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The Problem of *Stasis* in the *Oresteia*

It is taken for granted long since that the only extant tragic trilogy, Aeschylus' *Oresteia*, beyond the gloomy plot of kin-killing presents some important thoughts on the nature of justice. The horrific vengeance perpetrated by Orestes is to result in a profoundly humane evolution from the "wild justice" of the Erinyes to the civilized legal action under the auspices of the *polis*, represented in the *Eumenides* by the assembly of the Areopagus. The old violent laws yield to the new order of justice: no longer should one kill in requital; rather refer his case to the state, let it judge and, perhaps, punish afterwards¹. Accordingly, the *Oresteia* is not to be considered simply as a dramatization of the old myth, but as a play of great

¹ This is recognized as one of the trends in the political reading of the *Oresteia*; recounting it briefly S. Goldhill ("Civic Ideology and the Problem of Difference". *JHS* 2000, Vol. 120, p. 48) pinpoints its most conspicuous features: a "massive tale of the genesis of law, the placement of violence" etc.; the most prominent advocate of such reading was G. Thomson (*Ajschylos i Ateny*. Przel. J. Dębicki. Warszawa 1956; orig. 1941), who considers the whole plot of the trilogy as a "battlefield of human evolution" (p. 282), discerning even different strata of this evolution reflected in the drama, that is the tribal, matriarchal society represented by the Erinyes, the aristocratic, patriarchal, represented by Apollo, and finally democratic represented by Athena and Areopagus (p. 284 ff); other examples of such reading are found in D.F. Kitto (*Tragedia grecka. Studium literackie*. Przel. J. Margński. Bydgoszcz 1997; orig. 1961 and *Form and Meaning in Drama*. London 1956), who dismisses Thomson's social anthropology (*Tragedia grecka...*, p. 91), however, still is much preoccupied with the (progressive) evolution of justice, gods and mankind (*Form and Meaning...*, pp. 60–85), his ultimate argument against any criticism: "poetic drama was not intended for you" (*Form and Meaning...*, p. 85) seems quite unconvincing; in more recent scholarship this pattern is acknowledged, among others, by C.W. Macleod ("Politics and the *Oresteia*". *JHS* 1982, Vol. 102), A.H. Sommerstein (*Aeschylus, Eumenides with Introduction and Commentary*. Cambridge 1989, pp. 23 ff) and R. Seaford (*Reciprocity and Ritual*. Oxford 1994, pp. 92–105).

political significance, firmly embedded in the contemporary context. In this light, however, Aeschylus' trilogy taken as a poetic treatise on the history of law and justice seems to concern noble issues, although of rather minor importance in the times of tragedy. Had these modern (and quite inaccurate) sociological insights been familiar to the Athenians in the 5th c., they would have probably attracted little interest, as processes long gone and quite irrelevant to the present.

Thus, the goal of this paper is not to undermine the political "background" of the trilogy's plot (on the contrary!) but to present it in a different light. It is not the replacement of an old order (of justice) with a new one, but putting an end to a disorder; not an "improvement" of human and divine justice, but the problem of *stasis*, civil strife, and its containment that underlies the *mythos* of the *Oresteia*².

1. The displacement of the "old" laws

The pattern recognized behind the gloomy plot of kin-killing is the progressive evolution of law and justice. The primeval code of the Erinyes is to be replaced by a new order symbolized by the first homicide trial on Areopagus πρώταξ δίκας κρίνοντες αἵματος χυτοῦ (*Eum.* 682)³. Now, on what grounds is Athena's statement taken as something more than a mere *aition*, so frequent in tragedy? On what grounds this particular act acquires a universal meaning, being a synecdoche of law and judicial order in general, whereas another *aition*, that concerning the Argive alliance (*Eum.* 762–774), is confined to strictly particular (if not partisan) interpretation? Such interpretation of the establishment of Areopagus is, of course, not a mere fantasy of modern scholars, but has some base in the text of the trilogy, however, as will be argued, misinterpreted.

Having heard of Athena's will to accept Orestes as a defendant in the murder trial, the chorus of the Erinyes utters an angry cry speaking of a breakthrough of the new laws: νῦν καταστροφὰ νέων Θεσμίων (*Eum.* 490)⁴. This passage,

² The problem of political (in the broad sense, i.e. "relevant to the *polis*") and social function of Greek tragedy, and *Oresteia* in particular attracts much attention in recent scholarship. Among the most significant on this issue are the works of E.R. Dodds: "Morals and Politics in the *Oresteia*" (*PCPS* 1960), A. Podlecki: *The Political Background of Aeschylean Tragedy* (Ann Arbor 1966), C.W. Macleod: "Politics and the *Oresteia*...", J. Winkler and F. Zeitlin (eds.): *Nothing to Do with Dionysus?* (Princeton 1990), R. Seaford: *Reciprocity and Ritual...* For a different view see J. Griffin: "The Social Function of Attic Tragedy". *CQ* 1998, Vol. 48, No. 1. See also R. Seaford: "The Social Function of Attic Tragedy. A Response to Griffin". *CQ* 2000, Vol. 50, No. 1. S. Goldhill: "Civic Ideology..."; many of them will be mentioned in the following pages.

³ E.g. A.H. Sommerstein: *Aeschylus, Eumenides...*, p. 211: "A new kind of justice". Cf. also pp. 212 f (ad loc.).

⁴ Reading this passage as "overthrow of the new laws / institutions" hardly makes any sense. A.H. Sommerstein (*Aeschylus, Eumenides...*, p. 172, ad loc.), following Ahrens replaces νέων with νόμων, translating it as "overthrow of ordained laws" identifying these laws with those defended by the Erinyes. This, however, is quite unconvincing. The Erinyes are defendants not of *thesmoi* (human-ordained laws) but of *nomoi* ("natural" laws). Thus, notion *thesmos* can only imply Athena's new institution, not the most natural law forbidding matricide.

when confronted with the fact that the laws governing the universe of the two preceding parts (where the old law of vengeance is said to have been at work) of the trilogy were referred to as “old” order (τριγέρων μῦθος, *Choe.* 314), indeed does seem somewhat revolutionary. The goddess herself refers a few times to the new decree (the foundation of homicide court) as θεσμός (484, 571, 615, 681), with the first of those references directly preceding the Chorus’ song. We must not forget, however, that the angry cry of the Erinyes is, in fact, a condition, which is to be explained as follows: if Orestes is acquitted (εἰ κρατήσῃ δίκᾳ τε καὶ βλάβᾳ τοῦδε μετροκτόνου), then we will have a breakthrough of new laws (so far so good), and thus the parents will no longer be safe, but instead will suffer from their children (496 ff, 513–516), those unjustly hurt will call for Justice in vain (503–512), for nothing is going to guard the affairs of the mortals anymore (499 ff). It is obvious, that these dreadful anticipations are anything but true. Thus, we see the protasis of the condition to be true (Orestes is eventually acquitted), whereas the apodosis is at least partially untrue (the calamities foreseen by the Erinyes). What about the new laws? At this point, it will suffice to say that this statement needs not necessarily be true (although it does not imply it to be false).

