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What is a Greek Source on the Early English Stage? Fifteen New Essays

Edited by Silvia Bigliazzi and Tania Demetriou

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Unwritten Laws and Natural Law in Watson's *Antigone**

Gherardo Ugolini

Abstract

Thomas Watson's *Antigone* takes up the theme of the 'unwritten laws' present in the Sophoclean drama in the form of the 'laws of nature' and makes 'nature' a red thread in his translation-reworking of the Greek model. The natural law interpretation of Antigone's laws has a long history that can be traced back to Aristotle (*Rhetoric*, Book I). In Sophocles' play there is no reference to the fact that the protagonist of the play claims the rightness of her conduct by invoking nature and its laws. Watson's reference point for his interpretation is probably the Latin version of *Antigone* by Thomas Naogeorgus (Basel 1558), who in a margin note explains the syntagm *àpgrapta nòmima* as "haud scriptas" or "naturae et cordibus inscriptas, non tabulis aut chartis". The theme of nature and natural law is prominent in Watson's interpretation, especially in the paratexts accompanying his *Antigone* edition, mainly in the second *Argumentum* and in the pomps, where nature is understood as the *trait d'union* between human and divine law.

Keywords: Thomas Watson; Antigone; Sophocles

The subject of this essay concerns an aspect of Sophocles' *Antigone* (staged in the Theatre of Dionysus in Athens in 442 BC)[1] which is

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1 The source is the *Hypothesis* of Aristophanes of Byzantium (*TrGF* 4 T 25) in which it is mentioned that in 441 BC Sophocles was elected strategus following his success with *Antigone* (φασὶ δὲ τὸν Σοφοκλέα ἠξιῶσθαι τῆς ἐν Σάμωι στρατηγίας εὐδοκιμήσαντα ἐν τῇ διδασκαλίᾳ τῆς Ἀντιγόνης, "It is said that Sophocles, as a result of the fame he had earned through his staging of *Antigone*, was deemed worthy of the office of strategus in the action against

fundamental for both a better understanding of the play and its reception in the Renaissance and beyond. It is a theme that can be defined as 'juridical' as it concerns the contrast between the so-called "unwritten laws" (ἄγραπτα νόμιμα, 454-5) of Antigone and the law of Creon, that is, the "edict" (κήρυγμα) the new king of Thebes pronounces at the beginning of the play forbidding the burial of Polynices's body, traitor to the homeland. The focal point of the clash occurs in the Sophoclean text within the second episode, at 448ff. It is what Guido Paduano has called the "ideological centre of the tragedy".[2]

It is appropriate to start from this crucial passage in order to verify how Thomas Watson renders the Sophoclean lines in his 1581 Latin version of *Antigone*, showing a particular attention to the 'juridical' dimension of the ancient Greek drama.[3] Regrettably, it is not possible to say with certainty which Greek edition of Sophocles the English poet and playwright had in front of him. By his time, several editions of Sophocles' tragedies had already been published and many of them had been repeatedly reprinted: the Aldine *editio princeps* of 1502 (edited by Marco Musuro), the edition published by Adrien Turnèbe in 1553 (based on the *recensio* of Demetrius Triclinius), Henry Estienne's 1567 edition (including Joachim Camerarius' commentary on the Theban dramas, already published in 1534 and 1556), Willem Canter's edition published in Antwerp

Samos"). The proposal to postpone the staging of *Antigone* to 438 B.C., after the expedition against Samos, has had little follow up, as the story of the play would be polemically allusive to Pericles' violent repression of the Samian rebels (Lewis 1988).

2 Paduano 1982, 284. All quotations from Sophocles's *Antigone* are taken from Pearson 1955. Translation by Jebb 1891.

3 Watson's *Sophoclis Antigone* was printed in a quarto edition in London by John Wolfe in 1581. It is plausible to assume that Watson's text was intended for an academic performance at Oxford, where Watson was studying in the late 1570s. There is no certainty, however, as to when it might have been staged (maybe even before the printed publication) and how it might have been performed (cf. on these issues Smith 1988, 225; Sutton 1996, 1, 3f.). The interest in the 'juridical' topic of *Antigone* must be connected with his academic education: he had studied law at the College of Douai and then perfected his studies at the Inns of Court or Oxford (Alhiyari 2006, 40; Hirrel 2014, 196).

in 1579.[4] In addition, there were numerous Latin translations of *Antigone* circulating in Europe (such as Hervet 1541, Gabia 1543, Winsheim 1546, Rataller 1550, 1570, Lalemant 1557, Naogeorgus 1558, Estienne 1567, Baïf 1573) that Watson may have consulted.[5]

In any case, these are the lines in Watson's Latin version (1581, 29):

> Antigone Novi: quid impediret? Obscurum nihil.
> Creon Atque etiam eas es ausa leges transgredi?
> Antigone Eas bonus nunquam rogauit Iuppiter,
> Nec inferum iustitia Diuorum comes;
> Qui iura ferre semper hominibus solent.
> Nec tantum ego tua habuisse rebar ponderis
> Aedicta, ut illa cordibus, cum sis homo,
> Natura quae sculpsit, refigere valeas.
> Non dudum et hodie iura diuorum vigent,
> Sed semper horum incognita est aeternitas:
> Quae dum violo viri tyrannidem timens,
> Diis nolo sana criminis paenas dare.

