers that the informer faces Dikaiopolis instead; *contra*, cf. MACDOWELL 1986, 62.

(15) This reference here is not surprising, since this procedure of *phasis* represents “the legal charge most closely associated with the marketplace” (CHRIST 1998, 141).

(16) I follow and quote, here and elsewhere, the Greek text edited by OLSON 2002, except where indicated explicitly, and the English translations of SOMMERSTEIN 1992³ with slight changes when necessary. All differences with those editions and translations are specifically indicated. Other editions that have been consulted are included in the final bibliography. All expanded spacing in quotations is mine.

(17) On the relationship between *phasis* and *sykophantēs*, cf. Plut. *Sol.* 24. On the discussions concerning the disputed etymology of the term, cf. MURLEY 1921, 199.

(18) Van LEEUWEN 1901, STARKIE 1968, COULON 1923 and SOMMERSTEIN 1992³, for instance. On φανῶ as opposed to φαίνω in this context, see PELLEGRINO 2010, 134-135. I add a future tense in Sommerstein’s translation.

(19) On the value that emphatic demonstrative pronouns ending in -ί seem to have had in Old Comedy, cf. LÓPEZ EIRE 1996, 111.

(20) On the form φαντάδδομαι as a conjecture and its relationship to the Megarian dialect, see PELLEGRINO 2010, 138-139. As it will be presented, the repetition of the name *Dikaiopolis* next

fusion indicates the trader's ignorance of Attic legal terminology, as SOMMERSTEIN 1992³, 197 has correctly pointed out.

The protagonist becomes interested in revealing who is acting as a voluntary plaintiff by means of two successive questions that include a passive voice agent and a substantivized present participle indicating the close relationship between the prosecutor and his activities (v. 824): ὑπὸ τοῦ; τίς ὁ φ α ί ν ω ν σ' ἐστίν; ("by whom? Who is it e x p o s i n g you?").

It seems obvious that the entrance of the informer on stage is intended to be humorous. Despite the exaggeration involved with his presence as a character, it is most probable that comedy would make an effort to translate to a dramatic sphere a perspective which would have been shared by the audience: in order to understand the logic of his comic treatment, the *sykophantēs* had to be probably seen — at least by most citizens attending the performance — as a disturbing character within the city (21).

A similar pattern is found later in the second scene involving a blackmailer (vv. 908-958). When Dikaiopolis receives a Theban citizen who brings along several goods to sell, another character makes his way to the stage. The name of this newcomer is directly associated with a future participle pointing — once again — at the procedure of *phasis*: καὶ μὴν ὁδὶ Νίκαρχος ἔρχεται φ α ν ὼ ν ("here comes Nicarchus to make a denunciation", v. 908). The concrete effects of pronominal *deixis* are also repeated by ὁδί.

Nikarchos' intention, as indicated by Dikaiopolis' final participle, is soon translated into action: at vv. 910-916, where a dialogue between the Theban and Nikarchos is reproduced, the *sykophantēs* decides to imitate his predecessor and succeeds in charging the foreigner with the commission of a public offence:

- | | | |
|------|-------------------------------------|-------------------|
| [NI] | ταντὶ τίνοσ τὰ φορτί' ἐστί; | |
| [ΘH] | | τῷδ' ἐμὰ |
| | Θεῖβαθεν, ἴττω Δεύς. | |
| [NI] | | ἐγὼ τοίνυν ὁδί |
| | φ α ν ὼ πολέμια ταῦτα. | |
| [ΘH] | | τί δὲ κακὸν παθῶν |
| | ὀρναπετίοισι πόλεμον ἦρα καὶ μάχαν; | |

to this technical reference to *phasis* is, in our reading, extremely important for the identification of the protagonist.

(21) "... [H]is constant ridicule of sycophants would have had no dramatic value if sycophancy had not been a prominent and well recognized evil in Athens" (LOFBERG 1976, 21). The representation of informers as *alazones* in Old Comedy (cf. MACDOWELL 1990) — thus showing some of the problems arising in Athenian democracy — must have responded to a common civil ideology shared by the author and his public, as CHRIST 1998, 48-71 has shown. According to HENDERSON 1990, 272, the positions adopted by comic playwrights represent those of actual groups, thus expressing — together with political and judicial oratory — the ideology of the *dēmos*.

[NI] καὶ σέ γε φανῶ πρὸς τοῖσδε.

[ΘΗ] τί ἀδικεῖμενος;

[NI] ἐγὼ φράσω σοι τῶν περιεστώτων χάριν (22).

ἐκ τῶν πολέμιων γ' εἰσάγεις θρυαλλίδας.

Nik. Whose goods are these?

The. They're mine, from Thebes, so Zeus be my witness.