A similar subversive (or innovative) accent is found later, after Orestes’ acquittal; and also in the utterance of the Chorus; the Erinyes complain about Athena’s verdict as “overriding the old laws and taking them away from their hands” (ἰὼ θεοὶ νεώτεροι, παλαιοὺς νόμους / καθιππάσασθε κάκ χερῶν εἴλεσθέ μου) (778 f). This again does seem to imply something new at work instead of the old vengeful demons; their “old laws” were overridden by Athena and Apollo. Furthermore, the Erinyes complain about being ἄτιμος, that is not only disgraced, but deprived of their proper office (τιμῆ). And, again, this last statement is anything but true, as Athena herself, trying to tame the enraged demons, asserts more than once (796, 854, 868, 884, 891)⁵. This, again, does not imply in a straightforward way that the statement in 778 f is false, but it definitely does not imply the opposite⁶.

What is the office of the Erinyes, their τιμῆ? The answer is anything but unambiguous. The most obvious connotation with the dreaded demons is, of course, fear: in the famous (and equally fantastic) anecdote from the *Vita Aeschyli* we hear of miscarriages as a result of their entrance on stage. Their horrible appearance, however, is no mere ekplectic device of Aeschylus. For it is the fear (τὸ δεινόν), that is the crucial factor in exacting their office (517–528), that eventually

⁵ More on the meaning of τιμῆ in the *Oresteia* and its relation to the Erinyes see Macleod, “Politics and the *Oresteia*...”, pp. 138–144 (esp. 139 f).

⁶ Cf. H. Lloyd-Jones: “Les Erinyes dans la tragédie grecque”. *REG* 1989, p. 6: “on ne trouve nulle part le moindre soupçon que leurs pouvoirs seront en quelque façon diminués ou qu’elles seront remplacées par le tribunal de l’Aréopage”; also the famous issue of renaming the Erinyes to Eumenides (which is supposed to reflect the significant change in their attitude and hence the abolishment of violence) is at least doubtful, cf. A. L. Brown: “Eumenides in Greek Tragedy”. *CQ* 1984, Vol. 34, No. 2, pp. 267–276.

coerces the mortals to self-moderation and self-restraint (σωφρονεῖν ὑπὸ στένει). In this respect, the “old office” (τιμῆ) of the Erinyes remains unchanged in the “new order”: the importance of fear in maintaining it is stated explicitly by Athena (698 f)⁷.

The terrifying appearance of the Erinyes is closely linked with their nature. Their most conspicuous duty throughout the *Oresteia* is the vindication of murder⁸: they themselves hunt down Orestes (since in this version there is none among the living to avenge Clytaemnestra), and it is also them, who constrain the closest of kin to avenge their relatives. This is the crux of the long since recognized “tragic choice” of Orestes: if he kills his mother, he will be haunted by her demons, if he doesn’t – by his father’s (*Choe.* 273–296). Thus, we see the Erinyes as horrible blood-drinking monsters, whose terrifying duty, however, appears indispensable in maintaining order among mortals⁹.

This is only one side of their manifold nature and “office” emerging from the text of Aeschylean trilogy. Furthermore, in the *Eumenides* even this aspect appears to be put into question. When asked about their duties the Erinyes themselves give quite contradictory answers:

X: τιμάς γε μὲν δὴ τὰς ἐμὰς πεύση τάχα.
 A: μάθοιμ' ἄν, εἰ λέγοι τις ἐμφανῆ λόγον.
 X: βροτοκτονούντας ἐκ δόμων ἐλαύνομεν. (419 ff)

E: And now you will learn of our office. A: I would give ear if someone spoke clearly.
 E: *We chase the murderers away from their homes.*

This response, convergent with their “office” presented above, is undermined by a similar (and yet significantly different) dialogue, between them and Apollon in Delphi (208–212):

X: ἀλλ' ἔστιν ἡμῖν τοῦτο προστεταγμένον –
 A: τίς ἤδε τιμὴ κόμπασον γέρας καλόν.
 X: τοὺς μητραλοίας ἐκ δόμων ἐλαύνομεν.

⁷ Cf. Pl. *Leg.* 696c: τό γε δίκαιον οὐ φύεται χωρὶς τοῦ σωφρονεῖν.

⁸ As chthonic deities, the Erinyes were always associated with the world of the dead. It has been argued that in some early phase they were actually considered as revenants, angry spirits of the murdered, claiming vengeance from beyond the grave. Such spirit could also invoke its wrath upon those among the living, who were obliged to avenge his death (that is the closest of kin), but for some reasons failed to do so (H. Lloyd-Jones: “Les Erinyes...”, p. 5); cf. also A.L. Brown: “The Erinyes in the *Oresteia*”. *JHS* 1983, Vol. 103, p. 26; according to A.H. Sommerstein: *Aeschylus, Eumenides...*, pp. 7, 9, the pictorial record from the Archaic period presents Erinyes as serpents, rising from the grave of the murder victim.

⁹ The indispensable role of Erinyes in maintaining order, cf. A.H. Sommerstein: *Aeschylus, Eumenides...*, pp. 9 f; their horrible nature, resembling the Κῆρες in Hesiod; cf. *ibid.*, p. 8.

A: τί γάρ γυναικὸς ἦτις ἀνδρα νοσφίση;
 X: οὐκ ἂν γένοιθ' ὄμαιμος αὐθέντης φόνος.

E: But this is what had been appointed to us. Ap.: What is this office? Praise your noble gift. E: *We chase the matricides away from their homes.* Ap.: What of the woman who would kill her husband? E: This would not have been murder on the same blood.

Now, despite this passage, the text of the trilogy makes it obvious that the killing of Clytaemnestra (in revenge for Agamemnon's death) also involved the dreaded demons (*Choe.* 400–404, 577 f, 648–651). Furthermore, both her vengeance (for the sacrifice of Iphigenia) and Aegisthus' (for the inherited by Agamemnon crimes of Atreus) is also associated with the Erinyes (*Ag.* 1188–1190, 1431–1433, 1578–1582). Who is it then, whom the Erinyes chase? Is it any killer, as in 421, or just kin-killer, as in 210?¹⁰

Given these sometimes contradictory, yet always concerned with vindication of a crime, duties the obvious conclusion is that despite their monstrous appearance and blood-thirstiness the Erinyes are guardians of the universal order, of Justice (Δίκη)¹¹. The association of Ἐρινύς with Justice (*Ag.* 56–59, 744–749, 1433, 1580; ἐν πέπλοις Ἐρινύων : δίκης ἐν ἔρκεσιν; *Choe.* 646–650; *Eum.* 525, 539, cf. 272, 554) is noteworthy; it is Δίκη that was violated by the new gods, who prevent the punishment of matricide (163, 516); ὦ Δίκα, ὦ θρόνοι τ' Ἐρινύων is the desperate call of those unjustly hurt (511 f).

How is the crime vindicated? The answer given in the *Oresteia* is simple and obvious. He, who “shedeth man's blood, by man shall his blood be shed”. It is this law, confined to the notion παθεῖν τὸν ἔρξαντα (*Ag.* 1564) or δράσαντι παθεῖν (*Choe.* 313) that is at work throughout the plot of the trilogy, and it is its execution that is the business of the Erinyes. Is it really displaced with the establishment of Areopagus? No proof for either answer can be found in the text of the *Oresteia* itself¹², however the obvious, emerging from both rhetoric and philosophy is negative. Killing (that is premeditated murder) was punished in classical Athens with death; special attention was perhaps given to kin-killing, to the most horrendous,

¹⁰ This contradiction has been noted by scholars, e.g. A.L. Brown (“The Erinyes in the *Oresteia*...”, p. 28), G. Ammendola (*Eschilo 'Eumenidi'*. Firenze 1961, p. 66 (comm. ad loc.)), A.H. Sommerstein (*Aeschylus, Eumenides*..., p. 118, ad loc.), A.F. Garvie (“The Tragedy of the *Oresteia*”). In: *Tragedy and the Tragic*. Ed. M.S. Silk. Oxford 1996, p. 145), however, no convincing solution was presented.