If we compare this passage (448-60) with modern editions of Sophocle's play (here e.g. Pearson 1955), we may notice how precise and faithful to the Greek original Watson's translation is:

> Αν. ᾔδη· τί δ' οὐκ ἔμελλον; ἐμφανῆ γὰρ ἦν
> Κρ. καὶ δῆτ' ἐτόλμας τούσδ' ὑπερβαίνειν νόμους;
> Αν. οὐ γάρ τί μοι Ζεὺς ἦν ὁ κηρύξας τάδε,
> οὐδ' ἡ ξύνοικος τῶν κάτω θεῶν Δίκη·
> τοιούσδ' ἐν ἀνθρώποισιν ὥρισαν νόμους·
> οὐδὲ σθένειν τοσοῦτον ᾠόμην τὰ σὰ
> κηρύγμαθ' ὥστ' ἄγραπτα κἀσφαλῆ θεῶν
> νόμιμα δύνασθαι θνητὸν ὄνθ' ὑπερδραμεῖν.
> οὐ γάρ τι νῦν γε κἀχθές, ἀλλ' ἀεί ποτε
> ζῇ ταῦτα, κοὐδεὶς οἶδεν ἐξ ὅτου 'φάνη.
> τούτων ἐγὼ οὐκ ἔμελλον, ἀνδρὸς οὐδενὸς

4 On early printed editions of Sophocles' text cf. Borza 2007, 13-113.

5 On Renaissance translations of Greek tragedies cf. Pigman 1980; Norton 1984; Worth-Stylianou 1999; Borza 2007, 117-261; Braden 2010; Borza 2013; Rhodes-Kendal-Wilson 2013; Miola 2014; Pollard 2017, 233-87.

φρόνημα δείσασ', ἐν θεοῖσι τὴν δίκην
δώσειν·
(448-60)

[ANTIGONE I knew it. How could I not? It was public. // CREON And even so you dared overstep that law? // ANTIGONE Yes, since it was not Zeus that published me that edict, and since not of that kind are the laws which Justice who dwells with the gods below established among men. Nor did I think that your decrees were of such force, that a mortal could override the unwritten and unfailing statutes given us by the gods. For their life is not of today or yesterday, but for all time, and no man knows when they were first put forth. Not for fear of any man's pride was I about to owe a penalty to the gods for breaking these.]

In particular, the characteristics that the Sophoclean Antigone assigns to her laws are all neatly stated:
- they are firm and unshakeable;
- they are of divine origin, associated with Zeus ("bonus Iuppiter"), and whoever contravenes them pays a penalty before the gods ("criminis poenas dare");
- they are extremely ancient, in fact so ancient that the memory of their origin has been lost;
- they are eternal, not of today or yesterday, but valid for all time ("Non dudum et hodie iura diuorum vigent, Sed semper horum incognita est aeternitas");
- they are closely connected with the burial of the dead; they are associated with Dike who dwells with the underworld gods ("inferum iustitia Diuorum comes").

What Watson curiously leaves out is their being unwritten. Antigone calls her ἄγραπτα νόμιμα (454-5), "unwritten laws", but in Watson there is no trace of it, while the emphasis is placed on their derivation from nature: "Nec tantum ego tua habuisse rebar ponderis / Aedicta, ut illa cordibus, cum sis homo, / Natura quae sculpsit, refigere valeas" ("And I did not think your edicts had such importance, you being a man, that you could abrogate what nature has carved in hearts").[6] Antigone's emphatic reference nature's

6 To indicate Creon's "edict" or "proclamation" (κήρυγμα), Watson uses

engraving the laws in men's hearts is a fresh addition by Watson to the Sophoclean text; an addition symptomatic of a peculiar interpretation of this play.

This is not the place where to discuss whether Antigone's use of "unwritten laws" refers to an actual legal concept or simply to moral principles of universal value. Much has been said and written on this subject.[7] What seems to me more interesting in this context is to explore how, in the reception of Sophocles' play, at least in Watson's own reinterpretation of it, the concept of nature, and therefore of 'natural law', is being superimposed on the play where in Sophocles it was completely absent. Never does the protagonist of Sophocles' tragedy claim the rightness of her conduct by invoking nature and its laws. If we consider the occurrences in the play of the term φύσις, we notice that they are very few, none in lines spoken by Antigone and, in any case, they bear an absolutely generic meaning.[8] On the contrary, Antigone explicitly appeals to the gods and, even in the last line she utters on stage before being taken away by the guards (943), she defends her actions by saying that she has only "honoured piety" (τὴν εὐσεβίαν σεβίσασα).

How is it that Antigone, from being a supporter of sacred laws, becomes a champion of natural law? The origin of this interpretation, which turns Antigone into the symbol of a naturalistic vision of law opposing universal and immutable rules of conduct based on nature to the positive law of Creon cannot be found in Sophocles' play, but in Aristotle's first book of the *Rhetoric*. That is where

the Latin term *edictum* in the singular (8 and 27) or *aedicta* in the plural (455). If not otherwise stated, all translations are mine.

7 See e.g. Hirzel 1900; Ehrenberg 1954; Mette 1956; Ostwald 1969; Ostwald 1973; Cerri 1979; Hedrick 1994; Gehrke 2000; Thomas 2001; Cerri 2010; Ugolini 2011; Stolfi 2014; Pepe 2017; Ugolini 2021.