Nik. Then I here present will expose them as enemy goods.

The. What's gone wrong with you, to levy war and battle on little dicky-birds?

Nik. And in addition to the goods, I will expose you.

The. What wrong am I doing to you?

Nik. I'll tell you, for the sake of the audience. You are importing lamp-wicks from enemy territory (23).

The initial question reveals the nature of the procedure as it points to the necessary identification of foreign goods (τὰ φόρτια) and individuals (τίνος). At vv. 911-912, the formal terms of an accusation — as I have just suggested at vv. 819-820 — are present: the personal pronoun ἐγὼ (whose explicit inclusion emphasizes the sentence), the verb φανῶ (which again is a late correction (24)) and the constant qualification of the goods as pertaining to the enemy (πολέμια). Finally, the demonstrative pronouns ταῦτα and τοῖσδε reinforce the deictic profile of the complaint and provide the performative immediacy which is required by the physical movements on stage that are expected to complement the oral denunciation.

The comparison of the episodes involving the Megarian and the Theban traders illustrates a syntactic and lexical similarity which suggests that the legal proceedings of *phasis* could be started if goods imported from the enemy territory were discovered (either animals, such as pigs, or objects like lamp-wicks) (25).

(22) This is a common expression in forensic speeches (Dem. 18.196). It refers to the audience in the courtroom and denotes unmistakably a comic critique against those characters who speak in legal terms outside the limits of tribunals; cf. SOMMERSTEIN 1992³, 202 n. 915. On the role of spectators in legal debates and the specific use of this word to denote the judicial public, LANNI 1997.

(23) As indicated, both occurrences of the form φανῶ have been replaced by φαίνω and translated in present tense in Sommerstein's edition.

(24) In fact, in contrast to v. 819, the present tense φαίνω here is the reading of all authoritative manuscripts. The future form, appearing for the first time in the fifteenth-century manuscript B (which is full of such conjectures), has been adopted by OLSON 2002.

(25) The case later explained by Isocr. 17.42 will be similar to these situations (cf. BOGAERT 1962). The *phasis* here also involved a foreign good pertaining to the enemy, *i.e.* a Delian vessel.

Other passages in the play provide further information. Even before any informers appear on stage, Dikaiopolis manages to heavily criticize their way of acting when he refers to the problems between Athens and Megara. In this rhetorical speech, delivered in Telephos' disguise, he tries to convince the old Acharnian charcoal-burners that there is nothing wrong with a peace proposal addressed to the Spartans (26). At this point, he says that it was not the Laconians who caused the problems of war but some disgraceful people from the city, whom he describes at vv. 517-522:

ἀλλ' ἀνδράρια μοχθηρά, παρακεκομμένα,
 ἄτιμα καὶ παράσημα καὶ παράξενα,
 ἐσυχόφανεῖ Μεγαρέων τὰ χλανίσκια·
 κεῖ που σίκυον ἴδοιεν ἢ λαγῶδιον
 ἢ χοιρίδιον ἢ σκόροδον ἢ χόνδρους ἄλας,
 ταῦτ' ἦν Μεγαρικά κάππερατ' αὐθημερόν.

... But some bent, ill-struck pieces of humanity, worthless counterfeit foreign stuff, who began denouncing the Megarians' little woollen cloaks. And if they saw anywhere a cucumber or a young hare, or a piglet, or some garlic or lump-salt, it was declared Megarian and sold up the same day.

The negative tone of these verses, reinforced by a number of coordinated adjectives in polysyndeton, points to an attack against every *sykophantēs* willing to denounce imported goods. Soon afterwards, once the passing and implementation of the Megarian Decree is mentioned (27), Dikaiopolis dares to offer the hypothesis of a reversed situation, in which the enemy initiates a procedure of *phasis* and confiscates a puppy-dog born in the island of Seriphos, one of Athens' allies (vv. 541-543):

φέρ' εἰ Λακεδαιμονίων τις ἐκπλεύσας σκάφει
 ἀπέδοτο φήνας κυνίδιον Σεριφίων,
 καθῆσθ' ἂν ἐν δόμοισιν; ἢ πολλοῦ γε δεῖ...

Come, supposing one of the Spartans had sailed forth in his bark and denounced and sold a puppy-dog belonging to the Seriphians, "would you within your halls have sat? Far from it!".

Cf. CHRIST 1998, 140-142. HARRISON 1971, 219 n. 4, also mentions the cases of IG I² 45 and IG II² 1128 to show that those breaches of the law related to import and export regulations laid someone open to the procedure.

(26) A short description of the main rhetorical devices used in this speech (anaphors, antistrophes, procatalepsis, asyndetic genitives) can be found in USHER 1999, 20-21.