¹¹ On this contradiction see A.H. Sommerstein: *Aeschylus, Eumenides*..., pp. 171 f; cf. also A.L. Brown: “The Erinyes in the *Oresteia*...”, p. 27; the notion δίκη (Justice) itself (and its cognates), reiterated throughout the text of the trilogy frequently and in various contexts appears not only polyvalent, but even contested (Aegisthus (*Ag.* 1577, 1604, 1611) calling upon δίκη after Agamemnon's death), cf. S. Goldhill: “The Language of Tragedy”. In: *The Cambridge Companion to Greek Tragedy*. Ed. P.E. Easterling. Cambridge 1997, p. 139.

¹² Cf. n. 4.

that is patricide and matricide¹³. Thus, the argument in favour of replacing the so-called old laws¹⁴ with the new, supposedly more civilized, looses its grounds.

And yet, at the same time, a directly opposite picture of the Erinyes emerges from the *Oresteia*. With equal frequency they are associated with ἄτη, blind rage (*Ag.* 1189–1192, 1433; *Choe.* 402–404, 577)¹⁵; with Ἄρης (*Ag.* 641–645) – and here we should not think of the pathetic bully known from Homer, but rather of violence and bloodshed in general; this last association of the Erinyes is given more explicitly by Orestes himself: φόνου δ' Ἐρινύς οὐχ ὑπεσπανισμένη / ἄκρατον αἷμα πίεται τριτην πόσιν (*Choe.* 577 f). All this is to be associated with anything but Justice. Furthermore, it is the dreaded goddesses themselves who assert (354–359):

δωμάτων γὰρ εἰλόμαν
ἀνατροπᾶς, ὅταν Ἄρης
τιθασὸς ὦν φίλον ἔλη,
ἐπὶ τόν, ᾧ, δίομεναι
κρατερόν δνθ' ὁμοίως
μαυροῦμεν ὑφ' αἵματος νέου.

We bring the households to ruins: whenever the kindred Ares [v.s.] slays a relative, we, the avengers darken the killer, though he is still strong, with new blood.

Thus, all the previously mentioned contradictions in the nature and the office of the Erinyes seem to merge into one opposition: maintaining order and causing disorder. This contradiction will be given more attention later. At this point, however, it must be acknowledged that even the “positive” aspect of the Erinyes, their duty of maintaining order does differ, according to the text of the trilogy, in some respects from the office of the newly established Areopagus. The Athenian court itself is to be a place of reverence (700, 705), quick in its wrath (705), a safeguard (706) and salvage to the city (701), vigilant in the day and during the night (705 f), over the sleeping citizens. The hideous Erynies on the other hand were anything but revered (e.g. 179–197), slow in their wrath, which is presented “in action” with the scene of their sleep at the beginning of the *Eumenides*, and spoken of in the preceding parts of the trilogy (e.g. *Ag.* 703)¹⁶. These issues, however, have less to do with the law itself, and more with its execution.

¹³ Cf. *Pl. Leg.* 869a–869c; 872e–873c.

¹⁴ *Ibid.* (135): “in the *Eumenides* legal justice, a pacific and effective solution of quarrels and wrongs, ends and supersedes the *lex talionis*”.

¹⁵ Cf. *Il.* 19.87 ff; *Od.* 15.233 f.

¹⁶ Most of these antitheses are mentioned by C.W. MacLeod: “Politics and the *Oresteia*”..., p. 129.

2. Vengeance and punishment

Having thus surveyed the very nature of the “old” and “new” law, we face the most important issue that is its execution. Given the fact that both laws are similar (i.e. both prescribe death as punishment for murder), the most obvious difference between the Erinyes and the Areopagus is said to appear at this very moment. Before the establishment of the judicial process the murderer was violently slain in an act of revenge, whereas the legal action had him put to death on behalf of the whole community. The significant difference here is the taking away of violence from private hands: kindred vengeance (self-help) is replaced by state-ordained punishment. Vengeance threatens the very existence of a community with an outbreak of uncontrolled violence, a vicious circle of vendetta, whereas collective (state-ordained) punishment, on the contrary, strengthens its cohesion¹⁷. The replacement of (private) violence with the judicial process is said to be the crux in the plot of the *Oresteia*.

Thus, we arrive, yet again, to the simplistic reading of Aeschylus’ trilogy: the first two parts give a glimpse of the primeval violent *lex talionis*, operating through a “private” punishment, vengeance, self-help, whereas the establishment of Areopagus giving way to the judicial process marks a significant step, a milestone perhaps, in the evolution of men, gods and Justice itself. This is even said to reflect the actual history, the progress of both mankind and civilization¹⁸.

As discussed before, in the text itself there is no straightforward indication of the displacement of the old laws whatsoever, whereas its context (the Athenian law) proves the contrary. Neither does the trilogy give any reason to believe that the execution of these laws has undergone significant changes. It is never explicitly stated that from now on vengeance is set aside and all quarrels and wrongs are to be resolved by means of a legal action. When applying the modern standards to the *Oresteia*, such reading does appear plausible and the placement of violence seems implicit to the text of the trilogy. Would it still be so, if the tragedies were approached from the perspective of fifth-century Athens?¹⁹ Could the scrappy, painstakingly reconstructed context of archaic and classical Athens provide any clue to this problem? What indeed was achieved with the establishment of judicial process,

¹⁷ Cf. Plutarch on Solon’s laws concerning collective (ὁ βουλόμενος Ἀθηναίων) prosecution (Sol. 18.6): γράφεσθαι τὸν ἀδικούντα καὶ διώκειν, ὀρθῶς ἐθίζοντος τοῦ νομοθέτου τοὺς πολίτας ὡς περὶ ἑνὸς μέρη σώματος συναισθάνεσθαι καὶ συναλαγεῖν ἀλλήλοις.

¹⁸ A.F. Garvie’s (“The Tragedy of the *Oresteia*”..., p. 145) remark on such reading is noteworthy: “even if we think of the Areopagus as standing for the legal process in general, can we really be satisfied with a solution that finds so simple an answer to the great problems of human life?”.

¹⁹ It is, of course, impossible to reconstruct the whole “context” (consituation) of Greek tragedy, however the welcome shift of interest in recent scholarship, from the text-author pattern to the context-spectator, keeps providing more (and better) understanding of its phenomenon.

which is said to be symbolized by the foundation of Areopagus²⁰, and how did it influence the forms of thought, the “civic ideology” of the Athenians? Was it indeed a considered milestone in the evolution of mankind?

There are two major objections to such conclusion. Firstly, the laws and judicial process in classical Athens did not stand in strict opposition with vengeance and self-help as it stands in modern civilized societies. Nowadays, he, who takes the law into his own hands, becomes an outlaw himself; “private” violence is reduced to narrowly and strictly defined cases of self-defence. Athenian law gave it much more freedom. Although Demosthenes²¹ explicitly states that the prosecutor has no right even over the convicted killer (23.69), nonetheless elsewhere he seems to assert that it is rightful (for anyone) to kill a fugitive, who does not obey the rules of his exile (v.i.)²². Then, there is also the famous regulation concerning adulterers and night-thieves, who, if caught red-handed, could be killed by the wronged party on the very spot²³.

