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HARRIS, E. M., LEÃO, D. F., RHODES, P. J. (edd.) *Law and Drama in Ancient Greece*. London. Duckworth, 2010. Pp.vii, 200. ISBN 9780715638927. £45.

This edited collection is the result of a long-term collaborative project involving an international team of scholars. It is well-produced by Duckworth under the management of their distinguished Classics commissioning editor Deborah Blake, who now leads the Classics list at Bloomsbury publishing.

The volume consists of ten essays with a substantial Introduction. It has a useful *index locorum* with notes and a bibliography accompanying each essay. It is a pity that the bibliographies are not fully integrated overall as this would have supported the aim to encourage scholars in specialist sub-fields to be more aware of possible synergies.

The Introduction (by Edward Harris) sets out the aims of the collection and provides a synopsis of each essay. Harris starts by emphasising that the citizen spectators at the drama festivals also spent time in the law courts and that this overlap of experience was by no means confined to a few – ‘In the fourth century there were probably around 30,000 citizens and roughly 20,000 or more qualified to judge cases; this means that the average Athenian citizen over thirty spent one year in every three or four hearing trials. Even when the population was higher in the fifth century and there were perhaps as many as 40,000 qualified to serve as *dikastai*, the average Athenian over thirty spent one out of every six or seven years judging cases’ (p.1). Given the large number of cases to be tried and allowing that the courts sat on 200 days a year on average, Harris estimates that a citizen serving in the courts might hear about 125 cases in a year. He also takes into account the legal knowledge needed by the ordinary citizen who wished to bring a case. The combination of these two factors means that the frequent use of legal terms and concepts in the plays is unsurprising and is also a positive indicator of the framework of understanding that playwrights could assume in the spectators. Harris draws extensively on a range of ancient sources to support this argument. So far as the internal evidence from the plays is concerned, he points out that in comedy not only may the action of a play turn on a point of law (for instance in Menander’s *Aspis*) but also details of legal procedure may be included that are not found in the prose sources, thus making drama itself an important source of historical evidence. Not only can law and drama each shed light on the other but the allusions to

contemporary legal issues also have role in bridging the gap between mythological settings and contemporary resonances (p.3).

Harris points out the gaps in the existing scholarly publications on the topic, a field in which classics has lagged behind modern literature, in contrast to the extensive work on the relationship between drama and politics. The aim of this collection of essays is to redress this imbalance by providing a sample of different approaches. Although most of the essays are concerned with how understanding of law contributes to the understanding of drama, Harris is aware of the potential of the other side of the coin and calls for better mutual knowledge and understanding between scholars with different specialisms – ‘When using literary texts as evidence, ancient historians need to be aware of literary techniques and how artists shape their material for performance before an audience. By the same token, literary critics who attempt to place comedy and tragedy in their contemporary social contexts would profit by discussing issues with ancient historians. All of us in both fields have much to gain from such a dialogue’ (p. 16).

The first four essays are all concerned with various aspects of the trial of Orestes, in recognition of the distinctive combination of killing, matricide and pollution. In Alan Sommerstein’s ‘Orestes’ Trial and Athenian Homicide Procedure’, S. points out that the second part of the *Eumenides* includes features that Athenians would identify with those in their own courts but that there are also important differences from standard homicide procedure, notably in the lack of differentiation between witnesses and supporting speakers and in the inconsistent patterns of swearing of oaths. S. concludes by arguing that the Athenian spectators would have experienced the drama as incorporating comment on their own time and as an insight into the founding of their own justice system (rather than that of the Areopagus). This sets the scene for Delfim F. Leão’s discussion ‘The Legal Horizon of the *Oresteia*: The Crime of Homicide and the Founding of the Areopagus’. L. outlines the evolution of homicide procedures from Homer to Aeschylus, distinguishing between the representation of standard features of the courts and those that deviate from those attributed to the Areopagus. F. S. Naiden’s essay ‘the Legal (and Other) Trials of Orestes’ adds a dimension to analysis of dramatists’ critique of the Athenian legal system by exploring how Euripides presents in his *Orestes* the problems of holding trials in the assembly, showing how the Argos trial involved an aberrant form of legal procedure. The fourth essay in this sequence is by Maria de Fátima Silva,