(27) This legal rule — which was in force at the time — is explicitly referred to in the text. According to *Acharnians*, laws were passed (ἐτίθει νόμους) with the aim of barring the Megarians from the Athenian agora, seas and shores (vv. 533-534): ὥς χρηὲ Μεγαρέας μήτε γῆ μήτ' ἐν ἀγορᾷ / μήτ' ἐν θαλάττῃ μήτ' ἐν ἡπείρῳ μένειν. Cf. OLSON 2002, 212.

If the salesman was found guilty, this fragment suggests that he was subject to the confiscation and sale of his goods (28). The same Council where Kleon had dragged Aristophanes the year before is the institution where cases for *phasis* were referred to (29).

The copious references to *phasis* in *Acharnians* are rich enough to illustrate the distinguishing aspects of judicial proceedings during the late fifth century B.C. (30). But their significance within the comedy is not limited to this documentary use and acquires a new sense if examined in its comic function.

3. *From Dikaio-polis to Aristo-phanes and Back: the Onomastic Pun.*

When the Theban talks to Dikaiopolis and suggests, in exchange for his own goods, to take back with him something special that might be found in Athens and not in Boeotia (v. 900), the protagonist ends up recommending that he pack and export an informer like a piece of crockery (v. 904: συκοφάντην ἔξαγε). Thus Nikarchos the informer gets perhaps the most spectacular of the punishments which in Aristophanes are inflicted on *sykophantai* appearing on stage.

The concept of *phainein* is here put at stake. A similar attitude is noticed when the verb is destabilized through a comic comparison between its technical scope and its ordinary meaning. After the intervention of the first informer, Dikaiopolis answers at v. 826: τί δαί μαθὼν φ α ί ν ε ι ς ἄνευ θρυαλλίδος; (“what makes you think you can s h o w things u p without a wick?”). The wordplay, which cannot be reproduced in translation, is built on the double sense of *phainein*, whose connotation as “showing” or “revealing” is appropriate to describe both “denouncing” and “shedding light on”. The comic mechanism of this misunderstanding is clear in the scenes to come, since the reference to the wick (θρυαλλίς) is repeated by Nikarchos when speaking to the Theban at v. 916. Accordingly, the protagonist takes the occasion to highlight the ambiguity of the verb with a

(28) The law court could even establish a monetary fine itself; cf. LIPSIVS 1966, 315; LOFBERG 1971, 27. If we take the example of comedy as a possible source, the benefit of the fifty percent granted to the successful litigant who had started the lawsuit was calculated on the basis of this sum.

(29) LANNI 2013, 5241-5242.

(30) Aristophanic comedy also provides information on the appropriate magistrates to whom the procedure had to be formally presented. An allusion to the Boule becomes evident from the passage of *Eq.* 300-2: καὶ φανῶ σε τοῖς πρυτάνεσιν / ἡδεκαεύτους τῶν θεῶν ἱε-/ράς ἔχοντα κοιλίας, which confirms later testimonies like Isocr. 18.6, 17.42 or And. 2.14. In the fourth century, on the contrary, the increasing number of offences that could be qualified as *phasis* demanded several other jurisdictions to emerge: “I magistrati competenti erano, nel caso di violazione dei diritti degli orfani, l’arconte; nei casi di ἀσέβεια il βασιλεύς, e negli altri casi a volte gli Undici ed a volte i Tesmoteti” (BISCARDI 1982, 260).

new question: ἔπειτα φάινεϊς δῆτα διὰ θρυαλλίδα; (“you mean you are showing him by means of a wick?”, v. 917) (31).

This lexical play is able to turn the attention of the spectators towards the recurring idea of *phainein*. Dikaiopolis’ position is plain and becomes structured along the line separating the private from the public. In fact, the play shows how his initial isolation — which could be observed in his desire of signing a personal peace treaty — makes him challenge the parasites of the Athenian judicial system. The antithesis he explores as a character is given in fact by the same term he harshly criticizes: as opposed to the legal “showings”, he feels a need to reveal or *show* the detrimental consequences of the informers’ activity in the city. Thus, he who makes an effort to fight against *phasis* decides, in the deep structure of the play, to *shed light on* and reveal the harmful wrongs of the *polis*. This is thus a positive image of *phasis*: Dikaiopolis, unlike the sycophants, seems to make a good use of denunciations as he explains that he needs to counterattack Kleon’s unjust attempt to prosecute Aristophanes.

It is my view that, the opposition between Dikaiopolis’ individualism and his attempt to protect the civic values of the community against demagogues and blackmailers (32) can be noticed in the semantic interaction between “showing” and “disguising”. In this sense, it is useful to concentrate on the verses where Dikaiopolis’ words give shape to a speech that can be attributed to Aristophanes himself (33).