Furthermore, despite the famous passage in Aristophanes’ *Thesmophoriazousae*, where the barbarous Scythian is introduced in the role of a quasi-policeman, in fact there was no such force in classical Athens, which would resemble this modern notion²⁴. Law enforcement, which includes three distinct steps: investigation, apprehension (arrest)²⁵ and prosecution, were for the most part in the hands of average citizens²⁶. Prosecution being in the hands of private citizens did however

²⁰ Cf. C.W. Macleod (“Politics and the *Oresteia*...”, p. 128): “the court thus becomes in our play the representative of law as a whole”.

²¹ Despite the changes which the Athenian *polis* has undergone between the archaic period and the times of Demosthenes, the law on homicide, held in special reverence due to reasons of religious nature (R. Stroud: *Drakon’s Law on Homicide*. Berkeley 1968, pp. 33 ff), remained in its original shape; the stele dated on 409 is said to contain part of the genuine Drakontian code.

²² The passages in Demosthenes (23.30) are quite uncertain; Plato (871d–e) is more specific on this matter, however his laws are, of course, hypothetical; since they were strongly embedded in his own context (consituation), we might safely assume that they do reflect the contemporary legal procedures; cf. also Suda (s.v. Θεμιστοκλέους παίδες); καταλευσθηται ἐκινδύνευσαν ὑπὸ τῶν Θεμιστοκλέους ἐχθρῶν, ὑπομησάντων τοὺς Ἀθηναίους τοὺς νόμους τοὺς περὶ τῶν φυγάδων; cf. also R. Seaford: *Reciprocity and Ritual*..., p. 98, n. 114.

²³ Cf. V.J. Hunter (*Policing Athens*. Princeton 1994, pp. 136 f) with examples.

²⁴ According to V.J. Hunter (*Policing Athens*..., p. 146 f), the corps of 300 Scythians (all of them public slaves) had very limited authority: accompanying magistrates, only upon direct order arresting criminals and citizens acting disorderly, keeping order in the assembly or boule, and finally, herding to the assembly indolent citizens.

²⁵ There were three distinct forms of arrest in Athenian law: *apagoge*, *endeixis* and *ephegesis*. The first form was exercised by “private” citizens, by means of self-help; the second is said to have meant denouncement of the criminal to magistrates, and finally, *ephegesis* is considered by M.H. Hansen (Apagoge, Endeixis and Ephegesis against Kakourgoi, Atimoi and Pheugontes. Odense 1976, p. 26): “an *apagoge* in which the arrest itself was carried out by the magistrates”.

²⁶ Cf. V.J. Hunter (*Policing Athens*..., pp. 129–143); it was the use of self-help during the apprehension that allowed, under some circumstances (v.s.), resorting to ultimate private violence, i.e. (legal!) killing.

entail a sense of collectiveness, since it was not the wronged party who was entitled to bring in the case (in public offences, of course), but any citizen who wished to do so (ὁ βουλόμενος Ἀθηναίων). This, however, was **not** the issue with murder trials, still in the classical period considered as private (δίκαι), not public (γράφαι) suits! The case could not be brought before the court by anyone who wished to do so, but only by someone within a strictly defined circle of kinsmen, known as the *anchisteia*. All this gives the impression that unlike in modern, civilized societies, the state control over (reciprocal) violence in classical Athens was not strict and that vindictive self-help was still at work, hand to hand with the law²⁷.

The second objection to the “evolutionary” reading of the *Oresteia* concerns the “wild justice” of the Erinyes, which is said to have been executed by means of vengeance only. Unfortunately, we hardly know anything about the ways of dealing with homicide before the introduction of written laws and institutionalised judicial process (which, traditionally, is dated on the late 7th century and linked with the legislation of Drakon) save Homer and some scattered (and dubious as well) remarks on that problem in later writers.

We may safely assume that in the world of Homer the legal process is not yet established. And yet, despite its absence we never hear of any violent feud, save the allusions to the myth of Orestes interwoven into the plot of the *Odyssey*²⁸, and the killing of the suitors (with its consequences – v.i.). Apart from that, all cases of homicide are resolved with exile²⁹. The pattern is quite simple: the killer, fearing the wrath of the victim’s relatives, flees, and, having arrived to another household (abroad), is purified, received with gifts and accepted as a new member of this community. It must be stressed, that the exile is never said to have been appointed by any authority whatsoever; it appears always a sovereign decision of the killer himself, motivated rather by his self-preservation instinct. Yet, another way of dealing with homicide, an alternative to (or, perhaps, complementary with) exile, was compensation, “blood money” (ἀποινά). This probably is the issue in the famous passage describing the trial-scene on the shield of Achilles (18.498–508).

The issue of voluntary exile, prominent in the Homeric society, played also a prominent role in the legal institutions of classical Athens. As discussed above, the Athenian law prescribed capital punishment in cases of premeditated killing. Nonetheless, the murderer was given a legal option of avoiding death sentence. Instead of carrying on his defence before the court, he could choose voluntary exile after delivering his first speech of defence. Nobody, according to Demosthe-

²⁷ Cf. H. Lloyd-Jones: “Les Erinyes...”, p. 6: “[l’état] n’a pas la moindre intention d’abolir l’idée fondamentale de la vendetta familiale ancienne”.

²⁸ And even here the violence is obviously tamed, the matricide itself is hardly ever mentioned.

²⁹ It has been recognized that Homeric epic tends to exclude non-warfare violence from its world: R. Seaford: *Reciprocity and Ritual...*, pp. 26–29.

nes³⁰, had the right to stop him from fleeing. The sentence was given then *in absentia*, and usually made the exile permanent (ἄειφυγία)³¹.

The picture of society presented in the Homeric epics suggests that containing the potential and violent strife arising from homicide in the pre-law communities was only an individual business, a sovereign decision of the hero and of the household: whether to go to exile or not, whether accept the blood money or not. Now, Homer (whoever or whatever actually underlies this name) is said to have been biased in favour of the aristocratic, heroic households. Hence, as the argument follows, there is a visible tendency to diminish the importance and the influence of the community, and, at the same time, to stress the sovereignty of the individual family. Thus, we are told, there is no authority above the authority of an individual hero: he himself is the law, the judge and the executioner.

This is anything but true. We must remember that even the Homeric society was ruled by kings, who were, in fact, judges (δικασπόλοι) who guard the laws on behalf of Zeus himself (*Il.* 1.238 f). On the other hand, the world of Homer presents also a strong sense of collective, communal authority, to which individual quarrels were referred. The most obvious examples are given in the *Odyssey*, where twice the clash between Odysseus' household and the suitors was referred to the people of Ithaca. This authority, however, proves sadly ineffective in resolving the conflicts. Beneath this biased picture we can clearly see that even in the early, primitive society as the one reflected in the epics, there was a superior authority, an assembly, to which cases such as homicide were referred³².

Although "Homeric society" is, of course, a purely imaginary entity, we may safely assume that it does give a glimpse of real life in the times directly preceding the formation of a city-state (*polis*). Hence, one might conclude that in reality, beneath the biased picture given in the epics, the assembly as collective judicial authority proved more efficient and reliable. Even if the exile itself is taken as an individual and sovereign choice (as Homer presents it) of the murderer, there is no reason to dismiss any other forms of collective punishment, including death penalty. The most brutal, ritual (v.i.) executions, lasting throughout classical antiquity, as stoning, throwing of a high cliff etc. are, in fact, remains of the primeval, collective punishment; among them stoning is the most obvious, since it physically involves a large body of "citizens", or rather members of the community.

