Moral Pluralism and Practical Conflict in Euripides' Hecuba

Alisson Alves Santos

UFBA – Universidade Federal da Bahia

Antonio Sá da Silva

Carlos André dos Santos Barbosa

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ABSTRACT

During the Trojan War Hecuba lost her husband — King Priam —, her country, her friends and nearly all of her children. As she maintained her confidence in the law and the rule of the community over the citizens, she accepted her destiny, even when she was being humiliated by the Greeks, who enslaved her during almost the entirety of the play; her opinion changed though, when the Greek army leader, Agamemnon, ignored her pleas for justice to be meted out to Polymestor, the King of Thrace. Because of the high regard Polymestor had amongst the Trojans, he had received a large endowment to take care of Polydorus, Hecuba's youngest son, who had then been killed by Polymestor when the Trojans fell. This play was staged at a time when the confidence of the citizens in Greek political institutions was deteriorating, and the drama deliberately challenges its audience to think about important moral questions, then and now, such as the universality of values, the practical conflict and the various conceptions of what is a good life. Thus, by analyzing the political and social context of the protagonist, but also exploring the founding questions of Greek ethics at the time, we shall attempt to face the question that occurs during the whole play and still resonates in our time characterized by plurality and difference: are moral and legal judgements free from the contingencies experienced by the agent, escaping the practical conflict, in the same way that was pretended after Plato and is still pretended by some authors? The methodology will be the bibliographical exploration of reflections, in ethics, law and Greek literature, all which have treated the discussion with its due relevance. We shall seek to contribute to the debate on this question, constantly brought up in different ways and under different premises, but with a common core shared by the importance given to it by philosophers, jurists and politicians.

KEYWORDS

Practical conflict; Ethics; Law & Literature.

1. Introduction

This paper will analyze Euripides' *Hecuba*, an important play staged for the first time in the 5th century BC, pointing to some scenes which seem necessary for a legal/philosophical evaluation of the moral pluralism and the practical conflict, both relevant topics nowadays. Questions about how our vulnerability before Luck (τύχη, *tyche*), character incorruptibility, human deliberations, incommensurability of certain values, are key topics in that tragedy and this paper, the latter oriented by bibliographical research on these questions.

Hecuba is an outstanding tragedy that helps with the comprehension of this narrative genre because it brings together the elements highlighted in Aristotle's *Poetics* (2004, 1453a13-25, 1453b14-1454a2-3) as necessary for its distinctiveness among other literary genres: the best tragedies are the ones which show good people incurring big mistakes, causing irreparable damage to themselves or somebody close to them; in this kind of scene the audience watches admirable people struck down by terrible misfortune.

That is the plot of *Hecuba*: the narrative reveals the story of the queen of Troy, focusing on the miseries in her life. After the Trojans were defeated by the Greeks, the protagonist was enslaved by her enemies and then saw the death of two of her children, Polyxena and Polydorus. The demise of Polyxena happens when Ulysses demands the sacrifice of a soul for Achilles, who was asking for a bride in the underworld (Ἅδης, *Hades*) and delaying the return of the wind for the Greek boats to set sail (Euripides 2013, 218-228). Even after Hecuba's plea, the order for the sacrifice prevails, with the consent of Polyxena, who prefers death to a life of shame (Euripides 2013, 342-378); she was sacrificed in a ritual that highlighted her dignity and chastity, virtues recognized by the Greek army (Euripides 2013, 521-582).

After Polyxenas's demise, Hecuba then discovers the cruel murder of her last child, Polydorus. When the war intensified, fearing defeat and hoping to preserve the succession, King Priam had sent Polydorus to Polyestor, King of Thrace and a faithful guest of the Trojan court. After the defeat of the Trojan army, Polymestor killed Polydorus to keep possession of the treasure he received as a dowry to protect the child (Euripides 2013, 767-778). This scene showcase how Euripides addresses serious moral discussions, parts of our western identity, here delimited exclusively to those related to the practical deliberation in a world of plurality and difference which exposes the agent to contingency and conflicting choices.

We will focus on the discussion about the possibilities a moral agent has to achieve happiness without unpleasant surprises like the ones faced by Hecuba. The character resisted for a long time the humiliation brought by her Destiny (μοῖρα, *moira*), but ended up being abused by her own goodness, a fact that awarded her the sympathy (συμπάθεια, *sympatheia*) of the spectators. And exactly the support of the audience is the reason we shall begin with some considerations about the role emotions and literary works in public life. Special attention will be directed at tragedy, a literary genre originating in Greek theatre and which has always served as a fertile field for these kinds of reflections.