8 Cf. Soph. *Ant.* 345 where the chorus refers to the "marine lineage of the sea" (πόντου τ' εἰναλίαν φύσιν); 653, where Creon speaks of "blood relatives by birth" (ἐγγενῆ φύσει), and 727, where Creon alludes to the young age of his son Aemon (πρὸς ἀνδρὸς τηλικοῦδε τὴν φύσιν). It is also worth noting that in the (almost certainly interpolated) finale of Aeschylus' *Seven Against Thebes*, Antigone says she opposes the burial ban solely out of love for her brother and does not mention the divine laws (1026-41). Also in Euripides' *Phoenician Women*, Antigone does not invoke divine laws to support her opposition to Creon's decision.

traditional interpretations assigning legal-philosophical meanings to the Sophoclean text come from. Aristotle, while illustrating judicial discourse and the rhetorical models to be used in courts to defend or accuse a defendant, draws a classification of the different types of acts of injustice (ἀδικήματα) that can be performed (against the law or people, voluntarily or involuntarily, etc.). And he writes (*Rh.* I 13, 1373b1-11):[9]

> Τὰ δ' ἀδικήματα πάντα καὶ τὰ δικαιώματα διέλωμεν ἀρξάμενοι πρῶτον ἐντεῦθεν. ὥρισται δὴ τὰ δίκαια καὶ τὰ ἄδικα πρός τε νόμους δύο καὶ πρὸς οὕς ἐστι διχῶς. λέγω δὲ νόμον τὸν μὲν ἴδιον, τὸν δὲ κοινόν, ἴδιον μὲν τὸν ἑκάστοις ὡρισμένον πρὸς αὐτούς, καὶ τοῦτον τὸν μὲν ἄγραφον, τὸν δὲ γεγραμμένον, κοινὸν δὲ τὸν κατὰ φύσιν. ἔστι γάρ τι ὃ μαντεύονται πάντες, φύσει κοινὸν δίκαιον καὶ ἄδικον, κἂν μηδεμία κοινωνία πρὸς ἀλλήλους ᾖ μηδὲ συνθήκη, οἷον καὶ ἡ Σοφοκλέους Ἀντιγόνη φαίνεται λέγουσα, ὅτι δίκαιον ἀπειρημένου θάψαι τὸν Πολυνείκη, ὡς φύσει ὂν τοῦτο δίκαιον·
>
> οὐ γάρ τι νῦν γε κἀχθές, ἀλλ' ἀεί ποτε
> ζῇ τοῦτο, κοὐδεὶς οἶδεν ἐξ ὅτου φάνη·
>
> [Let us now classify just and unjust actions generally, starting from what follows. Justice and injustice have been defined in reference to laws and persons in two ways. Now there are two kinds of laws, particular and general. By *particular laws* I mean those established by each people in reference to themselves, which again are divided into written and unwritten; by *general laws* I mean those based upon nature (κοινὸν δὲ τὸν κατὰ φύσιν). In fact, there is a general idea of just and unjust in accordance with nature, as all men in a manner divine, even if there is neither communication nor agreement between them. This is what Antigone in Sophocles evidently means, when she declares that it is just, though forbidden, to bury Polynices, as being naturally just (ὡς φύσει ὂν τοῦτο δίκαιον): "For neither to-day nor yesterday, but from all eternity, / these statutes live and no man knoweth whence they came." (*Ant.* 456-7)]

The explicit reference to Sophocles' tragedy and the quotation of two lines from it suggest that *Antigone* had already become canonical in the fourth century BCE. But the essential point is

9 Cited in the edition by Ross 1959. Trans. by Freese 1926. Emphasis mine.

the distinction made by Aristotle between two types of law: *idios nomos* and *koinòs nomos*. The former is the "particular law" that each community defines for itself and that can be partially written and partially unwritten. The *koinòs nomos*, or the "common law", is instead identified with natural law (κατὰ φύσιν), which is universal and always "unwritten".[10]

The sense of Aristotle's words is reinforced by another passage that follows shortly after the one just quoted in the first book of the *Rhetoric*, which contains a second quotation from Sophocles' *Antigone*. There Aristotle discusses how to use the laws during the prosecution or the defence in a court case and when it is preferable to use written or common law. In his discussion, he further specifies the concept of "unwritten laws" by emphasising not only their quality as "common" and "natural" laws, but also their immutability in the course of time (*Rh.* I 15, 1, 1375a27-b2):

> φανερὸν γὰρ ὅτι, ἐὰν μὲν ἐναντίος ᾖ ὁ γεγραμμένος τῷ πράγματι, τῷ κοινῷ χρηστέον καὶ τοῖς ἐπιεικεστέροις καὶ δικαιοτέροις. καὶ ὅτι τὸ "γνώμῃ τῇ ἀρίστῃ" τοῦτ' ἐστίν, τὸ μὴ παντελῶς χρῆσθαι τοῖς γεγραμμένοις. καὶ ὅτι τὸ μὲν ἐπιεικὲς ἀεὶ μένει καὶ οὐδέποτε μεταβάλλει, οὐδ' ὁ κοινός (κατὰ φύσιν γάρ ἐστιν), οἱ δὲ γεγραμμένοι πολλάκις, ὅθεν εἴρηται τὰ ἐν τῇ Σοφοκλέους Ἀντιγόνῃ· ἀπολογεῖται γὰρ ὅτι ἔθαψε παρὰ τὸν τοῦ Κρέοντος νόμον, ἀλλ' οὐ παρὰ τὸν ἄγραφον,
>
> οὐ γάρ τι νῦν γε κἀχθές, ἀλλ' ἀεί ποτε . . .
> ταῦτ' οὖν ἐγὼ οὐκ ἔμελλον ἀνδρὸς οὐδενός . . .
>
> [For it is evident that, if the written law is counter to our case, we must have recourse to the general law and equity, as more in accordance with justice; and we must argue that, when the dicast takes an oath to decide to the best of his judgement, he means that he will not abide rigorously by the written laws; that equity is ever constant and never changes, even as the general law, which is based

10 Cf. also the passage from *Rh.* I 10, 1368b8-9, where Aristotle similarly distinguishes between unwritten "common" law "around which there seems to be agreement by all" and written "particular" law that underlies the political life of organised communities (λέγω δὲ ἴδιον μὲν καθ' ὃν γεγραμμένον πολιτεύονται, κοινὸν δὲ ὅσα ἄγραφα παρὰ πᾶσιν ὁμολογεῖσθαι δοκεῖ).