The words that Dikaiopolis — disguised in Telephos’ clothing — addresses to the chorus of old Acharnians are interesting from a legal perspective (vv. 497-501):

μή μοι φθονήσῃτ’ ἄνδρες οἱ θεώμενοι,
εἰ πτωχὸς ὢν ἔπειτ’ ἐν Ἀθηναίοις λέγειν
μέλλω περὶ τῆς πόλεως, τρυγῶδιαν ποῶν.
τὸ γὰρ δίκαιον οἶδε καὶ τρυγῶδιά.
ἐγὼ δὲ λέξω δεινὰ μὲν δίκαια δέ.

(31) WILSON 2007, 46, considers that the fact of detecting only *one* offending object (the wick) and making the most out of it is a nice comic aspect of the scene.

(32) ZUMBRUNNEN 2012, 86-91, sees Dikaiopolis as a character who enjoys the comforts of private life and needs to be tied back to the political framework of the collective *dēmos*. In my opinion, these two dimensions (public/private) are in fact perceived as complementary in the play, in the same way in which countryside and city are subject to a dynamic interaction, to a “fluid shift” of spaces (XANTHOU 2010).

(33) It should be remembered that the three situations in which the character ventriloquizes the author’s voice (vv. 299-302, 497-508, 659-664) oppose other passages in which the playwright is mentioned in the third person, as it happens when the διδάσκαλος is said to come forward on stage to show how clever he is (vv. 628-629: ἐξ οὗ γε χοροῖσιν ἐφέστηκεν τρυγικοῖς ὁ διδάσκαλος ἡμῶν, / οὗτω παρέβη πρὸς τὸ θέατρον λέξων ὡς δεξιός ἐστιν). Both GOLDHILL 1991, 188-201, and BROCKMANN 2003, 156-174, have discussed here the overlapping of the poet’s voice and his own character’s speech. Along these verses, therefore, the relationship between Dikaiopolis and Aristophanes seems quite evident.

Be not indignant with me, members of the audience, if, though a beggar, I speak before the Athenians about public affairs in a comedy. Even comedy is acquainted with justice; and what I have to say will be shocking, but it will be r i g h t .

As the hero's name becomes etymologized (34), the beginning of the *rhēsis* underlines the intimate relationship between Dikaiopolis and Aristophanes, who happen to share the first person of the enunciation. It is true that, far from rejecting the extra-dramatic reality, in this overlapping of personalities Dikaiopolis constitutes a vehicle used by the author inside the comedy to channel his own ideas and thoughts. Aristophanes is able to exploit the dramatic context of direct address to perform the inscription of his authorial mark, to build up his own poetic identity as opposed to Kleon's previous attack against him (35). If Dikaiopolis moves from a helpless victim to a triumphant hero (36), he may well represent an *alter ego* for a playwright who uses the stage to counterattack the public denunciation that Kleon initiated against him after the staging of *Babylonians* the year before (37).

It is certainly unusual for a character other than the chorus to speak so plainly in the author's name. This is why some scholars have had recourse to this passage and to vv. 375-382 in order to suggest the possibility that Aristophanes himself (or his producer Kallistratos) (38) used Dikaiopolis' mask and repre-

(34) As it is noticed in the words in expanded spacing; see SOMMERSTEIN 2001, 229. Cf. v. 595, where Dikaiopolis responds that he is a *πολίτης χρηστός* ("a decent man").

(35) As I explained before, the poet smartly makes use of the theatre here as a legitimate place to present his own arguments against the verbal attack of Kleon at the Council referred to in vv. 379-381. On the figure of the "author" as a prototype capable of guaranteeing a po(i)etic discursive practice, see CALAME 2004, 39. If the tragic mask allows the staging of identity games (CALAME 2000, 139-163), it is possible to approach comedy on similar grounds.

(36) Cf. COMPTON-ENGLE 1999.

(37) In spite of his individualism, Dikaiopolis has been presented in the play "in a purely positive light" (NELSON 2016, 126-127). MCGLEW 2002, 66 declares that, far from being selfish, Dikaiopolis represents the entirety of the citizen body. In any case, as LUDWIG 2007, 491, argues, self-interest in the play does not exclude justice. The overlapping of personalities is well explained by VAN STEEN 1994, 213 n. 9: "There can be no doubt about the true identity of Dikaiopolis, for he speaks in the person of Aristophanes on several occasions: in *Ach.* 377-382 and 496-508. So does the chorus in 630-631 and 659-664. It is apropos of Kleon's indictment that Dicaeopolis is most clearly revealed as Aristophanes". Cf. also BROCKMANN 2003, 142-159.