Afterwards, the study will show the peculiarity of Euripides' work, and his cultural impact; we will present the main topics of *Hecuba*, and, with the help of Aristotle and Martha Nussbaum, try to clarify the issues related to the practical conflict and the virtuous life. We shall also bring related issues about the sudden change of the protagonist, who resisted her shortcomings with honour and maintained faith in public institutions but later opts for vengeance; this last bit is especially thought-provoking, as it challenges the audience to think about the historical context when the play was first staged, one where the political institutions seemed to be deteriorating without guarantees of the flourishing of the citizens and with questions about the honourability (τιμή, *time*) of its political leaders.

2. The Place of Poetry and The Peculiarity of the Greek Education

The use of fictional works as a way to shed light on ethical reflections seeks to comprehend the meaning and the different viewpoints about human nature and social structures, enriching different knowledge fields with artistic imagination[1], including the Law, as stated by François Ost (2004, 40 *et seq*) and Boyd White (1985, *passim*). So, we need to recognize the role of emotions in these debates. The poets in Athens in the 4th and 5th centuries BC, specially the tragic poets, Euripides included, were considered one of the main sources of ethical and political thought (Jaeger 2013). During these

[1] For a introduction on this topic, see NUSSBAUM, 2010, p. 95-120.

centuries there was an anthropological turn-around, with the ascension of the Sophists and Socrates, and with philosophers assuming the role occupied by the poets before them (Jaeger 2013, p. 991), a privileged position in Greek education, even demanding a position as sole educators, as it can be seem in the intellectual feud between Plato and the poets (Platão 2001, 398a-b).

The main point of divergence between philosophers and poets lies in the distrust of the former about emotions (πάθος, *pathos*). Indeed, for Plato, poets were not serious people in the philosophical sense of the word (Platon 1964, 531a-534), with their works being incapable of overcoming appearances, an understanding that seems to be the result of the prevailing prejudices and ideas of that period (Jaeger 2013, 994); for the philosopher, moreover, the poets preferred passion to reason (λόγος, *logos*), against the duty of the morally superior person, who would suppress them. This divergence led the author of The *Republic* to expel poets from his ideal city (Platão 2001, 398a–b).

Aristotle also took part in this controversy: in the *Nicomachean Ethics* he states that all actions are, in some way, related to emotions, with moral excellence based on the way feelings are expressed (Aristoteles 2002, 1106b7-22); for him, there is a wide range of feelings in our lives, and it is certain that experiencing them in the right way and in relation to the right objects is characteristic of excellence, that is, the middle ground found between excess and the deprivation of emotions (Aristoteles 2002, 1106b7-22).

Regarding emotion and moral excellence, Almeida (2017, 92) says that emotion is indispensable to Aristotle's ethical proposals, either as a biological cause of change, or as a cause of change in judgment and even reflection, or, in other words, as an ethical element of the desiderable that concurs with morally good or bad action. These aspects would thus complement an understanding of emotions as something that has a place in human action, effectively influencing what we decide to do (Urmson 1988, 30). Aristotle agrees that desire (επιθυμία, *epithymia*) is what makes an animal, including the human animal, seek something, or, in other words, the cause of every action is nothing more than a feeling (Aristotle, as cited in Nussbaum. 1985, 24-55). There are, therefore, no negative or positive emotions per se: as explained by Urmson (1988, 32), what Aristotle requires is an assessment of how to express them in each case, which is consistent with the Greek philosopher's view that "decision depends on perception" (Aristotle 2002, 1109b21-22) .

Tragedy is characterized by exposing the audience to the extreme of emotions, such as terror and pity, and with the purification of these emotions

(κάθαρσις, *katharsis*) reveals the existence of deep ethical conflicts. That is how Williams (2006) says that a benefit of ethical studies based on tragedies is that these works show us fictional horrors and are capable of bringing forth attitudes that we do not have towards real horrors, and are better comprehended with the help of fiction. As Nussbaum (2001, xv) points out, the difference between literature and philosophy, at least in Greek education at the time, wasn't as substantial as it came to be after Plato, which reveals that the quarrel was mostly a dispute between schools for attention. Aristotle himself, in *Poetics* (2004, 1431a39-1431b6), recognizes that literature has an important philosophical dimension: compared to history, literature is more philosophical, because while the first tells us what happened, the second challenges us to reflect on what could have happened.

Nussbaum (2001, 44) shows, when talking about Hellenistic thought, that human life has an undeniably tragic dimension, and we must recognize the complex nature of human deliberations, often chosen only through a certain range of personal struggle. Before her, Jaeger (2013, 286) noted that since Aeschylus, man has emerged as the hero who struggles while he hopes for freedom, a characteristic of that tragedian's time, which can be seen in the systematic discussion on active life (πράξις, *praxis*) in all kind of discourses, including theatre. Poetry festivals, in their origins[2], were competitions promoted by the State[3], not for the simple aesthetic pleasure of the spectator or for the economic benefit of the winner, such as would occur when modernity arrived and with the automatization of technique (τέχνη, *techne*) in relation to ethics (ἔθος, *ethos*). The aim of these works was to glorify the greatness of the community values and the promotion of a public spirit within the demands of its time, which leads to the conclusion of the existence of an inseparability between literature and education in ancient Greece (Jaeger 2013, 292).

