

## Orpheus's Myth in Vico

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## Orpheus' myth in Vico \*

Vico chose the myth of Orpheus and Amphion as the model of civilization builders. The two ancient heroes were founders of governments, because in Vico's works the first founders of civilizations were heroes and poets. On this basis, the first form of a juridical system was a poetical one, and also the Law of the Twelve Tables was a "serious poem". An analysis of Orpheus' myth and its function in the development of Vico's thought (from the juridical works of 1720-21) could improve our knowledge of the historiographical principles at the basis of his masterpiece, the *New Science* of 1744.

The myth of Orpheus and Amphion appears for the first time in Vico's works in the sixth *Inaugural Dissertation*, which he presented on October 17<sup>th</sup>, 1704 during the Opening Ceremony of the Academic Year, as Professor of Rhetoric at the University of Naples. The figure of Orpheus also returns in paragraphs 123 and 124 of *De universi iuris uno principio et fine uno* (*The one principle and the one end of universal right*), the first treatise of the so-called *Universal Right*, the huge juridical work composed by Vico between 1720 and 1722. In the same work, Orpheus and Amphion appear again together in chapter nine of *De constantia philologiae* (*On the consistency of philology*), which is the second part of the *De constantia iurisprudientis* (*On the consistency of jurisprudence*), the second and last treatise of *Universal Right*. Herein, the author tries to establish a common link between law, poetry and foundational myths. Before listening directly to Vico's words, it is important to keep in mind that Vico's treatise is intended to demonstrate and establish new historical principles, useful to reinforce, on a solid basis, our knowledge of the past (Ruggiero 2010: 76-85).

In the 11<sup>th</sup> book of the *Odyssey* (XI, 260-65), Homer mentioned Amphion and Zetus as founders of the Theban walls, with seven doors and strong towers, "because without walls they cannot live in the large Thebes, albeit they were strong", but Homer does not explain how Amphion succeed in building the walls without fatigue. The mythical tale is in the third book of pseudo-Apollodorus' *Bibliotheca* (III, 5): while Zetus is doing all the labour alone, Amphion summoned stones together with the music of his lyre, and the stones built the walls themselves. The allegorical interpretation of the myth is that the musical ability of Amphion, that is his poetical capacity of persuasion, convinced the people of Beotia (dull as stone) of

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- I express my gratitude to Alessia Loiacono, who has revised my text and the translations of Vico's quotes.

the necessity to build a city where they could live together in peace (that is establishing a commonwealth with a juridical order). On the same basis Vico interpreted the myth of Orpheus, where the ancient hero-poet with his music and singing could charm the birds, fish and wild beasts, coax the trees and rocks into dance, and divert the course of rivers. Among the ancient sources some are pseudo-Apollodorus' *Bibliotheca* (I, 3, 2) and Ovid, *Metamorphosis* 11: "with his songs, Orpheus, the bard of Thrace, allured the trees, the savage animals, and even the insensate rocks, to follow him".

Foundational myths are well established in Western tradition since the origin of Greek literature: the best-known example are the five ages of human races (*genos*) in Hesiod's *Erga* (*Erga* 109-201), where the poet shows a peculiar idea of human life as a cyclic progress, and whatever has been, will once return; an idea not far from Vichian theory of «corsi e ricorsi». It is interesting to underline that Hesiod's development of history and human civilization is clearly orientated towards the age of Zeus, where in another very diffused foundational myth, that of Prometheus, Zeus appears as a tyrant who rules with violence and causes unnecessary suffering. This image of Zeus is one of the most important clues against the attribution to Aeschylus of the *Prometheus chained*, and however it shows a peculiar use of foundational myths in Greek tragedy (West 1979).

Describing the origin of Roman Law, Vico affirmed that "this tradition of just violence was, thereafter, emptied of its brute force and channelled into more compassionate forms in the commonwealths founded on laws and changed into the civil right of the Quirites, the Roman fathers".<sup>1</sup> To explain how the original violence and abuses of the stronger against the weaker were transformed in the juridical links at the basis of Roman patriarchal society, Vico referred to the foundational myth of Thebes' walls. Regarding Orpheus and Amphion, the Neapolitan philosopher wrote: "The things here narrated leave room for the important conjecture that, for the reasons given above, the poets themselves recounted that Orpheus and Amphion, both poets and heroes, were the first founders of cities".<sup>2</sup> Being the "founder of cities", in Vico's idea, means to enforce laws and organize a civil government: well, how do these activities relate to Orpheus' myth, and how to the origin of Roman juridical system? In

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<sup>1</sup> *De uno*, § 123, p. 92 Pinton-Diehl: "Quamobrem ius Quiritium nihil aliud est quam ius maiorum gentium, hoc est ius proprium patrum, qui uni gentes fundarant, quod quia nondum erant leges positae, *principio iustae violentiae mos fuerat: qui mos deinde, omni vi adempta et corpulentia, in graciles formas attenuatus in republica legibus fundata abiit in ius civile Quiritium seu patrum Romanorum*".