(38) There is still an important discussion on the question related to Aristophanes' "public" activities in this period. MACDOWELL 1982, for instance, explains that he might have been unknown to the great public by the time *Acharnians* was represented and that, in fact, the play was probably presented under the more famous name of his producer, Kallistratos. *Contra*, MASTROMARCO 1979 and HALLIWELL 1980, who consider that already in 425 Aristophanes was already a well-known figure in Athens. On the debate concerning the "secret" features of Aristophanes' early career, see the detailed summary offered by PERUSINO 1987, 37-57. My opinion is that the public should have known that Aristophanes was the author of the play. On this

sented the protagonist as an actor (39), although there is no evidence to prove such a daring hypothesis (40). Nevertheless, it has been stated that Dikaiopolis (who leads in the play the ritual celebration of the rural Dionysia (41)) is constructed as a poet-performer who is closely related, in metatheatrical terms, to the author himself (42).

As a consequence of our study concerning the notion of *phasis*, I endorse here the possibility of evaluating “Δικαιόπολις” as a “speaking name”, responding to a frequent resource of humour in Aristophanes. It is widely known, of course, that personal attacks on individuals and onomastic allusions constitute a fruitful feature of his comic plays (43), and that the naming of characters as a humorous device represents a recurrent strategy in Old Comedy. In speaking names, therefore, the derived or figurative sense connects with the original significance that resides in its origin (44). As a consequence, many names of

perspective, WELSH 1978 states that, to most scholars, Kleon’s previous attacks were directed against Aristophanes and not against Callistratus.

(39) Cf. MERRY 1887, 8, BAILEY 1936, 236-238, SUTTON 1988 and SLATER 1989, 74-75. On this hypothesis and Aristophanes’ comic disguise and his many roles, see NELSON 2016, 137-139.

(40) Cf. WHITEHORNE 2005, 41 n. 14. BOWIE 1993, 28-29 shows that the character of Dikaiopolis translates in its persona a multi-layered nature that cannot be attached exclusively to the figure of Aristophanes.

(41) If comedy finds its origins in phallic processions (cf. Aristot. *Pol.* 1449a10-13), the celebration of the Rural Dionysia can be understood as a parody “in miniature” of the beginnings of the genre (TAAFFE 1993, 27). As BILES 2011, 62-63, explains, “Dikaiopolis’ recourse to this festival as a means of celebrating his peace thus activates an atmosphere rich in opportunities for metapoetic associations with the performance of *Akharnians* itself at the Lenaia, and for developing the coincidence of identities between poet and hero”. Cf. also SLATER 2002, 49.

(42) “It is not necessary to assume that Aristophanes played the role of Dicaeopolis, only that Dicaeopolis speaks for him. There can be no doubt about the identity of Dicaeopolis, for he speaks in the person of Aristophanes once again in 496-508 and, for a third time, I believe, in 885-887. Although it is hardly unusual for a character in Aristophanic comedy to overstep the boundaries of his role and address the audience directly, these are the only places in extant comedies of Aristophanes in which a character speaks for the poet. Elsewhere this function belongs exclusively to the chorus of the *parabasis* (cf. however Ar. frag. 471 K)” (EDMUNDS 1980, 9). On Dikaiopolis as a representation of comedy, embracing thus not only the author but also the producer, the actors and the audience, cf. MACDOWELL 1983, 149 and HUBBARD 1991, 45. A parallelism given by the pair Dikaiopolis/Telephos and Aristophanes has been suggested, especially with respect to the crimes that had been committed and the consequences suffered (hostility and aggressive action and a later interest in responding through a defence speech based in positive values such as truth and justice); cf. FOLEY 1988, 33-37; also BOWIE 1982, 30 and VOELKE 2004, 122. On the importance of the rhetoric of tragedy in Dikaiopolis/Telephos’ speech, also see BETA 1999. By drawing the attention to the disguise, NELSON 2016, 135, believes that the scene shows that comedy has a claim which is equal to that of tragedy.

(43) Cf. MARZULLO 1953, 105-124, DEGANI 1993, 21, BONANNO 1980, 74 ff., and — much more recently — the monograph by KANAVOU 2011.

(44) “Spechende Namen lassen sich definieren als Eigennamen, deren linguistisch Glieder ubre Analogie oder Antiphrase die szenischen Charakteristika der jeweiligen Person verlauten lassen” (ERCOLANI 2002, 225).

characters or figures that are mentioned throughout the comic pieces are invented with the purpose of playing openly with the capacity of spectators to decode a joke. By means of an indirect allusion to an extra-theatrical target or to a public figure with the intention of criticizing him in front of the audience (ὁ κωμωδούμενος), comedy exploits the functional possibilities of political diatribes and social invectives (45).

Nevertheless, these linguistic assaults do not always point to a real individual. Sometimes, under such a mention, a fictional name is hidden and its creation presupposes the audience's identification of Greek morphemes within its root that can provoke laughter in a particular context.