[2] As taught by San Isidoro De Sevilla in his Etymologies (MCMLI, libro VIII, capítulo VII), the poetry festivals rewarded the poet with a goat (τράγος, tragos) and gave rise to the term "tragedy".

[3] As it should be noted, the term "State" is not used here in the sense it is used in modernity but as a Greek conception assumed by the polis and which represented the totality of human, moral and divine things.

3. Cultural and Political in Euripides and the Particularity of its Work

Among all tragedies, the work of Euripides stands out as one of the most relevant and fruitful in an ethical-philosophical content, which is why the author was nicknamed the "philosopher of the stage" in antiquity (Jaeger 2013, 396). Indeed, Jaeger says that for the first time, as an elementary duty of art, the desire to translate reality into his works as experience provides, appears in Euripides (2013, 397). Thus, it is clear why Euripides' tragedy was considered a place for ideas and a space for discussion on relevant issues of his time, showing topics that resonated with people of all classes and ages (Jaeger 2013, 406), a detail that explains the timeless popularity of his works.

The understanding of the context in which *Hecuba* was written helps to partially perceive the author's concerns, as well as to better comprehend the criticisms directed at his work. Most of the plays created by Euripides, including the one we are analyzing, were written during the turbulent period of the Peloponnesian War, and this situation is much reflected in his production, since, as Jaeger's says, Euripides is a poet at the end of an era: the one marked by the decline of Hellenistic civilization, which explains why some poets were bringing situations of political and social turmoil to the stage (Werner 2004, xi).

The uncertainties about the possibilities of a universal rationality are present in this play. As is well known, with this tragedian, the theatre was a privileged place to explore the conflicts and problems of the political community (πόλις, *polis*) of his time, with a text permeated by themes of this troubled period. The Euripidean drama, as well as his discourse on justice (Δίκη, *Dike*), uses the myth to challenge the audience to think about the changes experienced by their time (Kibuuka 2015, 166).

Regarding *Hecuba*, Kibuuka (2015, 174) highlights the fact that Euripides, through his work, became a sophist on stage, expressing in his dramatic texts an interest in discussing the important controversies of the time. With Hecuba, staged in approximately 424 BC, these controversies were: the relative importance of war and the glory it conferred during the Peloponnesian War; the meaning of a new social hierarchy; the stormy confrontation between *nomos and physis*, social convention and natural impulses in a society that privileged the collective over the individual; *philío and dike*, solidarity and justice, as new factors of social protection, in a world that questioned the

role of the gods or superior forces; appearance and reality as challenges to man's position in each concrete moment; and the question of the limits of the clairvoyance of human knowledge.

The human frailty facing Moira (μοῖρα, *moira*), as well as the limits of the agent's moral action, are explored with better success by Euripides when he showcases women on stage. In his *Hecuba*, these characteristics are even more evident: the female characters in this play are beings who, due to their inferior social position, are more vulnerable and powerless facing Chance (καιρός, *kairos*) and the threats of war, betrayal and even of death (Nussbaum 2001, 413). In a context like this, the setback suffered by the protagonist, going from nobility to slavery, from trust in the supremacy of the law to disbelief in public institutions, etc., is what caught the attention of the spectators and resulted in the show's awarding. Those are some of the reasons we should pay some attention to the misfortunes that befell the heroine.

3.1. The misfortune of Hecuba

It is important to emphasize that when facing the death of her last son, Polydorus, the protagonist turns to Agamemnon, head of the Greek army, to plead for justice, which in this case was the punishment of the unfaithful host, a demand that is denied (Euripides 2013, 786-863). With the tragic end of her loved ones and her access to justice being denied and marked by the contingency, suffering and indifference of public agents, she decides to take on the task of repairing the offence. From then on, she leaves aside the firmness of character and passivity she had throughout the first part of the play; there is a transformation that marks the centrality and main controversy of the narrative. It so happens that, with Agamemnon's consent, she entices Polymestor and his two children to her tent, supposedly to talk about the existence of a treasure kept there; in this ambush, he murders the children and mutilates the eyes of Polymestor, making the king of Thrace crawl along the beach and prophesise the end of Hecuba: turning herself into a bitch with eyes red as fire (Euripides 2013, 1265).