The true difference between the pre-law, collective authority, and judicial process of classical Athens is to be sought elsewhere. *Neminem condemnaveris nisi iure victum*; this golden principle, praised (among others) by Demosthenes (23.29 f) is beyond doubt the most significant step in the formation of law. It was the task of

³⁰ Dem. 23.69: καὶ οὐθ' ὁ διώκων οὐθ' οἱ δικάζοντες οὐτ' ἄλλος ἀνθρώπων οὐδεὶς κύριος κωλύσει.

³¹ *Ant.* 4.4.1, R. Stroud: *Drakon's Law...*, p. 42.

³² Cf. *Il.* 16.387 f; *Od.* 12.439 f.

the court, namely the Areopagus, to prove the guilt of the accused³³. In the times preceding the establishment of institutionalised judicial process, accusation actually meant condemnation.

Apart from the issue of convicting, another momentous aspect of justice was introduced with the establishment of judicial process, that is qualification and justification of killing. In the “Homeric society” there was no difference between voluntary and involuntary, accidental or premeditated homicide, whereas in the Athenian courts of law this was among the most important issues, which even determined the very place where the case would have been held (Areopagus, Delphinium, Palladium – Dem. 23.65–74).

In short, violent revenge does not appear as the only, unavoidable consequence of homicide in archaic pre-law societies. Furthermore, this is not even one of the options, but rather a failure of the available procedures in dealing with homicide³⁴. On the other hand, private vindictiveness did still play a significant role in the more advanced communities, granted already the gift of legislation. Thus, as we may safely assume, the displacement of violence is not to be overestimated as a benefit of introducing the laws and judicial process into the Greek *poleis*³⁵.

3. Pollution, violence and the *stasis*

The option of voluntary exile given to the killer by Athenian law seems quite shocking to the modern sense of justice. Instead of suffering due punishment, the

³³ Hence, from a strictly legal point of view this court was not the best choice for Orestes’ trial, he does not claim “not guilty” of the charge of matricide, he claims it justified; we would rather expect Orestes to stand trial in the court of Delphinium, where, according to Demosthenes, such cases were held (23.74). The Areopagus, however, with its antiquity and reverence obviously seems a better choice for poetry (cf. n. 12, E. Hall: “The Sociology of Athenian Tragedy”. In: *The Cambridge Companion to Greek Tragedy*. Ed. P.E. Easterling. Cambridge 1997, p. 99).

³⁴ I cannot agree with R. Seaford’s statement (*Reciprocity and Ritual...*, p. 27) that there were four possible consequences of homicide in pre-law societies: compensation, exile, pollution (!), and vendetta. Pollution is always a consequence of homicide, requiring ritual purification both in case of exile and in case of compensation (v.i.), whereas vendetta is a state of abhorred disruption being a result of a failure of the previously mentioned (v.i.); in primitive society it is the failure of ritual and religion that leads to violence, vengeance, and, possibly, to its utter destruction (R. Girard: *Sacrum i przemoc*. Przeł. M. Pleciński. Poznań 1993, pp. 19–37, 55–91), this failure was named by Girard “ritual (or sacrificial) crisis”.

³⁵ Cf. H. Lloyd-Jones: *The Justice of Zeus*. Berkeley 1971, p. 94: “The cliché we have heard repeated all our lives, that the Eumenides depicts the transition from the vendetta to the rule of law, is utterly misleading. Even in the *Iliad*, the blood feud is regulated by the justice of Zeus administered through kings; even in the law of the Athenian polis in the fifth century, the blood feud and the Erinyes have their allotted place”. B. Vickers also expresses his “impatience with this kind of nebulous allegorizing” (*Towards Greek Tragedy...*, p. 435).

murderer can simply have left without harm³⁶; what sort of jurisprudence is that? The reasons of this odd custom are not of legal (nor ethical) but of religious nature. It is not the execution of justice, but the ejection of defilement (μίαισμα, μύσος, ἄγος), that underlies the exile of a murderer.

Every shedding of blood incurred defilement. Defiled was not only the murderer himself, but also the whole community as well; consequently, it was him, on one hand, and the whole community, on the other, who sought purification. The latter was achieved by getting rid of the defiler: he was either (collectively) put to death or exiled. The murderer, on the other hand, if exiled, could seek purification abroad as a suppliant³⁷.

It has been successfully argued that ritual impurity, defilement is closely associated with violence, furthermore, reciprocal violence³⁸. The polluted killer carries a contagious burden of vengeance wherever he goes, until purified. Staying within the community where the crime has been committed, threatens that very community with an outbreak of violence³⁹. The victim's kinsmen would hunt him down and eventually kill, providing thus a new victim for a new feud. This is given explicit validation (with reference to Orestes' matricide) in Euripides' *Orestes* (508–517):

If a wife kills her husband, and then the child kills her in return, and thereafter his son (?) would vindicate this murder, to what extent would the crimes mount? Well did ordain our ancestors long time ago: he who is stained with blood is not to be seen nor met by anyone; the guilt is to be atoned with exile not killing in return, for he whose hands bear the hindmost defilement, always will be subject to another murder.

Thus, we arrive at the significance of exile as both cleansing the community and ridding it of the burden of violence. The murderer was purified when abroad, and

³⁶ We must be aware of the fact that the consequences of exile in ancient Greece were far more serious than simply expulsion of one's estate. The exile became ἀπολις, unprotected by law, sometimes without the basic means for living (cf. *Ant.* T 1.2.9; *Eur. Med.* 255, esp. 643 f; *Hipp.* 1028 ff; *Trag. Aesp.* frg. 284); a general view of the exile is given by Plutarch, *De exilio*. Nonetheless, many exiles (mostly aristocrats, who were rich enough and could count on the help of their guest-friends from abroad) lived a good life without protection of their homeland.

³⁷ This pattern has been recognized by B. Vickers (*Towards Greek Tragedy...*, pp. 143 ff) and given special importance to the early Greek society by R. Seaford (*Reciprocity and Ritual...*, pp. 25–29); according to some (R. Parker: *Miasma*. Oxford 1983, after R. Seaford: *Reciprocity and Ritual...*, p. 93, n. 97), the exile itself could be imagined as equivalent to purification, since the direct threat of an outbreak of violence is removed; cf. K. Sidwell ("Purification and Pollution in Aeschylus' *Eumenides*". *CQ* 1996, Vol. 46, No. 1, p. 46), speaking of "double purification (?): by ritual and exile".

³⁸ R. Girard: *Sacrum i przemoc...*, pp. 37–44, esp. 37 ff.

³⁹ Pollution is "an expression of social disruption, caused by violent death, and especially of the disruption of relations between two family groups"; cf. R. Parker: *Miasma...* In: R. Seaford: *Reciprocity and Ritual...*, p. 93; cf. *ibid.* 102 f).

not liable to further vengeance: given the situation of the early archaic period (we are speaking of the pre-law societies, when the “ancestors a long time ago” ordained the rule of exile), it was impossible to track, hunt down and eventually kill in return a murderer who dwelled somewhere far abroad. The only possibility of finding him would have been, perhaps, at the panhellenic festivals as in Olympia. That is why exiled killers were expected to abstain from them; this rule is given legal sanction in the homicide law of Athens: Drakon’s code explicitly forbids hunting down and killing of an exiled murderer, unless he violates the rule of his exile, that is is found within the borders of the country or at one of the panhellenic festival (Dem. 23.38).