I claim here that the name of the protagonist of *Acharnians* — expressed for the first time in v. 406 — embodies an example of the latter mechanism of *nomina personarum* (46). But, unlike what others have suggested (47), I believe that this onomastic pun can only be understood if the importance (and ambiguity) of the concept of *phainein* is properly assessed (48).

In the invention of the character of Dikaiopolis, I contend that the author achieves a new turn of the screw, reinforced by a subtle complicity with the audience. Since, in fact, the play aims at emphasizing the effects of *phasis* and supports a speech in favour of the city (περὶ τῆς πόλεως, v. 499) through the consolidation of rightness and justice (δίκαια, v. 501), a conscious confusion of voices between character and author might be expected. Dikaiopolis represents, in his own name, the objectives to be reached (Δικαίό/πολις: what is *right* for the city). (49) As RUSSO 1994, 34, explains,

The name Δικαίopolis, moreover, rather than the “Righteous Citizen”, is intended more expressively as Δίκαιος περὶ τὴν πόλιν, he who is righteous towards the city, he who renders the city righteous, or as a model for the entire city.

(45) On the status and importance of ὀνομαστὶ κωμῶδειν in Old Comedy, see — among others — HALLIWELL 1984, HALLIWELL 1991, SOMMERSTEIN 1986, SOMMERSTEIN 1996, ROSEN 1988, ATKINSON 1992, CAREY 1994, STOREY 1998, TREU 1999, AMMENDOLA 2001-2002, NAPOLITANO 2002, BIERL 2002, MASTROMARCO 2002, STARK 2004, SAETTA COTTONE 2005.

(46) The name is explicitly presented a third of the way through the action, as noted by OLSON 1992, 307.

(47) Some scholars, including BOWIE 1988 or SIDWELL 1994, proposed the theory that Dikaiopolis, as a character or as a *nomen personae*, did not represent Aristophanes but his fellow contestant Eupolis (in fact, the latter scholar considers that the play is clearly paracomical and that even Cratinus' work is jointly parodied under the speaking name). This position has been rejected with strong arguments by PARKER 1991, OLSON 1991 and more recently by DE CREMOUX 2011, 143-146. From a political perspective (which has been heavily criticized) applied to all Aristophanes' early plays, VICKERS 1997, 59, considers that Dikaiopolis' name stands for Pericles instead.

(48) I have already advanced some of these arguments in BUIS 2004b.

(49) “The name's appropriateness is further established by the fact that it expresses a main idea of the play, stressed by the numerous puns on the term δίκαια” (KANAVOU 2011, 26).

But Dikaiopolis' ambiguity, as he tries to "show" and to "disguise", allows a wider scope of meanings. As the main character of the play, he is able to *disguise* the author's presence in his words and gestures, especially taking into account that the lexical root of the playwright's name semantically points to the idea of *phasis* and must be therefore rejected: Ἀριστο/φάνης (50).

The two appearances of the adjective ἄριστος in the play are significant to endorse our interpretation. On the first occasion, it is included in a very significant passage (vv. 641-645):

ταῦτα ποήσας πολλῶν ἀγαθῶν αἴτιος ὑμῖν γεγένηται,
καὶ τοὺς δῆμους ἐν ταῖς πόλεσιν δείξας ὡς δημοκρατοῦνται.
τοιγάρτοι νῦν οὐκ τῶν πόλεων τὸν φόρον ὑμῖν ἀπάγοντες
ἥξουσιν ἰδεῖν ἐπιθυμοῦντες τὸν ποιητὴν τὸν ἄριστον,
ὅστις παρεκινδύνευσ' ἐν Ἀθηναίοις εἰπεῖν τὰ δίκαια.

For doing that our poet deserves a rich reward at your hands, and also for showing what democracy means for the peoples of the allied states. That is why they will come now from those states bringing you their tribute, eager to see that superb poet who took the risk of talking justice to the Athenians.

The presence of the poet (τὸν ποιητὴν) at 644 is consolidated by the form τὸν ἄριστον, situated at the end of the line. This is not the only occasion in which Aristophanes seems to have played with his own name: in the parabasis of *Peace* the chorus will refer to the author by presenting him as the ἄριστος κωμωδοδιδάσκαλος ("the best comic poet"), which has been identified as a pun based on his authorial signature (51). But here in *Acharnians* the transformation of Aristophanes into Dikaiopolis is clearly theatrical from a visual point of view (spectators have come to see it, ἥξουσιν ἰδεῖν), as well as textual. In fact, the vocabulary attested in those lines reproduces the progressive concealment of