The change in this character, who at first acts as a woman whose virtue makes her respond to grief with exemplary pride and honour, transmutes into another role on the stage: she gets her hands dirty with the blood of innocents, completing her mission with the murder of someone who for years

has celebrated his family's Fortune. Such a change in character is so extreme that there are those who suggest the existence of "two Hecubas" in the play (Kirkwood 1947, 61). Thus, Euripides received severe criticism, especially from those who point to the non-existence of a causal connection between the incidents and the apparent inconsistency of the protagonist. However, as we will explain, the transformation undergone by the character highlights important points on ethical issues concerning the dullness on the pursuits of happiness and the necessary aspects for a successful life.

3.2 Friendship, *ethos* and the possibility of *nomos*

To understand the play and the reasons for Hecuba's sudden change, leading her to adopt the posture of the last act, it is necessary to acknowledge her expectations in the life she had before the war and how it guided her actions, up until the ignominious scene where Polydorus' body appears on the beach (Euripides 2013, 681-701), followed by the denial of justice and the absence of institutional repudiation of conduct she considered unjust. The excerpt that best expresses the absence of trust is the discussion between Agamemnon and Hecuba, shortly after the discovery of Polydorus' misfortune. The following excerpt shows the dissension with which Hecuba pleads with the Greek commander for a response to the crime perpetrated by Polymestor (Euripides 2013, 787-805):

> But let me tell you why I kneel
> at your feet. And if my sufferings seem just,
> then I must be content. But if otherwise,
> give me my revenge on that treacherous friend
> who flouted every god in heaven and in hell
> to do this impious murder.
> At our table
> he was our frequent guest; was counted first
> among our friends, respected, honored by me,
> receiving every kindness that a man could meet—
> and then, in cold deliberation, killed
> my son.
> Murder may have its reasons, its motives,

but he even refused my son a grave and threw him
to the sea, unburied!
I am a slave, I know,
and slaves are weak. But the gods are strong, and over them
there stands the law that governs all. It is
by virtue of this law that we believe
the gods exist, and by this law we live,
distinguishing good from evil.
Apply that law
now. For if you flout it, so that those
who murder their own guests or defy the gods
go unpunished, then human justice withers,
corrupted at its source.

Hecuba's cry is addressed to authority, who in the Greek system had received from Zeus the mission to keep human law (νόμος, *nomos*) (Euripides 2013, 787-805).[4] What the present justice system calls "prevarication" is hateful since the chief of the gods gave the king "scepter" and law (θέμις, *themis*), in that it bestowed upon him the chivalrous greatness whose privilege is to give each his due, by the law, still in a divine sense, prior to what was instituted by human conventions. Agamemnon breaks before Hecuba the commitment that had been assumed to ensure an existence in accordance with reason among humans; after all, as Heraclitus recalled, stressing the importance of imitating the order that presides over Nature in the human world (φύσις, *physis*), it is up to us to defend our laws as soldiers defend the city walls (Heraclitus 2005, fragment 44).

It is important to say that "law" in the Greek sense at the time differs from what it meant with the advent of the Enlightenment. It does not restrict itself to legal commands issued by a State authority invested with the power to legislate, but actually has a very distinct meaning: that of a "legality" presupposed of that immanent order of the cosmos (κόσμος, *kosmos*). As Castanheira Neves (1983, 492) explained, this conception was disrupted by legal contractualism, where law and State are conceived as human artefacts at the service of selfish and contingent interests. It is not, therefore, less rele-

4 See JAEGER, 2013, p. 130.

vant, since its force is supposed to bind even the gods, something mentioned by Hecuba (Euripides 2013, 798-801) herself. This exemplifies how deeply rooted these precepts were, especially the duty of hospitality (ξενία, *xenia*).

With this differentiation in mind, note that Kastely states that in the context of the play and the Hellenistic world of the period, what would distinguish an appeal to justice from a simple edict applied by force would be precisely the supplicant's willingness to discuss the settlement based on the law established by the community (Kastely 1993, 1040). From this relationship emerged the conventions or practices that would be the main basis for moral canons; as Nussbaum (2001, 400) teaches, once these conventions are discarded, there would be no higher court to which one could appeal. Specifically in this tragedy, in accordance with Hecuba's vision, the unworthy Polymestor seriously harmed the law, attacking everything that a moral and religious conscience recognized as just and necessary (Euripides 2013, 788-797); His action was able to dissolve the citizen's bonds and trust in the public authority whose duty it is to guard justice and protect the city (πόλις, *polis*) from private revenge, seriously compromising the universality of justice. Even though the ethical values supported by this law were "only" human conventions, they did not deserve the arbitrator's negligence in that context, nor their exchange for a less important commitment, since such goods are precisely those that organize the space of social coexistence (Nussbaum 2001, 403). With some effort to translate it into another cultural context, but with the same necessary relationship between human order and justice, we could quote Guimarães Rosa's *Grande Sertão: Veredas* (2006, 283) protagonist, the hired gun Riobaldo, who says that without law to order the course of life and guide our choices, the world rebels.