<sup>2</sup> *Ibid.*, § 124, p. 92 Pinton-Diehl: "Quae sic enarrata gravi coniecturae faciunt locum, ut his de causis primos urbium fundatores et heroes et poetas Orpheum et Amphionem ipsi poetae tradiderint".

chapter nine of the *De constantia philologiae*, Vico explained: “All mythologists, in unison, proclaimed that these [the old Giants, that is human beings in their original wild condition of beasts] were the wild beasts, which Orpheus tamed with the sound of the lyre; these were the stones that came together to form the walls of Thebes at the music of Amphion’s harp”.<sup>3</sup>

Vico’s argument is somewhat puzzling. He thought that the foundational myths, such as that of Amphion and Thebes’ walls, hid an allegoric meaning: the ability of Orpheus in taming beasts with his music, and the ability of Amphion to summon stones together with his harp to build the walls of a big town, stood for the original use of poetry as a tool of civilization. For this reason, he said that the founders of cities are indeed the poets. The idea is immediately suggested by Horace’s *Ars poetica*, where the Roman poet says that Orpheus made human beings shrink from brutality, and Amphion moved the stone-like people of Thebes to build the walls. Horace himself commented on these myths, explaining that the purpose of poetry was “to divide public and private right, to separate the sacred from the profane, to regulate matrimony and curb license, to build towns and inscribe the laws”. So Vico, who commented on Horace’s *Ars poetica* for his private pupils, transforms the text of the Latin poet “into an account of *sapientia poetica* [poetic knowledge] that turns rhetoric into an inquiry into being with others” (Marshall 2010: 207-208).<sup>4</sup> Really, the idea that poetry was an original form of theology, and that the religious feeling was the basis of civilization was well established by Isidorus of Seville in his etymological treatise, and following in Isidorus footsteps was a letter of Francesco Petrarca to his brother Gherardo (December 4, 1349): “Quesitum enim est unde poete nomen descendat, et quanquam varia ferantur, illa tamen clarior sententia est, quia cum olim rudes homines, sed noscendi veri precipueque vestigande divinitatis studio [...] flagrantes, cogitare cepissent esse superiorem aliquam potestatem per quam mortalia regerentur [...]. Itaque et edes amplissimas meditati sunt, que templa dixerunt, et ministros sanctos, [...] et verbis altisonis divinitatem placare et procul ab omni plebeio ac publico loquendi stilo sacras superis inferre blanditias, numeris insuper adhibitis quibus et amenitas inesset et tedia pellerentur. Id sane non vulgari forma sed artificiosa quadam et exquisita et nova fieri oportuit, que quoniam greco sermone ‘poetes’ dicta est, eos quoque qui

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<sup>3</sup> *De constantia philologiae*, IX, 8, p. 356 Pinton-Diehl: “Mythologos uno ore docere hoc fuisse feras quas Orpheus lyrae sono cicuravit et saxa ex quibus Amphion, ad lira quoque sonum coeuntibus, Thebarum muros construxit”.

<sup>4</sup> Vico’s annotations are now published by G. De Paulis (Napoli: Guida, 1998).

hac utebantur, poetas dixerunt”.<sup>5</sup> These ideas were also well established in Neapolitan culture at the beginning of the Enlightenment, as shown by the *Considerazioni intorno alla poesia degli Ebrei e dei Greci*, a treatise of Biagio Garofalo (a correspondent of Pietro Giannone and Vico), published between 1716 and 1719 and immediately enclosed in the *Index librorum prohibitorum* because the author discussed the Bible as profane myths (Garofalo 2014: 12-13, 25, 102).

The strings of the musical instruments of Orpheus and Amphion (*chorda*) are an allegory of the bounds accepted by civilized human beings, as well as of the authority necessary to enforce the respect of reciprocal obligation in an ordered society. Hence, the original violent submission of Giants by the first civilized men is represented by the poetical myths, and these are in turn the first forms of juridical bond in the ancient political societies. “During that period of human adolescence,” Vico wrote, “which is the age when fantasy is most powerful in human beings and, consequently, was the century of the poets, which marched through history as a heroic, fabulous time, the first founders of republics transformed the right of the greater *gentes* into a sort of imitation of violence”.<sup>6</sup>

The myths of Orpheus and Amphion evolve, in Vico’s theory, into images of a just government. The most accomplished allegory in this context is that of Hercules as seen by the Gauls: “The establishment of this public authority, according to some, was represented among the Greeks by the head of the Gorgon, whereas for others by the lyre of Orpheus, of Amphion, or of Apollo, that, resounding with the songs of the laws, composed the symphony of humanity. The Gauls had a Hercules of ruder character, who, with the chains issuing from his mouth, that is, with the words of the Law and not by brute force, chained humankind, not by its bodies, but by the ears, which stand for the sense devoted to learning the humanities” (Bassi 2004: 117-29).<sup>7</sup>

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<sup>5</sup> F. Petrarca, *Familiare Epistulae*, X IV 3-4. Marco Grimaldi, who attends to a search about the medieval meaning of lyric poetry, politely suggested me Petrarca’s text.