who contrasts the Aeschylean and Euripidean trials, proposing a contrast between idealised and pragmatic representations. On the basis of close textual and anthropological analysis (including assessment of the significance of stoning and its application to matricide), she argues that in the Euripides play the concern is with social order and it is for this reason that the focus is on the violent reaction when Orestes is condemned. Drawing on Grethlein's view that law is not autonomous but is deeply intertwined with political issues, she explores the implications of the 50 year gap between the plays as a period of experimentation and reflection for the Athenians, culminating in a play embedded in a society suffering instability and crisis.

The fifth essay is Roger Brock's 'Citizens and Non-Citizens in Athenian Tragedy'. B. studies how tragedy represents the citizen body, comparing how the three tragedians use the terms *astos*, *polites*, *metoikos* and *xenos*. He explores the tensions between the representation of Athens as a place of refuge and the strict restrictions on citizenship in both drama and law. This leads to a thought-provoking suggestion that the creation of this double perspective acted as a prompt for re-examination of the relationship between the citizens as portrayed on stage and the spectators, who included metics and foreigners as well as citizens. This is followed by Maria do Céu Fialho's study *Paidotrophia and Gerotrophia: Reciprocity and Disruption in Attic Tragedy*, which moves the discussion away from the citizen in the polis to ties within the family, and then by Edward Harris' essay 'Is Oedipus Guilty? Sophocles and the Athenian Homicide Law'. In a scholarly tour de force Harris takes on the combined might of Vernant and Dodds, highlights the importance of the distinction between religious genesis of laws in 5th century Athens and their alignment with religion, points out the different perspectives on the killing of Laius offered in *OT* and *OC* and ends with a tantalising aside on the implications for review of Aristotle's use in the *Poetics* of *OT* as the paradigm for the best kind of tragic plot.

The next pair of essays shifts the focus to comedy. Douglas M. McDowell's 'Aristophanes and Athenian Law' takes as its starting point the common role of comedy and law as foci of active citizen participation and from an analysis of passages relating to debt in *Clouds* shows how apparently minor points of detail are collectively significant. P. J. Rhodes' 'The 'Assembly' at the End of Aristophanes' *Knights*' details the allusions to procedures in the courts and assembly that permeate the fantasy in

Aristophanes, arguing the importance of the episode for students of law and institutions as well as drama. The final essay Chris Carey's 'Pimps in Court' takes up the theme of audience knowledge of legal matters in the context of the second mime of Herodas, emphasising its significance as the heir to the smaller informal entertainments popular throughout Greece. Carey shows that whether or not the text was intended for performance, it provides evidence that familiarity with Athenian forensic texts (and thus with Athenian legal procedures) could be assumed in Herodas' educated Hellenistic audience.

The book succeeds admirably in exploring two-way relationships between the plays and the laws and institutions of classical Athens. Individual essays also set out points on which existing scholarship might be challenged. The collection also includes material which has considerable implications for other areas of research. The most important of these are the theory and histories of spectating and the relationship between tragedy, comedy and democracy. In particular there is much useful discussion of different kinds of resonances between the plays (including formal elements as well as themes and contexts of performance) and between the plays and features of Athenian institutions. This aspect has considerable implications for the understanding of modes of participation (theatrical, social, political) and for the nature and scope of the horizons of understanding assumed by ancient writers and modern scholars. The collection would have benefited from some discussion of spectator response theory, or at least from assessment of the contribution of the discussion to the wider issues of spectator skills (cf Martin Revermann's article 'The competence of theatre audiences in fifth and fourth-century Athens', *JHS* 2006).

The collection will undoubtedly be of interest to researchers and advanced students in Classics and Ancient History as well as to those concerned with the relationship between performance and social institutions. A paperback edition would be valuable and would enable the book to be on the shelves of many more individuals and so contribute to its aim of bringing together specialists in different sub-fields.

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