Before it shows Hecuba morally corrupting herself, the narrative explains that the circumstances she experienced were provided by an already corrupt society, which did not resort to its laws to enforce justice. As put by Nussbaum (2001, 403), if moral judgments are agreements in the way of life and if morality is a system of human practices, then there is a clear possibility that human circumstances or acts can corrupt the law itself. The play clearly captures this situation, exploring not only the existence of inequities, but also the way to respond to this evil (Kastely 1993, 1040). It is supposed that Euripides, as a spectator of the dissolution of Greek morality, transformed his play in the space to discuss this crisis that undermines the credibility of institutions and its public system of justice, a critic that Aeschylus had enthusiastically presented decades earlier, systematizing for the first time in

Western history a thesis on the origin of the court of law (Aeschylus 1992, 400-805). As Kibuuka (2015, 181) clarifies, the central issue in *Hecuba* is the evil choice that eventually becomes the worst outcome, shocking the audience, and which is in fact a grand metaphor for the violence committed by the spectators themselves in the Peloponnesian War.

3.3 The dissolution of the values of the *polis*, anomia and the rehabilitation of avenging

The play highlights the non-existence of a universal rule of judgment or of a science that solves this practical dilemma, highlighting, also, the role of prudence (φρόνεσις, *phronesis*) in the decisions we make in the moral world: it makes explicit the contrast, on the one hand, of the excessive severity of Ulysses, using the cruellest facet of tradition to obtain the sacrifice of Polyxena, but on the other hand, it also denounces the carelessness of Agamemnon, who completely ignores tradition by not censoring Polymestor for serious violations of law. In both situations, the protagonist feels helpless knowing the canons that protected her demand are disrespected. If the transformation of Hecuba is not something that can be uncritically attributed to her Destiny, and we must recognize the failure in the realization of justice by those who should guarantee it, it remains to be questioned whether, in this situation, the heroine's conduct is somehow justifiable.

Despite the brutality with which Hecuba carries out her revenge, as well as her apparent bestiality at the end of the narrative, Zanotti (2019, 4) maintains the opinion that the appeal to revenge, in that situation, would be justified; for the researcher, the protagonist refuses the proportionality and isonomy expected of a public justice system, pointing to the particularity of the loss of her son, Polydorus, while also pointing out the inadequacy of a system that totally ignores this violent loss. Revenge is her attempt to rearrange the world in which the law was violated, a solution that, unlike a dictate of justice, does not lack trust and other relational goods rooted in public institutions: it only depends on the plans of those who execute the revenge (Nussbaum 2001, 409).

According to Zanotti (2019, 11), revenge was not regarded as an intrinsically bad thing in ancient Greece. This does not mean, however, that the Greeks were unaware of the risks of taking justice into their own hands, even when they

understood revenge as a challenge to indifference or a last resort in the search for that justice (Kastely 1993, 1047). In this sense, the play studied here is a strong counterpoint to the public system defended by Aeschylus at a time of greater confidence in civic friendship when it staged the judgment of Orestes. Euripides questions such a monopoly of reparation to all forms of injustice on the hands of the "State"; as Nussbaum (2001, 404) states, the distrust of civic values in the play such as friendship (φιλία, *philia*) and hospitality, suggests the degradation in public justice that the author of *Oresteia* once witnessed.

Confronted by the misconception of the law that Ulysses adopts, as well as the prevarication of Agamemnon, the heroine decides to turn her back on the justice of the polis, the same way her harassers did before and the result of this sum of factors is the tragedy of Hecuba (Kirkwood 1947, 67-68). There is perhaps an irony in the construction of her plot, as Kastely (1993, 1043) observes, with an inversion of the pattern of tragedy, in the way the protagonist responds to her own misfortune: she starts the play defeated and in search of support from others, but when catastrophes pile up, she puts aside resignation and interrupts her lament; the active posture she adopts from then onwards makes it possible to interpret her story as a process of rehabilitation, and not as a personal failure.

It is true that even taking into account the difficulty of her maintaining her integrity when she was going through life facing up to the official bureaucracy that ignored her pleas, as recognized by Euripides, the way in which Hecuba reaches innocent people in her quest for justice, perhaps suggests a terrible insensitivity on her part to recognizing other people's pain. However, even factually equating her attitude to that of Ulysses and Agamemnon, it can be argued that her action is defensible if we consider the fact that she dealt with unfair circumstances (Kastely 1993, 1946), maybe, similar to how modern criminal law describes exceptional incidents which lessen or eliminate responsibility. Even worse is the conclusion of the story, which puts her on an equal footing with her son's killer, an idea reinforced by the image evoked by the author who compares both with dogs. Likewise, Hecuba seems to lose her moral authority, looking like she does not understand the consequences of her acts as such, since she continues to justify each one of them with a supposed right to avenge the evil done to her (Mitchell-Boyask 1993, 125). The queen's misfortune shows that even when there is some degree of justification for revenge, it fails to seek stability or the relational goods previously lost.