The association of pollution and vengeance sheds some light on the violent collective punishment of homicide in the archaic, pre-law society (e.g. stoning, v.s.). Since everyone shares the responsibility for killing, nobody is liable to further vengeance, and thus the circle of violence is broken; nobody is defiled, while the pollution caused by the murderer is cleansed⁴⁰. The most prominent example of applying this form of an archaic, pre-law punishment in homicide cases is Euripides’ *Orestes*: the defilement incurred through the matricide is to be cleansed by stoning the killers. Thus, the pollution caused by the impious killing would have been purified.

Ridding the community of defilement requires also that the culprit’s corpse is afterwards removed, and left unburied somewhere outside the frontiers⁴¹. Among the Greeks this custom was still practised even during the classical period, albeit rarely, with its occurrence confined mainly to spontaneous rage⁴² of the mob and ritual; mentions of “legal” stoning are very scanty and dubious⁴³. The rituals, more precisely scapegoat rituals, persisted throughout the archaic and then classical period. The victim, whose name (φαρμακός ἀφοσιούτω κάθαρμα) explicitly

⁴⁰ E.g. Pl. *Leg.* 873b: ἐπὶ τὴν κεφαλὴν τοῦ νεκροῦ βάλλων ἀφοσιούτω τὴν πόλιν ὅλην (although this only mutilation of the corpse, not stoning, it does seem to reflect a vivid memory of this ritual); stoning, if itself unjust and unholy, could just as well incur defilement on the whole community, cf. Paus. (8.23.7) recounting a history of a few children (collectively!) punished by stoning on the charge of sacrilege (hanging the statue of Artemis); this stoning resulted in a series of disasters afflicting the whole community (symptoms of defilement), which, in turn, had to be cleansed.

⁴¹ *Ibid.*: μετὰ δὲ τοῦτο εἰς τὰ τῆς χώρας ὄρια φέροντες ἐκβαλλόντων τῶ νόμῳ ἄταφον; the bones of the Alkmaionides were also ejected outside Attica when the entire family, on charge of sacrilegious homicide, was proclaimed defiled and exiled (v.i.).

⁴² The most prominent example is found in Philostr. *VA* 4.10; cf. also Hdt. 9.6, 5.38 (probably); Plut. *Sol.* 12.

⁴³ A fantastic description of a legally ordained (as in Euripides’ *Orestes*) stoning is given by Heliodorus (*Aeth.* 1.13); a vivid memory of stoning as the primitive form of collective punishment, and of cleansing the whole community of defilement (incurred by kin-killing!) can be found in Plato (*Leg.* 873b): γυμνόν, ἀ δὲ ἀρχαὶ πασαι ὑπὲρ ὅλης τῆς πόλεως, λίθον ἕκαστος φέρων; cf. also Eur. *Bach.* 355 f; *Vita Aes.* 132 (ἐψηφίσασμεν).

points to the purificatory nature of this ritual⁴⁴, was most often stoned to death⁴⁵, or at least chases away from the community with stones. Collective killing, or perhaps collective punishment in general, are also the most important factors in the civilized ways of the judicial process: a convicted murderer is being put to death on behalf of the whole community, not the wronged party. It is noteworthy, however, that in classical Athens the convicts were executed by “forced” suicide. Thus, yet again, we witness the fear of reciprocity, despite the complex legal institutions meant to contain it.

The notion of vindictive, reciprocal violence and pollution in the Greek thought merged together forming the hideous shapes of the Erinyes. The association of the dreaded goddesses with defilement is stated explicitly in the opening, “Delphic” scenes of the *Eumenides* (193 f):

(...) λέοντος ἄντρον αἵματορρόφου
οἰκεῖν τοιαύτας εἰκός, οὐ χρηστηρίοις
ἐν τοῖσδε πλησίοισι τρίβεσθαι μύσος.

They are more like to dwell in the cave of a blood-drinking lion, not infect this here oracle with defilement.

Hence, the Erinyes, being the supernatural and visible manifestation of defilement⁴⁶, are considered an “escort” (προπομποί) to the defiled Orestes (206). In the *Agamemnon* again, the polluted house of Atreus is said to be dwelled by a horde of blood-drinking Erinyes which is hard to send away (δύσπεμπος). Again, the defilement is explicitly linked with their presence.

Obviously, this association is due to the primeval, hideous nature of the Erinyes. It is not the guardians of *Dike* but the blood-drinking monsters of vengeance, of uncontrolled violence that personify the defilement. It is because of this violent nature that Apollo throws them out of his temple with disgust (185–190):

οὔτοι δόμοισι τοῖσδε χρίμπεσθαι πρέπει·
ἀλλ' οὐ καρανιστῆρες ὀφθαλμωρύχοι
δικαί σφαγαί τε, σπέρματός τ' ἀποφθορᾶ
παίδων κακοῦται χλοῦνις, ἠδ' ἀκρωνία
λευσμοί τε, καὶ μύζουσιν οἰκτισμὸν πολὺν
ὑπὸ ῥάχιν παγέντες. (...)

You are not to approach this house, but stay, where the heads are cut off, eyes ripped out in vindictive slaughter, where the virility of boys is destroyed for

⁴⁴ On the *pharmakos* ritual cf. W. Burkert: *Greek Religion*. Trans. J. Raffan. Harvard 2001 (orig. 1977), pp. 82–84; scapegoating as solution to ritual crisis (and hence to defilement and violence) is stressed by R. Girard: *Sacrum i przemoc...* (with regard to Sophocles' *O. T.*), pp. 95–121.

⁴⁵ Another one, of more dubious origin is throwing the victim of a high cliff as in *Vita Aes.* 142; cf. also Strab. 10.2.9; *Suda* s.v. περίψημα.

⁴⁶ K. Sidwell (“Purification and Pollution...”, p. 44), quoting R. Parker (*Miasma...*): “the animate agents of pollution”.

the extinction of seed, where mutilations and stoning, and where the impaled under the backbones moan in long laments.

At this point, we are ready to deal with the troublesome, twofold nature of the Erinyes in the *Oresteia* (a problem signalled in the first section), presented in the trilogy both as guardians of order and Δίκη, and as agents of disorder at the same time.

Now, it is explicitly stated in the *Agamemnon* and the *Libation Bearers* as well that the Erinyes are, in fact, feeding on the blood spilled through the violent feud in the house of Atreus. Orestes, when referring to his vengeance, speaks of the third cup of unmixed blood drunk by the ever-thirsty demons (*Choe.* 576 f), whereas Cassandra, by virtue of her foresight, sees them as ravaging the whole house of Atreus (*Ag.* 1186–1190):

τὴν γὰρ στέγην τήνδ' οὐποτ' ἐκλείπει χορὸς
 σύμφθογγος οὐκ εὐφωνος· οὐ γὰρ εὖ λέγει.
 καὶ μὴν πεπωκῶς γ', ὡς θρασύνεσθαι πλέον,
 βρότειον αἶμα κῶμος ἐν δόμοις μένει,
 δύσπεμπος ἔξω, συγγόνων Ἐρινύων.