<sup>6</sup> *De uno*, § 124, p. 92 Pinton-Diehl: “Et in illa quadam generis humani adolescentia, quae aetas in homine phantasia plurimum pollet, quare et id saeculum poetarum fuit, et omne id tempus in historia heroicum seu fabulosum excurrit, primi rerumpublicarum fundatores ius maiorum gentium in quasdam imitationes violentiae commutarunt”.

<sup>7</sup> *De constantia philologiae*, XXVIII, 15, pp. 481-82 Pinton-Diehl: “Hoc publicum imperium constitutum, inter Graecos fuit aliis Gorgonis caput, lyra aliis Orphei, aliis Amphionis, aliis Apollinis, quae, adsonans ad legum carmina concentum excitavit humanitatis. Rudius Gallis fuit Hercules, qui ore, hoc est verbis legum, non ultra manu, catenulas in hominum aures, disciplinarum sensum, non in corpora iniicit”.

Herein, Vico tries to explain the origin of the *actus legitimi*, that is the juridical actions protected by law and listed by Papinianus, in the famous fragment from his *Quaestionum libri* and placed at the end of the *Digesta* (D. 50.17.77). The relationships among citizens, in the most archaic period, were regulated through the balance of power and the direct use of violence. The progressive civilization caused the conversion of brute force into the force of juridical bonds: thus, the foundational myths are tales about the establishment of a juridical order and a civil government. Furthermore, human beings were bound together not by violence but by the force of persuasion exercised by law and order. In the light of this, the history of *nexum* is really emblematic. The original function of the *lex nexi* was to oblige, in the closer physical sense, the debtors towards the creditors: the insolvent debtor becomes the slave of his creditors, who can occasionally split up the corpse of the debtor and distribute the parts among themselves to recover their credit on the body of the debtor (De Marini Avonzo 2001: 24-28). The progressive transformation of this violence into a more reasonable (and perhaps useful) juridical obligation aroused the attention both of ancient Roman jurists and modern scholars: “the obligation no longer needed chains for the body but imposed a certain ligament consisting in a formula of words”.<sup>8</sup> Here Vico suggested a panoramic explanation, useful – at least in his theory – to clarify the origin of all *actus legitimi*: “Thus, through the practice of these imitations of violence, the right of the Roman Quirites [citizens with full civil rights] appeared to perform the fable of the *ius gentium*; these, not others, as they have been interpreted until now, were what Justinian quite wisely called *fables of the ancient right*”.<sup>9</sup> Once again, as David Marshall has observed, “Vico does not simply replicate classical precedent. He radically revives it. From the feats of Orpheus and Amphion, Vico confects an extraordinarily thick description of what he terms *sapienza poetica*, by which he means the poetic faculties that were brought into being by the first semiotic acts of human communities” (Marshall 2010: 208).

As is known, after completing the *Universal Right*, Vico abandoned both the Latin language and the juridical approach, and in 1725 he published in Italian the first version of his masterpiece, the *New Science*, or better *Principles of a new science about the common origin of nations*. He found a more effective tool to demonstrate the new historical principles supporting his theory, and this tool was the synergy between Philology and Philosophy, as

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<sup>8</sup> *De uno*, § 124, p. 92 Pinton-Diehl.

<sup>9</sup> *Ibid.*: “Et sic per haec violentiae imitamenta ius Quiritium Romanorum quendam iuris gentium fabulam agere videbatur: quas et non alias, ut hactenus sunt interpretati, Justinianus satis erudite *iuris antiqui fabulas* vocat”.

historical human sciences. Then, till the end of his life, Vico continued to correct and elaborate his work, publishing a second edition of the *New Science* in 1730; a third one circulated in 1744, only a few weeks after his death, edited by his son, Gennaro.