It is interesting to note that the departure of the Greek ships back home, shown at the end of the play, can be understood as a prologue to Aeschylus' *Oresteia*: with *Hecuba*, Euripides seems to show, like Aeschylus, that revenge is not a wise choice for social life, perhaps going further to expose the difficulties justice will always have in prevailing in a world of overly vulnerable people (Zanotti 2019, 11). We can only ask, as does Jaeger (2013, 405), whether or not Euripides believed in justice as established by the State. Regardless, the relevance of the questions raised by his work remain current and propel us to ask again Nussbaum's question (2006, *passim*): should jurists be able to hide our humanity even when the circumstances cease to be favourable and become hostile?

4. Integrity, Vicissitude and (In)Corruptibility

It is important to highlight, as Nussbaum (2001, 317) does, two excerpts from the narrative studied here; first, the speech of Polydorus' spectre, seen in the prologue of the work, where we learn about his condition as a guest at Polmestor's house and lament the misfortune that befell his family (Euripides 2013, 16-27):

> As long as Troy's fixed border stones stood proud
> and unbreached, so long as our towers held intact
> and Hector, my brother, prospered in the fighting,
> I flourished like a green shoot under the care
> of my father's Thracian friend—doomed as I was.
> But when Troy fell and Hector died,
> and picks and shovels rooted up our hearth,
> and there, by the altar that a god once built,
> Priam fell, butchered by Achilles' son,
> then my father's friend killed me heartlessly
> for the gold and threw my body to the sea,
> so that he'd have the gold himself at home.

This shocking episode, presented in the form of a speech of a child murdered by those who had the duty to protect him, helps to understand an essential aspect of the narrative: the chances of reaching the fullness of

our lives do not depend exclusively on us, it also needs goodwill and trust in other people who are not always trustworthy (Nussbaum 2000, 397). A second speech, this time by Hecuba herself, goes deeper into this topic: after the sacrifice of Polyxena, who kept her honesty until the last moments of her life, the Queen of Troy makes considerations that mix her grief with a kind of pride for the feat of the immolated girl (Euripides 2013, 589-602):

> But now, although I can't forget your death, can't stop crying—
> yet a kind of comfort comes in knowing
> how nobly you died.
> And yet how strange it seems.
> Even worthless ground, given a gentle push
> from heaven, will harvest well, while fertile soil,
> starved of what it needs, bears badly.
> But human nature never seems to change;
> ignoble stays itself, bad to the end;
> and nobility good, its nature uncorrupted
> by any shock or blow, always the same,
> enduring excellence.
> Is it in our blood
> or something we acquire? But goodness can be taught,
> and any man who knows what goodness is
> knows evil too, because he judges
> from the good.
> But all this is the rambling nonsense of despair.

At this point in the play, Hecuba still sustains that true royalty maintains her moral integrity in the face of bad luck (ανανγκαια, *anangkaia*), an argument that will be confronted by her own actions later on. With Nussbaum's help we can enumerate the characteristics of the "moral excellence" initially defended by the heroine, something that helps us understand her future instability (Nussbaum 2001, 400): first, the relational nature and the fragility of the bonds that sustain values, then the anthropocentrism of the character, or, in other words, her belief that laws are human statutes.

Not by chance, in the two passages highlighted, was the analogy evoked by Euripides that of a plant in reference to Polydorus and the queen of Troy. The clash is between the cultivation of skills that allow the agent to achieve

a life of excellence, and the possibility of losing these skills when people are deprived of attention and care (Nussbaum 2000, 11), via natural and social causes; the comparison made by Nussbaum (2000, 1), moreover, can already be seen exemplarily in Pindar's work, a problem that was in evidence in Greek moral thought.

Indeed, poets and tragedians were not the only ones to address this issue. Also according to Nussbaum (2001, 401), several similarities can be traced between the thought expressed in the tragedy of Hecuba and the moral work of Aristotle: in fact, Aristotle also gave strong emphasis to relational goods, further emphasizing the role of the community in the construction of values throughout our lives; his *Nicomachean Ethics* expresses this in asserting that happiness (ευδαιμονία, *eudaimonia*) lacks goods that are external to us, and showing that it is not easy to do the right thing when one is deprived of resources (Aristoteles 2002, 1099a31-33). The list of assets required for a happy life would range from wealth, friends and political power, to attributes such as beauty and good children; this lack of self-sufficiency in the direction of a successful life, says the philosopher, stems from the fact that our personal efforts still depend on a complement that escapes our control, agreeing somehow with those who identified happiness with good luck (Aristoteles 2002, 1099b6-8).