(50) Those who identified *Eupolis* in *Dikaiopolis* (see *supra*) already perceived the importance of the phonetic and the naming analogy as comic strategies, as OLSON 1991 200 n. 3 or FISHER 1993, 37 acknowledge. As opposed to this conclusion, my proposal is oriented towards another effective wordplay, not by similarity but by antithesis: *Dicaeo-polis* therefore would hide *Aristo-phanes*. This could be an interesting case of speaking names explained through *antiphrasis*. As Donatus explains in this commentary on Terentius: *nomina personarum, in comoediis dumtaxat, habere debent rationem et etymologiam (...) nisi per ἀντίφρασιν ioculariter nomen imponuit* (ad Ter. *Adelph.* 1, II 12 f. [Wessner]). The concept of ἀντίφρασις describes the rhetorical *tropos* involving the use of opposing terms; cf. Quint. *Inst.* 9.2.47, who describes it as a figure *quae dicitur a negando*. Cf. ANDERSON 2000, 23.

(51) Similarly, see also the reference to ἄνδρ' ἄριστον in *Knights* 873-874. On this pun related to Aristophanes' own speaking name, cf. RAWLES 2013, 182-183; TELÒ 2016, 6-7, explains: "The comic name predisposes him, as it were, for canonicity. In the literary-critical reception of his name, the self-ironical coloring of Aristophanes' onomastic play is suppressed by the authoritative force of its self-aggrandizement".

Aristophanes under the mask of his interpreter. The superlative ἄριστον is replaced at the end of the next line by τὰ δίκαια and the vv. 642-643 emphatically incorporate the word πόλις twice: ταῖς πόλεσιν, τῶν πόλεων.

This wordplay, which is no longer linguistic but implies a knowledge of the extra-dramatic reality to be understood, is useful enough and helps to place Aristophanes behind the protagonists' discourse. Just as Dikaiopolis wants to *reveal* the threats and perils of extreme demagoguery, the author himself has managed to come out on stage with the aim of *showing* what true democracy is (δείξας ὡς δημοκρατοῦνται) (52). Both Dikaiopolis and Aristophanes embody the collective will of the democratic city.

The idea of rightness and the insistence in the superlative form are also presented together some lines ahead, reinforcing the wordplay. At 655-658, the chorus-leader states that the poet will talk justice and that he will bring true happiness by educating the audience:

ἀλλ' ὑμεῖς τοι μή ποτ' ἀφῆσθ' ὡς κωμωδήσει τὰ δίκαια.
 φησὶν δ' ὑμᾶς πολλὰ διδάξειν ἀγάθ', ὥστ' εὐδαίμονας εἶναι,
 οὐ θωπεύων οὐδ' ὑποτείνων μισθοὺς οὐδ' ἐξαπατύλλων,
 οὐδὲ πανουργῶν οὐδὲ κατάρδων, ἀλλὰ τὰ βέλτιστα διδάσκων.

But if you take my advice, never you let go of him, for in his comedies he'll say what's right. He says he will give you much instruction that will bring you true felicity, not flattering you nor dangling rewards before you nor diddling you nor playing any knavish tricks nor drenching you with praise, but giving you the best of instruction.

The presence of the superlative βέλτιστος, closely related to ἄριστος, should also be noticed at v. 658 as referring to the poet (53). In fact, it seems true that, by means of the wordplay, Aristophanes uses justice in the ambiguous sense provided by κωμωδήσει: by staging a character called Dikaiopolis, he places τὰ δίκαια in his comedy and, at the same time, he uses τὰ δίκαια (e.g. the first part of his protagonist's name) with a clear comic intention (54).

The association of *Aristo-phanes* with the idea of justice in the city (cf. *Dikaio-polis*) is also evident in the following verses, where the playwright is opposed to the demagogue Kleon (vv. 661-664):

(52) KANAVOU 2011, 27, explains that "(t)he view that the hero's depiction may contain allusions to Aristophanes himself in specific scenes seems well-founded, and perhaps the meaning of the name could also be felt to reflect the attitude of the poet".

(53) It should be said that the superlative βέλτιστος is also applied to Dikaiopolis in v. 929, when the chorus-leader points at him through a frequent form of address: ὦ βέλτιστε.

(54) Some lines before, at v. 650, the chorus-leader had already made reference to the importance of the poet's instruction and to a comparison related to the superlative βέλτιστος: τούτους γὰρ ἔφη τοὺς ἀνθρώπους πολὺ βελτίους γεγενῆσθαι ("for those people — he said — have been made much better men").

τὸ γὰρ εὖ μετ' ἔμοῦ καὶ τὸ δίκαιον
 ξύμμαχον ἔσται, κοῦ μή ποθ' ἄλῶ
 περὶ τὴν πόλιν ὧν ὥσπερ ἐκείνος
 δειλὸς καὶ λακαταπύγων.