> on nature, whereas the written laws often vary. This is why Antigone in Sophocles justifies herself for having buried Polynices contrary to the law of Creon, but not contrary to the unwritten law: "For this law is not of now or yesterday, but is eternal . . . / this I was not likely [to infringe through fear of the pride] of any man." (*Ant.*, 456-8)]

Of course, Aristotle had behind him a long tradition of critical thinking on the *nomos*/*physis* relation, especially in the sphere of sophistry, which claimed the superiority of natural law as eternal over positive law, considered to be contingent and the result of conventions.[11] But what is most interesting for the present discussion is that in both passages of the *Rhetoric* Aristotle quotes lines from *Antigone*, thus welding together the theoretical reflection on this issue and Sophocle's tragedy. Aristotle interprets Antigone's 'unwritten laws' as the 'laws of nature' as opposed to the positive laws that communities establish for their own functioning. We are faced with a powerful resemantisation

11 The first who theorised that "the just and the shameful are such not by nature, but by nomos" (καὶ τὸ δίκαιον εἶναι καὶ τὸ αἰσχρὸν οὐ φύσει, ἀλλὰ νόμωι) seems to have been Archelaus, a disciple of Anaxagoras and contemporary of Pericles (DK 60 A 1 = Diog. Laert. II 16). The clearest formulation of the antithesis is that of Antiphon: "mostly what is right according to law is in conflict with nature" (τὰ πολλὰ τῶν κατὰ νόμον δικαίων πολεμίως τῆι φύσει κεῖται, DK 87 B 44a col. 2). On the conceptual pair law/nature in the debate of the fifth century BC, cf. the extensive analysis by Heinimann 1945 and Hoffmann 1997, 368-83. If the equation "unwritten laws" = laws of nature as opposed to the (written) laws of the city is valid, then the position expressed by Antigone in Sophocles' drama can be compared to the theories of certain Sophists such as Hippias and Antiphon, who devalued the *nomoi* as mere human conventions to which they contrasted the force of nature. Moreover, the law of nature was mostly invoked to assert the right of the stronger, as the Athenians do against the Melians according to the dialogue reconstructed by Thucydides (Thuc. V, 105: ἡγούμεθα γὰρ τό τε θεῖον δόξῃ τὸ ἀνθρώπειόν τε σαφῶς διὰ παντὸς ὑπὸ φύσεως ἀναγκαίας, οὗ ἂν κρατῇ, ἄρχειν· καὶ ἡμεῖς οὔτε θέντες τὸν νόμον οὔτε κειμένῳ πρῶτοι χρησάμενοι, ὄντα δὲ παραλαβόντες καὶ ἐσόμενον ἐς αἰεὶ καταλείψοντες χρώμεθα αὐτῷ, "Not only among men, as is well known, but, as far as is known, also among the gods, a necessary and natural impulse impels you to dominate over the one you can overpower. This law was not established by us, nor were we the first to make use of it; we received it when it was already there and in our turn we will hand it over to those who will come after, and it will have eternal value"); cf. also Canfora 2006.

of the concept of ἄγραπτα νόμιμα, absorbed and filtered through Aristotelian theoretical categories, which transform it into something functional to his own discourse.[12] Moreover, Aristotle removes from the context of Sophocles' tragedy the religious-sacral dimension that was instead fundamental for Antigone and the characterisation of her unwritten laws. The conflict between two opposite concepts of law postulated by Aristotle in the *Rhetoric* is the starting point for the centuries-old interpretative tradition that considers Sophocles' drama on the basis of the contrast between, on the one hand, the stable and deep-seated law of natural ties (embodied by Antigone) and, on the other, the artificial and changeable public law of the State (embodied by Creon). It is the contrast between *genos* and *polis*, or between *ius* and *lex*, or other equivalent or related terms.[13]

But how does Thomas Watson come to an understanding of religious-sacral "unwritten laws" as "natural laws"? An indication that seems to me especially revealing can be found in a note in the margin of the Latin translation of Thomas Naogeorgus (1508-1563), the German humanist, Lutheran pastor, Latin dramatist, and Protestant reformer who translated the whole of Sophocles.[14] In his translation (a work that Watson surely knew) of the corresponding passage from Antigone, next to the phrase *haud scriptas* he notes: "naturae et cordibus inscriptas, non tabulis aut chartis" ("laws inscribed in nature and hearts, not on tablets or paper"; Naogeorgus 1558, 222. Cf. Fig. 1).

12 The Aristotelian interpretation is echoed, for example, in the scholiastic tradition: cf. schol. *Ant.* 450: θέλει δὲ εἰπεῖν ὅτι ἀπὸ τῆς φύσεως δίκαιον ἥγημαι θάπτειν τὸν ἀδελφὸν ("he means: I consider it right according to nature to bury his brother"). Cf. Papageorgius 1888, 24.

13 In early modern England, Aristotle's *Rhetoric* was one of the most widely read texts in the Aristotelian corpus along with the *Nicomachean Ethics* (Turner 2006, 86-97), and it is likely that Watson was familiar with it. On the reception of Aristotle in early modern Europe, cf. Green 1998. On the history of the concept of 'natural law' in reference to Sophocles' *Antigone*, cf. Burns 2002.

14 On the figure of Naogeorgus (the real name is Thomas Kirchmeyer) cf. Wiener 1907; Theobald 1908; Theobald 1931. Certainly, Naogeorgus' translation greatly influenced Watson, but it is wrong to think of Watson's as a mere "retranslation" of Naogeorgus' text (Alhiyari 2006, 61). See also Sutton 1997, 1.12 and Vedelago 2020, 181-2.