Never had from these walls withdrawn the chorus, singing together but without harmony, for it speaks no good. Indeed, having drunk mortal blood, so that to gain more boldness, it stays within the house, the horde, hard to expel, of sister-Erinyes.

Despite the most common notion familiar to anyone with basic acquaintance with the Greek mythology, they are not presented in chase⁴⁷ (as later in the *Eumenides*), instead, they are motionless, this is stressed three times in this short passage (οὐποτ' ἐκλείπει, μένει, δύσπεμπος). And, it is here that they ravage the house with disorder, violence and mutual killing.

My point is that the Erinyes, when doing their natural duty, that is chasing the defiled murderer (and “escorting” him – προπομποί) away, are truly guardians of order, preventing further violence and bloodshed. When they fail to do so, when the murderer, along with his προπομποί, stays within the community, they themselves become the dreaded demons of violent vengeance and mutual killing.

The close association between defilement, violence and mutual killing transcends the theoretical socio-religious speculations; there is ample evidence to be found in history. A good example of a community persisting in a state of ritual

⁴⁷ Apart from Orestes' exile and wandering (e.g. Euripides' *I.T.*), this motif is most conspicuous in another matricide myth, that of Acmaion (e.g. Apollod. 3.87); the association of Erinyes with chase was almost proverbial (e.g. Plut. *Moralia* 564 f; Luc. *Philops.* 5) and its influence is seen in their common epithets, e.g.: καμψίπους (*Septem* 791), τανύπους (*Aias* 837), and simply ταχέα (*Aias* 839).

impurity, defilement, and, at the same time, engulfed in the vicious circle of reciprocal violence is the Athenian *polis* somewhere towards the end of the 7th c., in the years directly preceding Dracon's legislation⁴⁸. An ambitious aristocrat, Kylon, with the help of his father-in-law, who happened to be tyrant of the neighbouring Megara, attempted to seize the same power in Athens. With a group of followers and kinsmen the tyrant-to-be took hold of the Acropolis. Later on, however, things turned bad on Kylon: with the firm resistance of the people the conspirators ended up besieged on the fortress; with no other hope for salvation they turned to the altars and temples. The leading archon, Megakles of the aristocratic family of Alkmaionides, persuaded them to leave the precincts; at that very moment, however, they were seized and subsequently killed; many of them – when seeking refuge at the altars. The consequences of this impious bloodshed turned ill for both the Alkmaionides and the whole *polis* as well: shortly after the surviving followers of Kylon along with their families regained their strength and turned against the faction of Megakles, which resulted in a period of *stasis*, that is civil strife and reciprocal violence between the warring aristocratic clans⁴⁹. Eventually, the Alkmaionides were persuaded to stand trial, proclaimed “defiled” (ἐνὼγαῖς), and, subsequently, put to exile; afterwards, the whole *polis* required ritual purification⁵⁰.

Thus, we finally come to the last, most important association, that is of the Erinyes (and all they stand for: pollution, vengeance, violence etc.) and the *stasis*. A community polluted, engulfed in the vicious circle of vengeance and mutual killing is, in fact, a community in *stasis*⁵¹. The notion itself appears to have been of great importance to the Greek thought of the archaic and classical period. In both poetry⁵² and philosophy⁵³ it is mentioned with startling terror. The usual translations: “faction”, “sedition”, “dissent”, “division”, “discord” perhaps give all but a glimpse

⁴⁸ The main sources (complementary and contradictory as well) on this story are: Plut. *Sol.* 12 f, Thuc. 1.126 f, D.L. 1.110, Hdt. 5.71.

⁴⁹ (...) καὶ τῶν Κυλωνείων οἱ περιγενόμενοι πάλιν ἦσαν ἰσχυροί, καὶ στασιάζοντες ἀεὶ διετέλουν πρὸς ἀπὸ του Μεγακλέους. ἐν δὲ τῷ τότε χρόνῳ τῆς στάσεως ἀκμὴν λαβούσης μάλιστα (...) (*Sol.* 12).

⁵⁰ Diogenes Laertius (1.10) tells that this purification required a human sacrifice (two young men were killed): thus, repeating the already familiar pattern of purificatory scapegoating (v.s.).

⁵¹ Pollution expresses a state of disorder – cf. R. Seaford (*Reciprocity and Ritual...*, p. 27), quoting R. Parker (*Miasma...*).

⁵² The epithets of *stasis*: πεινίας δότεира (Pind. *Hyporch.* frg. 110), ἐχθρὰ (Pind. *Paian* 52o 13, Eurip. *Cresphontes*, frg. 453, 10), δεινὰ (Pind. N9 13, cf. Plut. *Praec.* 824a), οὐλομένα (Pind. *Paian* 52k 15), λαοφθόρος (Theog. 781), χαλεπή (Theog. 1082, cf. *ibid.* 78: χαλεπή διχοστασίη), πάμφθερσις (Bacch. frg. 24), ἀλγινόεσσα (Orph. *Hym.* 33.3).

⁵³ (...) στάσις ἐμφύλιος ἐς ἑκάτερα κακόν· καὶ γὰρ νικέουσι καὶ ἡσσωμένοις ὁμοίη φθοπή (Democritus frg. 249 Diels); ἢ δὴ καλεῖται στάσις ὄν μαλιστα μὲν ἅπας ἀνβούλιτο μήτε γενέσθαι ποτὲ ἐν ἑαυτοῦ πόλει γενόμενόν τε ὡς τάχιστα ἀπαλλάττεσθαι (*Leg.* 627d), cf. Aelius Arist. 22.558: τὸ δ' ἐν ἀπάσῃ τῇ πολιτείᾳ μηδὲν ἐναντιώτερον εἶναι στάσως μηδ' ὅ τι μᾶλλον τοῖς καθεστηκόσι λυμᾶνεται.

of the atrocities with which it actually was associated⁵⁴. The fear and dread of *stasis* found in poets and philosophers is exemplified and justified by historians, namely Thucydides⁵⁵. The Athenian writer recounts with horror the abomination of civil strife in Corcira triggered by outward interference of the warring states: the Athenians and the Peloponnesians, the former supporting the democratic faction and the latter – the oligarchic. The democrats eventually prevailed and turned to deal with their opponents (3.81):

The Corcyreans killed all those, whom they considered to be their enemies, as a charge producing the attempt to overthrow the democracy. Some have been also put to death due to private enmity, others, at the hands of their debtors, because of the money owed to them. Every possible fashion of killing was at work, as well as all that usually happens in these situations; nothing of the usual atrocities was missing, and there was even more. There were fathers killing their children, people dragged away from the altars and slain right beside them...

Many of the oligarchs sought refuge in the temple of Hera. Some were persuaded to stand trial, and subsequently sentenced and put to death. Others, who did not leave the precinct, perceiving their doom, killed themselves. The atrocities ended with the total extermination of one of the warring factions, i.e. the oligarchs.

This was, perhaps, the worst possible outcome of a *stasis*⁵⁶. We have seen, however, that even so atrocious a strife could end in more peaceful ways: in Athens the Alkmaionides were persuaded to stand trial, and afterwards agreed to go to exile. Another good example of a less violent conclusion to the *stasis* is given in the *Odyssey* (although the word itself is never mentioned here). Having killed the suitors, Odysseus fears the vengeance of their relatives. Eventually, both sides turn to the assembly, which, however, proves sadly ineffective. Civil strife seems imminent, and a major bloodshed is avoided only due to divine intervention and subsequent reconciliation of the warring parties. Athena persuades Odysseus (ἐπέιθετο δὲ μύθῳ, 24.545) to lay down his arms. It is noteworthy, however, that in some

⁵⁴ The most obvious association of *stasis* was bloodshed within a community (ἔμφυλοι) φόνου: Theogn. 51, Hdt. 3.82, Soph. *O.C.* 1234, Eur. (*Antigone*) frg. 173, *Orac. Chald.* frg. 133; cf. Plato, *Res publ.* 547b: βιαζομένων δὲ καὶ ἀντιτεινόντων ἀλλήλοισι, Aal. *VH* 11.6.