For right and justice will be my allies, and never shall I be convicted of being, as he is, a cowardly and right buggerable citizen (55).

The second and last appearance of ἄριστος in the play (at 889) becomes interesting to our proposal as well. In fact, the superlative there is clearly applied to an eel brought by the Theban (τὴν ἀριστήν ἔγχελυν), which is finally exchanged, in front of the audience, for a *syco-phane* (vv. 904-905).

Finally, then, it is possible to affirm that the first person appearing at the beginning of v. 501 and pointing to Dikaio polis/Aristophanes is clearly emphatic, as it is the case of vv. 819 and 912. Nevertheless, there is an evident difference in the meaning of pronouns. The unjustified judicial denunciation by blackmailers (ἐγὼ φανῶ) is superbly contested in the play by another action, which is essential to Aristophanes' paideutic enterprise: ἐγὼ δὲ λέξω. Through his speech, Dikaio polis/Aristophanes builds up a defence strategy in front of the public. A strategy based on the "best" (*ariston*) use of *phasis* to confirm his identity in front of all those citizens who had probably attended the Council the year before when Kleon presented the *eisangelia* to prevent the poet from writing new comedies (56).

4. *Final Remarks.*

The repeated allusions to *phasis*, connected in the play and elsewhere with the appearance of blackmailers (*sykophantai*), acquires a new significance in the framework of the play. As I have suggested, the lexical and semantic emphasis of the expression is not only useful to describe the particular scope of an Athenian judicial procedure; it also allows us to recover a wordplay that helps us "reveal" and revisit a long debated issue, *i.e.* the identification of the protagonist.

In this sense, the study of legal vocabulary related to *phasis* has contributed to a new proposal I have tried to support. The possibility of conceiving Dikaio-polis as a polyphonic mask to "disguise" (and "show") Aristo-phanes'

(55) Sommerstein's translation does not allow here to fully distinguish the relevant expression περὶ τὴν πόλιν included in the text. On the concept of comic justice here and elsewhere in the *parabasis* (vv. 628-664), where Athenians are insulted and the author is praised, see RIU 1995 and SAETTA COTTONE 2005, 266-284.

(56) This same audience of the theatre had also played the role of the public in Dikaio polis' Assembly at the beginning of the play (SLATER 2002, 45-47, MACDOWELL 1983, 147). The audience, as NELSON 2016, 130 correctly points out, has been drawn to take Dikaio polis' side from the very first verses of the play.

ideas seems attractive to my own train of thought and might constitute a feature of what I have called elsewhere the “comic poetics of law” (57).

If I am not wrong, then, by means of a subtle way to “hide” and “reveal” his own personality, the author creates a play in which his own name is parodied and where justice constitutes a basic key for its full understanding. Contrary to the denunciation of the sycophants — which aim at personal gain and not to the welfare of the state —, his answer to Kleon’s attack is a dramatic strategy that endorses a scenic reply to the accusation at the *bouleutērion*, a retaliation which aims at bringing justice back to a *polis* manipulated by warmongers and self-caring demagogues. Aristophanes’ best *phasis* is intended to discover truth by attacking the deceitful manipulation of democratic institutions (58).

Dikaiopolis’ final victory celebration prefigures Aristophanes’ comic triumph in the theatrical competition (59). By allowing the main character to speak in his name (ἐγὼ δὲ λέξω) against unfair accusations, and by playing with τὸ δίκαιον as a basic ground to the plot, Aristophanes himself lies at the very heart of a comedy which, undoubtedly, shows a mastery of language and action worthy of being awarded the first prize at the Lenaia. Referring to Dikaiopolis, MACDOWELL 1983, 160, suspected that “Aristophanes may not have intended to get any really precise sense out of the name”. I hope to have demonstrated that one might think otherwise (60).

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(57) I developed this idea in my PhD Dissertation at the University of Buenos Aires on *Comic Justice: the (Ab)uses of Athenian Law in Aristophanes’ Early Comedies (427-414 B.C.)*, under the joint supervision of Alan Sommerstein (Nottingham) and Claudia Fernández (La Plata). It refers to the literary manipulation and exploitation of legal material in order to cause laughter.

(58) “L’exemple des *Acharniens* montre bien comment l’intention du dévoilement, qui vise à démasquer le mensonge et l’imposture, se combine inséparablement avec des stratégies qui, en brouillant les cartes, affichent la dimension paradoxale du discours sur la vérité et interrogent les fausses évidences du public” (TREU 2013, 46).

(59) NELSON 2016, 128.

(60) I would like to thank Alan H. Sommerstein, David Konstan and Michael Gagarin for their suggestions and help in the preparation of the article. For all the errors overlooked and advice spurred, I am, obviously, solely responsible.

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