In fact, if one looks at Watson's translation carefully, one finds that, apart from the crucial passage just quoted, it shows no particular emphasis on nature and natural law. It would be incorrect to define his translation-adaptation as a reinterpretation of it in the key of natural law. However, it is in the paratexts that accompany his *Antigone* that we find various and pressing references to this interpretative perspective. I refer especially to the second of the play's two *Argumenta*. The first *Argumentum* (Watson 1585, 13), a succinct, traditional prose piece summarising the plot, is followed by a second one (14-16) which Watson imagines pronounced by Nature herself ("Natura argumentum fabulae hic iterum retexit iambico trimetro"; "At this point Nature reveals the second argument of the play in iambic trimeters"). Here Sophocles has nothing to do with it, it is not a translation from Greek, but pure mythopoesis. Nature presents herself directly, speaking in the first person (through the rhetorical figure of prosopopoeia) as the "sublime mistress of the world" ("mundi domina sublimis"), "instigator of healthy life" ("Vitaeque rectrix integrae"), "generatrix of things" ("et rerum parens"). Not only does nature proclaim herself as the pivot of the entire universe ("Vigent et extant omnia officio meo"; "Everything exists and prospers by my doing") and as inimitable by human arts, but she also proclaims herself to be the "pillar of equity" ("Sum aequi columna") and the "foundation of law and laws" ("iuris et legum basis") (14). The *Argumentum* therefore states the principle that, in order to be happy, one must rely entirely on the guidance of nature and live according to her rules, and it also points out the dangers arising when one no longer respects them. The lines connecting the initial theoretical presentation and the concrete situation of Antigone are worth quoting in full (ibid.):

> Vis esse felix? Vive Natura duce.
> Tanta est potestas nostra. Sed spernor tamen,
> Measque leges plurimi frangunt mali
> Periit sacratum iuris humani decus,
> Pietas, pudorque, ac exulat mundo fides.
>
> [Do you want to be happy? Live with nature as your guide. / Our power is very great. Yet I am despised, / Many evil men break my

> laws. / The sacred honour of human right is perished, / Pity, shame and trust are banished from the world.]

Of course, the "plurimi mali" ("many evil men") who despise nature and break her laws are the rulers of Thebes, in this case Creon. But it is interesting to observe how in the quoted lines a symbolic association is established between nature and positive values such as *decus, pietas, pudor* and *fides*, at the same time suggesting the perfect overlapping of natural law and human law (*ius humanum*).

In short, the entire story of the Labdacid saga is revisited in the light of a natural law perspective, whereby the faults committed by the Theban rulers, for which they had to pay the price, are interpreted as a crime committed against nature ("Quod praemonenti non mihi fecit malum?"; "What evil has she not done to me, who had warned him?"). Oedipus with his nefarious actions (incest with his mother, generation of incestuous children, self-blinding) has already broken the laws of nature ("Impunis autem iura non laesit mea"; "he has broken my laws but not with impunity"). Jocasta commits suicide by rejecting her own nature ("naturae suae / Invidit"). Eteocles breaks the pact of alternation with his brother Polynices and this breach too is understood as an act carried out in contempt of nature ("Meum ius temnit"; "he despises my right"). Polynices' waging war against his own city, is seen as an act that "breaks every law" ("Ius omne frangens"), both natural and positive.[15]

Finally, let us turn to Polynices' *ataphia*, i.e. Creon's order to leave his body unburied for the animals to feed on it, which is the real key issue in Antigone's argument. In the second *Argumentum*, Watson mentions it in two lines: "Iamque insepultus alter, eiectus feris, / Fit praeda canibus, vulturi obscaeno, et lupis" (15; "And now the other, unburied, exposed to the ferocious beasts, / Becomes prey to dogs, obscene vultures and wolves"); and then he adds the following comment in the margin: "*Here <Nature> comes to the theme of the present play*". There follows his summary of the essential themes of the plot: Antigone's rebellion, her attempt to bury her brother, Ismene's reluctance to join her, the punishment

15 All quotations refer to the second *Argumentum* of Watson's *Antigone* (Watson 1585, 14-15).

provided by "the laws of the country" ("patriae legibus"), i.e. "the king's decrees" ("regis iussa"), in short, positive law, and finally the punishment of Creon, struck down because he did not care for the blood of his family, or for his children, his wife, Tiresias, the city ("Nec sanguinis, nec liberum, nec coniugis, / Nec vatis aequum praedicantis publice, / Nec civitatis curam habens"; "Caring neither for the lineage, nor the children, nor the spouse, / Nor the prophet who preaches in public what is right, / Nor the city."; 15).

Perhaps the most interesting aspect of this *Argumentum* is that it presents Creon's experience of the final catastrophe (the death of his son and wife, his immense grief) as a punitive action carried out by Nature herself ("iras meas / Sentiet acerbas. Namque luctu flebili / Replebo, et omnem clade confundam domum"; "he will feel my bitter wrath. I will fill him with tears of pain, overturning his whole house with disaster"; 15-16).

It is unknown what the actual function was of such *Argumenta*, whether they were recited before the performance of the play, for instance, or whether they served purely as textual aids. But Watson's *Argumentum* has the flavour of a *parabasis* (unthinkable in an ancient Greek tragedy), a text with a programmatic message offering the reader/viewer, even before the drama begins, not only an essential presentation and/or recapitulation of the events, but also, and especially, a key for their interpretation in the light of the role of nature and the violation of her rules. The last lines in which Nature addresses the audience directly are revealing in this sense (16):

> Vos ergo, famuli, discite ex tantis malis
> Quam sit salubre iura Naturae sequi.
> Invita si sim, rite procedet nihil.
>
> [So you, my servants, learn from such great evils / how healthy it is to follow the laws of nature. / If I am unwilling, nothing will proceed properly.]