It is necessary to consider that the Aristotelian conception of happiness requires, from the moral agent, an active life (πράξις, *praxis*) and an adequate disposition of character (ἔθος, *ethos*), something that would allow him to enjoy reasonable stability in a world surrounded by uncertainty. (Aristoteles 2002, 1101a). What Aristotle shows is that, despite avoiding instability, the valiant life exposes the agent to inevitable risk, since many of the goods we seek are never given to us in advance and depend on the circumstances of where and when they are sought. In Nussbaum's words (2001, 417), the unfortunate Hecuba makes one think how a person of noble character is more vulnerable than another: she built a relationship of trust and affection with other people (of which Polymestor's friendship is the most enlightening example), and that is exactly why the features which elevated her morally, above many of us, were the same that most contributed to her downfall.

The main ethical challenge for us is to imagine, in a world in which it is impossible for the virtuous person to control everything which his stability depends on, how justice can prevail at all times. Thus, as Kastely (1993, 1041) argues, Hecuba's situation, however extreme, is ethically representative of this

dilemma: no one is totally immune to vicissitudes. This is how Nussbaum (2001, 372), as for Hecuba, claims that we value risk itself as a constituent part of some types of value, and, therefore, we must learn to balance these conflicting arguments. The story of the Trojan queen does not offer the answers to these questions; otherwise, it takes the problems which we are exposed to by our humiliation in the face of our Destiny to their final consequences and it shows, in a forceful way, the consequences in life to those who once had the adequate relational goods for prosperity and violently lost those goods.

It is this corruptibility inherent in human life that forces us to reassess excessive pretensions (ὕβρις, *hubris*) of a universal rationality, to find a decision-making theory that is able to guide us in the judgment of human actions, without the tragic dimension of life. Attention to what happens with Hecuba draws us to the centre of the debate proposed by Aristotle about practical deliberation; unlike Plato, whose aim was to prove that ethical choices could be guided by theoretical knowledge (θεορία, *theoria*), Aristotle (2002, 1142b24-31) argued that what is subject to deliberation cannot aspire to the status of science (ἐπιστήμη, *episteme*), as it does not enjoy stability when faced with intervention, unlike mathematical objects, which only allow us to contemplate them. The good life is, therefore, more vulnerable to our Fate (τύχη, *tyche*) and less eager for control than Plato imagined (Nussbaum 2001, 290).

For Aristotle (2002, 1107a29-32), universal expressions have less ethical value than particular or concrete judgments; the rules would have authority if they were correctly applied, but they would be correct only if they took the particular into account (Nussbaum 2001, 301). Hence, the very nature of practical issues and ethical deliberation is imprecise, not because such problems can best be resolved by a method of scientific deliberation, but because it is in their very nature to have some degree of vagueness. As Aristotle teaches, the possibility of error lies not only in the law or in the legislator, but in the nature of practical matters that are subject to permanent change (Aristoteles 2002, 1137b15-20), and does not happen with the properties of a triangle, for example.

In this perspective outlined by Aristotle, practical knowledge (φρόνησις, *phronesis*), by its very nature, deals with the agent's ability to adjust such knowledge to those situations that present themselves at each moment (Linhares 2013, 132 *et seq*), as in the classic example of the Lesbian builders (Aristotle 2002, 1137a-1138a): a good magistrate, certainly already familiar

with the law in its generality and abstraction, knows how to adapt it to the particularity of the case, which is different in each case; he would be like those builders, who had stones which were each of a different size, irregular, and to raise a building they were forced to invent a ruler that fit each one of them, thus preventing the need to align irregular materials to a ruler that discards everything that does not conform to its universal standard of measurement. Unlike scientific knowledge, which is deductive, this skill is linked to perception (αισθήσις, *aisthesis*) and habituation (εξις, *hexis*), attributes that would help to understand the relevant aspects in a complex situation (Nussbaum 2001, 305). Hecuba's demand is unique, as in any case submitted to a judge, and must be judged on its uniqueness. For this reason, the decision-making virtue invoked here is not scientific, but prudential, achievable only with life experience and which is not subject to a single universally manageable code of procedures.

5. Conclusions

And now we need to conclude. We have seen that the space occupied by tragedy in the education of the Hellenistic people is only matched, as Jaeger (2013, 287) teaches, by what the Homerian epics had before and it exerted great power in Greek political life. Euripides used his position as a spectator of the transformations that happened as a result of the Peloponnesian War to bring to the fore important moral and political questions that continue to challenge us, especially regarding Law, even though at the time this dimension of the praxis wasn't specified, as explained by Castanheira Neves (2008, 101 *et seq*). With an interdisciplinary approach, we embarked on the task of investigating some of their contributions to contemporary moral thought, especially the reflection on pluralism, the commensurability of goods, rational universality, legal rationality, tragic choices, etc. (SILVA, 2020, 291-327).