The connection between the ancient poetry (or “theological poetry”, using Vico’s expression) and the origin of social and political institutions was already defended in the *Universal Right*, but it is better illustrated in the *New Science*, where Vico writes: “But these treacherous reefs of mythology will be avoided by the principles of this Science, which will show that such fables in their beginnings were all true and severe and worthy of the founders of nations [...]. As for the rough chronological tempests, they will be cleared up for us by the discovery of poetic characters, one of whom was Orpheus, considered as a poet-theologian, who, through the fables, in their original meaning, first founded and then confirmed the humanity of Greece. This character stood out more clearly than ever in the heroic contests with the plebeians of the Greek cities. That was the age in which the poet-theologians distinguished themselves, for example Orpheus himself, Linus, Musaeus, and Amphion. The last of these, with the self-moving stones (that is the doltish plebeians) erected the walls of Thebes, which Cadmus had founded three hundred years before; just as Appius, grandson of the decimvir, about as long after the foundation of Rome, fortifies the heroic state for the Romans by singing to the plebs the strength of the gods in the auspices, whose knowledge was held by the patricians”.<sup>10</sup> As David Marhsall pointed out, “in Vichian inquiry, Orpheus becomes a poetic character for obligation, for the stipulation of connections between persons [...] The lyre of Orpheus stands for taming the wild beasts of Greece, harnessing them with the chords, bonds of obligation, and rendering them, thus, human. Further, to become human is, in Vico’s rendition, to become susceptible to obligation” (Marshall 2010: 217-18).

Three centuries after the mythical foundation of Thebes by Cadmus, the poet Amphion fortified the town, building the walls of stones moved only by his music, that is he persuaded

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<sup>10</sup> G. Vico, *Scienza nuova* (1744), in Vico 1990, § 81, p. 475: “Ma questi duri scogli di mitologia si schiveranno co’ principi di questa Scienza, la quale dimostrerà che tali favole, ne’ loro principi, furono tutte vere e severe e degne di fondatori di nazioni [...]. L’aspre tempeste cronologiche ci saranno rasserenate dalla scoperta de’ caratteri poetici, un de’ quali fu Orfeo, guardato per l’aspetto di poeta teologo, il quale con le favole, nel primo loro significato, fondò prima e poi rafferma l’umanità della Grecia. Il quale carattere spiccò più che mai nell’eroiche contese co’ plebei delle greche città; ond’ in tal età si distinsero i poeti teologi, com’esso Orfeo, Lino, Museo, Anfione, il quale de’ sassi semoventi (de’ balordi plebei) innalzò le mura di Tebe, che Cadmo aveva da trecento anni innanzi fondata; appunto come Appio, nipote del decemviro, circa altrettanto tempo dalla fondazione di Roma, col cantar alla plebe la forza degli dèi negli auspici, della quale avevano la scienza i patrizi, ferma lo stato eroico a’ romani”.

the dull people of Beotia to live together accepting common rules, laws and a civil government. After the same time span, three hundred years after the mythical foundation of Rome, Appius Claudius Caecus led a political campaign against the tribunes Licinius and Sextus and their reforms (his speech is in Livy VI 40-41), though he took the initiative to publish the calendar and the juridical formulas (*legis actiones*), opening the practice of law and the juridical protection of rights to the new emerging classes in Roman society. Vico, in his typical concise style, clarifies the links between the cultural and political development: Orpheus (and the other “poet-theologians”) appears as the equivalent of the Roman politician, able to establish the juridical order without forgetting the religious origin of law enforcement in the Roman tradition. The link between Appius Claudius Caecus (consul in 307 and 296 b.c.) and Appius Claudius Crassus Regillensis Sabinus (head of the decemvir in 451) – actually the first was the grandson of the second – enables Vico to recall the decemvir and the Law of the Twelve Tables, confirming that his attention is completely devoted to outlining the development of human civilization through the improvement of political institutions.

In 18<sup>th</sup> century culture, the myth is ‘fable’, although in Vico this mythical fable turns up “true and severe”, because he portrays the truth proper to every mythical discourse. This peculiar truth is conveyed by linguistic expressions, while the mythical expression is the native linguistic expression (Carandini 2002 and Bassi 2004: 35). The poetical foundation of the first political communities collimates with the fictitious character of the first forms of right (*ficticia*, which is imitative of ancient violence): therefore the past and the origin of civilization were reinterpreted in a wider cultural horizon. The idea of poets as builders of civilian government will return in a letter of Hölderlin to his brother, Carl Gock, January 1, 1799 (Hölderlin VI: 189-92).<sup>11</sup>

At the dawn of modernity, Vico recalls to our memory the image of the birds’ town, built by birds in the Aristophanic comedy to escape from political corruption and to revive the original condition of human sociability: “First I advise that the birds gather together in one city and that they build a wall of great bricks, like that in Babylon, round the plains of the air and the whole region of space that divides the Earth from the Heaven” (Aristophanes’ *Birds*, ll. 550-52).

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<sup>11</sup> I express my gratitude to Domenico Mugnolo for his observations during the conference and for the indication of Hölderlin’s letter.

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