Also in the other paratexts of Watson's *Antigone*, namely in the four *Pomps* (allegorical processions) and the four *Themes* (short choral songs full of moral sentences) the concept of nature and natural law can again be found. There nature acts as a *trait d'union* between

natural law and divine law, and in Watson's vision all characters make mistakes. Even Antigone is found guilty of breaking the laws of the country by her stubbornness in not wanting to give up her private pain for the public good. Nature condemns her thus: "Sed misera nondum cernit, affectum rudem / Debere patriae legibus locum dare" ("But the wretched woman does not see that raw emotion / Should give way to the laws of a country").[16]

There remain many open questions to which I have no definite answer. The main one is why a sixteenth-century English poet such as Thomas Watson approached Sophocles' *Antigone* in a 'natural law' key. Apart from the fact that Watson had studied law at Oxford (in the title page he describes himself as "iuris utriusque studiosus", i.e. of both branches of law, canonical and civil[17]), what could have been the purpose of such an interpretation? And above all, how does his Latin *Antigone* relate to the European reception of Sophocles' play from the angle of natural law? Apart from his possible reliance on Thomas Naogeorgus, the various Renaissance translators, revisers and commentators do not seem to have especially emphasised the legal theme by interpreting the text as a clash between natural law (Antigone) and positive law (Creon).

If we consider the many Latin and vernacular versions as well as the dramaturgical remakes, we can see that the theme of Antigone's 'unwritten laws' is never expressed in terms of natural law. Antigone's laws are often endowed, if at all, with Christian meanings. This is the case, for example, of the French poetic translation (in rhymed decasyllables) by Calvy de La Fontaine (1542), where Antigone's laws, defined "les justes loix des Dieux" ("the just laws of the Gods"), are issued from a "haulte deité" ("high deity"), not from Zeus/Jupiter, and are associated not with

16 Watson 1581, 15. The only figure endowed with positive qualities seems to be "the meek Ismene" ("mitis Ismene"), as she is defined in the Fourth Pomp (61). With her virtues (piety, obedience, reasonableness) she indicates the right behaviour to follow and shows us "the form of a quiet life" ("vitae quietae formam tradens") (66).

17 For the importance of the legal context cf. in particular Spinelli's analysis of Watsonis use of the contrast between Antigone and Ismene to represent not only opposing models of femininity, but also opposing, yet equally valid models of understanding citizenship (2021).

Dike but with "charité" ("charity"), a notion completely foreign to pagan spirituality.[18] But even earlier, Luigi Alamanni's *Tragedia di Antigone* (published in Lyon in 1533, but probably composed in 1522) emphasised the sacral dimension of Antigone's laws, which are called "i santi alti decreti" ("the holy high decrees") and "le sante usanze" ("the holy customs"; Alamanni 1533, 156). No reference to nature is found in the Latin versions by Gentien Hervet (1541), Giovan Battista Gabia (1543), Georges Rataller (1550) ("perennia Deorum iura"), Jehan Lalemant (1557) ("sanctissimas leges").

The only reference to the theme of nature, albeit barely hinted at – apart from the aforementioned commentary by Thomas Naogeorgus – is to be found in Robert Garnier's play *Antigone ou la piété* of 1580, thus chronologically contemporary with Watson's *Antigone*, an original rewriting in French of the Sophoclean play, in which the ethical-legal dimension appears as an important component against the background of the contrasts between Catholics and Protestants. Antigone is essentially portrayed as the incarnation of filial *pietas*. In the scene of her confrontation with Creon, Antigone contrasts the tyrant's orders with "l'ordonnance de Dieu, qui est nostre grand *Roy*" ("the orders of God who is our great king", 1807). She refers to Christian ethical-religious principles and not immediately to natural law concepts. However, at a certain point she also states the following (1832-4):

> Quoy? eussé-je, Creon, violentant nature, souffert mon propre frere estre des Loups pasture Faute de l'inhumer, com il est ordonné? (Garnier 1580, 30).
>
> [What? If I, Creon, violating nature, had allowed my brother to be pastured by wolves for not burying him, as has been ordered?]

18 Calvy de la Fontaine 2000, 40 (745, 749, 756). For a comprehensive analysis of the *Antigones* of sixteenth-century France, cf. Mastroianni 2004, and Mastroianni 2015. More generally on the reinterpretations of *Antigone* in the early modern age, cf. Miola 2014. The passage on 'unwritten laws' lends itself particularly well to rewritings from a Christianising perspective (Mastroianni 2004, 40-9). On the meaning of *charitè* in this context, to be related, on the one hand, to Antigone's φιλία, and, on the other hand, to the biblical notion of ἀγάπη-*caritas*, see M. Mastroianni's commentary in Calvy de la Fontaine 2000, 133f.

The phrase "violentant nature" ("violating nature") is revealing of a vision that makes Christian theology coincide tout court with natural law. Moreover, Garnier's Antigone adds that "the divine sacred precepts by nature are imprinted in our hearts" ("des Dieux les preceptes sacrez naturelement sont en nos coeurs encrez"). In other words, this Antigone suggests that human laws are by nature modelled on divine ones, and the heart is the place where divine law is internalised. This is not so much a naturalist view as a Christian theological perspective whereby divine law, once inscribed within the heart, becomes the law of nature.[19] The consonance of this passage by Garnier with that of Watson quoted at the outset ("Aedicta, ut illa cordibus, cum sis homo, / Natura quae sculpsit, refigere valeas") is redolent with imagery from the Old and New Testament. It is true that in Garnier's work the focus remains on the contrast between the 'laws of the tyrant' and the 'laws of God', with an emphasis placed on the intrinsic evil of tyranny. And it is true that also in Watson the perspective of the naturalness of laws is developed more in the paratexts than in the drama. But the coincidence seems to me indicative of a line of interpretation that in the late sixteenth century must have been particularly attractive in various contexts of European culture.