The play invites us to reflect on whether the moral agent always remains the same, regardless of the misfortunes that hinder his path throughout his life, as the incorruptibility of moral character is tested, ending in a pessimistic way about the future of institutions and the human capacity to deal with contingency (Nussbaum 2001, 416). However, our dialogue with Aristotle allowed us to elucidate crucial points in the narrative. We also believe that Nussbaum's (2001, 417) conclusions are fruitful: it teaches us, inspired by

Aristotle, that to live is to expose oneself to many risks and the possibility of betrayal of trust, a corruption of goodness that does not spare even the most honourable people like Priam's wife. The realization of the existence of this fragility of goodness is important, especially for the comprehension of the Law and its aspirations of universality, as its principal task is to protect the people from this shared vulnerability (Nussbaum 2006, 11)

In fact, for Aristotle, a portion of the goods, capable of making a successful life, are at the same time those that increase our vulnerability. The story of Hecuba seems to be an example, as it shows the setback suffered by a person who already had all the necessary resources for excellence; but this does not mean, however, that the person is definitively abandoned, defenceless, since social life creates and improves institutions, laws, and other aspects, trying to be capable of a minimum level of predictability, this being one of the greatest ambitions of modern Law, compared to its pre-modern counterpart (Neves 1983, 492 *et seq*). The very foundation of the political community, as explained by Aristotle, and which further distinguishes him from contractualists, is the recognition of the lack of self-sufficiency in our lives, one that forces us to associate with each other and to help one another (Aristoteles 1951, 1252a-1253a).

The absence of conditions for virtue to flourish, as we have seen, is a central part of Hecuba's tragedy. A collection of setbacks resulted in the violent change of his character, and we must inevitably recognize here that the frailty of our lives must always be considered in human judgments, as preached by Nussbaum (1995, 75 *et seq*). It is only after the failure of her appeal to tradition and the authority that the protagonist takes it upon herself to punish the murderer of her youngest son. The context in which the actions take place provides a new weight for the portrayal of the characters and the central message of the narrative; this is often ignored by critics who denounce a supposed lack of consistency in the character (Zanotti 2019, 11).

The lack of an environment that could adequately respond to serious violations of the precepts that regulate human relations is a determining factor in changing Hecuba's trajectory. In this sense, the contingency, the totally unfavourable circumstance, prevents us from simplifying the judgment of her choices, as she is a heroine who suffered the storms of Fate, courageously faced it in the course of her life and succumbed in the end. It is an example of a tragic choice, defined by Atienza (1997, 252) as a decisional conundrum where the simple dichotomy of simple and hard cases is not enough, because no decision is free of pain,

As the philosopher and historian Plutarch (1959, I) would later see in his reflections on the history of the Greeks, the circumstances experienced by the public agent, as in private life, can shape his character and action; he defends this by showing that Phocion, while governing Athens, faced vicissitudes that he could not in fact control, which even prevented his virtues from resulting in a better government, if not for the arbitrariness of the misfortune that befell him. Similarly, Nussbaum (2001, 416) understands that Hecuba's renunciation of the values exalted in the early moments of the play is proportional to the circumstantial abandonment of the law that presided over the community to which she was linked.

The author of *Hecuba* guides us to a reflection on what can happen in the absence of a social organization that guarantees the flowering of human capacities to be and to act (Nussbaum, 2001, 421). But, although the narrative awakens in us a certain sympathy for the protagonist[5], sympathizing with her pain and asking what we would do if we were in her place (Nussbaum, 1995, 79), it is not possible to endorse her choices, which led to the outcome of her search for justice: if the circumstance in fact conditions the character and action of people, something that seems to have been made explicit, this only allows us to redraw our action maps, not allowing us to incur the arrogance that ignores the law[6].

So, more than witnessing the misfortunes of the play, the analysis rehearsed here challenges us to review our commitments and improve our institutions, unlike the state of affairs that Euripides denounces: it will be necessary to guarantee for each person, in current public life, access to resources for virtue to flourish; whether for Polydorus, whose disloyal action of his executioner interrupted a successful trajectory paved by his father, or for his mother, whose unspeakable sufferings violated his character and goodness, our juridical-political institutions cannot fail: to each one of us, regardless of our beliefs, affiliations, resources, a catalogue of capabilities (*capabilities approach*), described by Nussbaum (2007, 75) as the true rights we should strive for, must be ensured.

[5] "Sympathy" understood here as the ability to see the world through someone else's eyes. For a complete account see Nussbaum, 2010, p. 96.

[6] The term law in the proper Greek sense, as logos or natural reason that governs the cosmos and everything in it, not in the modern sense as a normative prescription arising from a specific constitutional power.

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