One last consideration, to conclude: there is another edition that is important for the reception history of the Sophoclean text as well as of the tragedy *Antigone* and therefore needs to be mentioned for the influence it may have had on Garnier's and Watson's reworkings. It is the Latin edition of Sophocles edited by the humanist Veit Winsheim and his master Philip Melanchthon, published in 1546, the so-called 'Sophocles of Wittenberg', which was sent as a gift to King Edward VI of England within weeks of

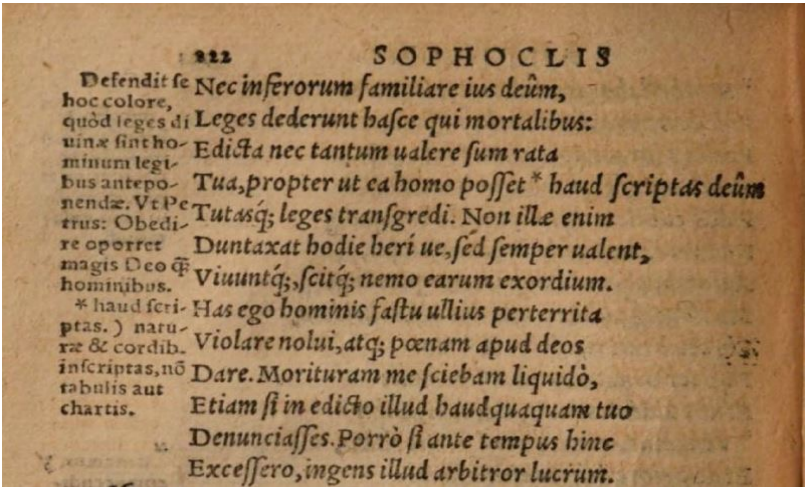
19 Cf. also 1876, where Antigone exclaims: "Mail la loy de nature et des Dieux est plus forte" ("But the law of nature and the Gods is stronger"), suggesting an absolute coincidence between a divine and naturalistic perspective. "Recalling arguments of the jurist and political philosopher Jean Bodin, Antigone the intellectual joins the current debate on the nature of sovereignty, the duties of monarchs, and the rights of citizens" (Miola 2014, 236). On the 'political' aspects of Garnier's theatre, cf. Jondorf 1969. On the concept of 'natural law' in the English Renaissance in general, see White 1996.

his coronation.[20] Micha Lazarus has shown how this edition helped shape the reception of Greek tragedy as well as reflection on ideas of the tragic throughout the sixteenth century by presenting an innovative picture of Sophocles, in which the political dimension is reconciled with Reformation politics and Christian theology (Lazarus 2020). From the perspective of Melanchthon and his pupil Winsheim, Greek tragedies teach us to reflect on the moral responsibility of the characters and to curb harmful passions for fear of God's punitive justice. In the specific case of Antigone, Melanchthon's interpretation is based on the one hand, on the rebuke of Antigone for disobeying authority, and, on the other hand, on the need for Creon to pay the price for his immoderate cruelty and stubbornness (Lurie 2012, 444). The real crucial question the play raises is whether religion and piety should be obeyed even when magistrates or tyrants forbid it.[21] The translation and the short preface never mention the opposition between 'natural law' and 'state law', but in a printed annotation in the left margin, close to the lines in which Antigone appeals to the unwritten laws, we read the following annotation (Winsheim 1546, 201) (Fig. 2): "Defensio sive confirmatio: meum hoc factum habet mandatum divinum, et est consentaneum legi naturae." ("Defence or confirmation: this act of mine has a divine command, and is in accordance with the law of nature"). The gloss, which can undoubtedly be attributed to Melanchthon, proposes a paraphrase of the position taken by Antigone in her dispute with Creon and makes the 'unwritten laws' coincide with the 'laws of nature' ("legi naturae"), according to the

20 Winsheim 1546. The edition bears Winsheim's name, but the translations are generally attributed to Melanchthon. On the authorship of the translations and the collaboration between Melanchthon and Winsheim, see Lurie 2012, 442-4; Lazarus 2020, 36-51.

21 "In Antigone praecipua quaestio est, utrum religioni et pietati obediendum est, etiamsi id tyranni vel magistratus prohibeant . . .[D]um altera ex sororibus Ismene disputat de magnitudine periculi, et de obedientia erga magistratus, altera Antigone de pietate debita, et de religione" ("In *Antigone* the major question is whether one should obey religion and piety, even if this is forbidden by sovereigns or magistrates . . . Of the two sisters, Ismene discusses the greatness of the danger and the obedience towards magistrates, whereas Antigone discusses due piety and religion", Winsheim, 1546, sig. O1*r*).

Aristotelian paradigm in the *Rhetoric* we examined earlier.[22] For chronological reasons, it is plausible to assume that this 1546 note is at the origin of the quite similar one found in Naogeorgus (1558), and that it somehow oriented Thomas Watson's rendering (1581), by which Antigone's laws become without mediation laws "that nature has carved in the hearts" ("illa cordibus . . . / Natura quae sculpsit").


222 SOPHOCLIS

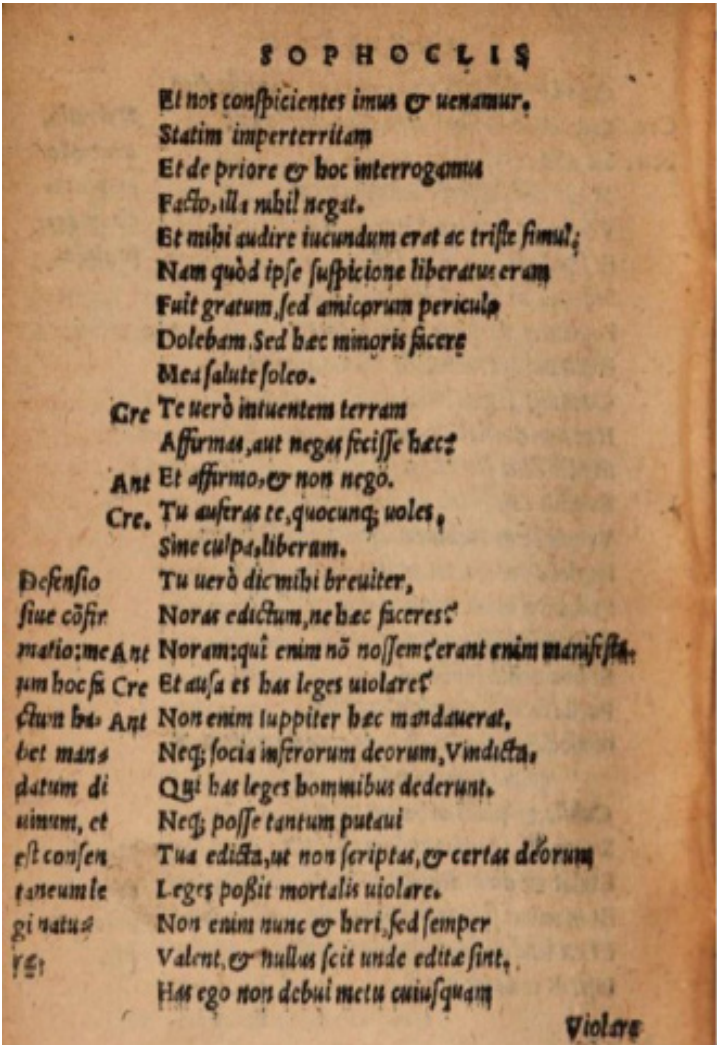
Defendit se hoc colore, quòd leges diuinæ sint hominum legibus anteponendæ. Vt Petrus: Obedire oportet magis Deo quã hominibus.

* haud scriptas.) naturæ & cordib. inscriptas, nõ tabulis aut chartis.

Nec inferorum familiare ius deûm,
Leges dederunt hasce qui mortalibus:
Edicta nec tantum ualere sum rata
Tua, propter ut ea homo posset * haud scriptas deûm
Tutasq; leges transgredi. Non illæ enim
Duntaxat hodie heri ue, sed semper ualent,
Viuuntq;, scitq; nemo earum exordium.
Has ego hominis fastu ullius perterrita
Violare nolui, atq; pœnam apud deos
Dare. Morituram me sciebam liquidò,
Etiam si in edicto illud haudquaquam tuo
Denunciasses. Porrò si ante tempus hinc
Excessero, ingens illud arbitror lucrum.

Fig. 1:
Sophoclis Tragoediae septem, Latino carmine redditae, et annotationibus illustratae, per Thomam Naogeorgum Straubingensem, Basileae: Per Ioannem Oporinum, 1558, 222.

22 Melanchthon, in fact, had in mind the interpretation of Antigone's laws as laws of nature as expounded by Aristotle in his Rhetoric, although in the printed note the reference to Aristotle was removed. This is evident from Melanchthon's own handwritten notes. In one of his personal copies of the Rhetoric, for example, he comments on the quotation from Antigone by identifying "a distinction between natural law and positive law" ("discrimen iuris naturae & iuris positiui"), from which he derives the principle that "the law of nature is immutable" ("ius naturae est immutabile"). Cf. Lazarus (forthcoming).



SOPHOCLIS

Et nos conspicientes imus & uenamur.
Statim imperterritam
Et de priore & hoc interrogamus
Facto, illa nihil negat.
Et mihi audire iucundum erat ac triste simul;
Nam quòd ipse suspicione liberatus eram
Fuit gratum, sed amicorum periculo
Dolebam. Sed hæc minoris faciens
Mea salute foleo.
Cre Te uerò intuentem terram
Affirmas, aut negas feciſſe hæc?
Ant Et affirmo, & non nego.
Cre. Tu auferas te, quocunq; uoles,
Sine culpa, liberum.
Defenſio Tu uerò dic mihi breuiter,
ſiue cõfir Norus edictum, ne hæc faceres?
matio: me Ant Noram: quî enim nõ noſſem? erant enim manifeſta.
um hoc fa Cre Et auſus es has leges uiolare?
ctum ha Ant Non enim Iuppiter hæc mandauerat,
bet mans Neq; ſocia inferorum deorum, Vindicta,
datum di Qui has leges hominibus dederunt.
uinum, et Neq; poſſe tantum putaui
eſt conſen Tua edicta, ut non ſcripta, & certas deorum
taneum le Leges poſſit mortalis uiolare.
gi natus Non enim nunc & heri, ſed ſemper
ſit Valent, & nullus ſcit unde editæ ſint,
Has ego non debui metu cuiuſquam
Violare

Fig. 2:
Interpretatio Tragoediarum Sophoclis: Ad Utilitatem Iuventutis, Quae Studiosa Est Graecae Lingua edita a Vito Winshemio, Francoforti: Petrus Brubachius, 1546, 201.

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