⁵⁵ It is noteworthy that Thucydides associates this peculiar case of *stasis* with the causes given in general reflections by both poets and philosophers. The crisis was due to greediness, to ambition with longing for power, and to the insolence of the (once) ruling party: πάντων αὐτῶν αἴτιον ἀρχὴ ἢ διὰ πλεονεξίαν τε φιλοτιμίαν (3.82); οὐ γὰρ ἂν προυτίθεσαν τοῦ μὴ ἀδικεῖν τὸ κερδαίνειν (3.84); καὶ ὅποσα ὕβρει μὲν ἀρχόμενοι (...) δρασειαν. A similar pattern can be found in the poetry of Solon (4.5–9, 4.17–20 West), Theognis (39–46, 51), as well as in the political philosophy of Plato (*Res publ.* 547b, *Leg.* 679b, 744d; cf. also Archytas frg. 3, Ephorus frg. 148).

⁵⁶ On the possible outcomes of and solutions to *stasis* cf. Pl. *Leg.* 627d–628e.

versions of this myth Odysseus, having slain the suitors, actually went to exile, seeking to avoid the vengeance of his victims' families, thus repeating the already known pattern, which contained the vicious circle of reciprocal killing and violence.

4. *Stasis* in the *Oresteia*

The Erinyes, having accepted the hospitality (ξυνοικία) of Athena and Athens, praise the land where they are to live from now on (976–983):

τᾶν δ' ἄπληστον κακῶν
 μήποτ' ἐν πόλει στάσιν
 τᾶδ' ἐπεύχομαι βρέμειν.
 μηδὲ πιούσα κόνις μέλαν αἶμα πολιτῶν
 δι' ὄργαν ποινᾶς
 ἀντιφόνους ἄτας
 ἀρπαλίσαι πόλεως.

I pray that never in this city would roar the insatiate in miseries *stasis*; and had ground drank the dark blood of fellow-citizens, may not the anger of vengeance and the rages of mutual killing take hold of the city.

This song, however, preceded by other thoroughly different blessings, appears yet another topical benediction, of rather minor relevance to the trilogy itself. At first, the Erinyes wish the city rid of natural calamities (δενδροπήμων βλάβα, φλογμοί φυτῶν, ἀκαρπος αἰανῆς νόσος), protected from untimely deaths (ἀνδροκμητες ἄωροι τύχαι), and instead – thriving with life (958 ff) and fertility (943 f)⁵⁷. This is also the context for yet another, not explicit, however unambiguous mention of *stasis* in the *Eumenides*; it must be admitted though, that these verses are supposedly spurious (859–863)⁵⁸:

σὺ δ' ἐν τόποισι τοῖς ἐμοῖσι μὴ βάλῃς
 μήθ' αἱματηρᾶς θηγάνας, σπλάγχνων βλάβας
 νέων, αἰνοῖς ἐμμανεῖς θυμώμασιν,
 μήτ', ἐξελοῦσ' ὡς καρδίαν ἀλεκτόρων,
 ἐν τοῖς ἐμοῖς ἀστοῖσιν ἰδρύσης Ἄρη
 ἐμφύλιόν τε καὶ πρὸς ἀλλήλους θρασύν.

Cast not into my land bloody incitements to anger, harmful to young hearts, raging with passions that come not from wine; nor, as if taking out the hearts of fighting cocks, set amongst my fellow-citizens the spirit of kindred bloodshed, and of insolence against each other.

⁵⁷ A choral blessing of striking similarity (although in reverse order) can be found in Aesch. *Suppl.* with averting of *stasis*: 633–638, 659–662, 677–683 and of natural disasters: 684–693.

⁵⁸ C.W. MacLeod: “Politics and the *Oresteia*”..., p. 130.

The expression ἐμφύλιος ἄρης hardly leaves any doubts; the cock-metaphor also seems a commonplace in describing strife⁵⁹. Furthermore, it is obvious that these words are Athena's reply to the threat (posed by the Erinyes) of – yet again – natural calamities. Now, when we consider these verses spurious, they appear just another senseless and irrelevant interpolation. If, however, we take them at face value, then the association of *stasis* (dreaded by Athena) and of calamities (a threat of the Erinyes) becomes visible⁶⁰.

Why natural disasters? We must keep in mind that any community engulfed in the vicious circle of violence, the *stasis*, was considered polluted. And the most obvious manifestation of pollution were, to the Greeks, natural (sometimes supernatural) calamities; the most famous example is provided by Sophocles' *Oedipus*, where the unavenged (!) death of Laius causes defilement (97, 138, 314) of the whole city of Thebes. As a result, we hear of various natural disasters afflicting the *polis* (22–30)⁶¹:

The city, as you see yourself, is now tossing overmuch, and yet unable to lift the head above the depths, and above the deadly waves; wasting out with the craters bearing fruit of the soil, with the herds of grazing oxen, and the childless labours of women. The fire-carrying god, the hateful plague, strikes the city, having hurled upon it. By whom it is that the house of Cadmus is emptying whereas the black Hades enriching with cries and laments.

Thus, the link between pollution, violence and calamities comes into light. We are no longer surprised, why it is the Erinyes, divine agents of violent revenge, who threaten the city with natural disasters (812–817), and afterwards, appeased by Athena, wish it rid of them. In this light the last of their blessings (the one concerning *stasis*) appears a coherent conclusion to the former and to the whole trilogy as well⁶².

It needs not be painstakingly proved that the house of Atreus is indeed engulfed in the **rages** of mutual killing (ἀντιφόνους ἄταξ). The notion *ate* itself is employed with remarkable frequency in the context of the subsequent killings: that of Thyestes' children (*Ag.* 1192), that of Iphigenia (*Ag.* 1523), of Agamemnon (*Ag.* 1230, 1433; *Choe.* 403), and finally – of Clytaemnestra (*Ag.* 1268, 1283; *Choe.*

⁵⁹ Cf. Pind. O12.14 ff with *scholion*.

⁶⁰ Both these passages (976–983, 859–863) were considered by E.R. Dodds and V. von Wilamowitz (after C.W. Macleod: "Politics and the *Oresteia*"..., p. 129) as direct allusions to the purported risk of civil war after the assassination of Ephialtes, and thus (through the unfortunate pattern of crude historicism) ripped out of the text of the drama, as quite irrelevant to the plot itself; on the cock-metaphor cf. P. Cartledge: "'Deep plays'?: Theatre as Process in Greek Civic Life". In: *The Cambridge Companion to Greek Tragedy*. Ed. P.E. Easterling. Cambridge 1997, pp. 12 f.

⁶¹ Other instances e.g.: Apollod. *Bibl.* 3.5.1, 3.12.6, 4.42.2, 4.61.1, 8.53.3; cf. B. Vickers: *Towards Greek Tragedy*..., pp. 246 f.

⁶² Other instances of associating the *stasis* with natural calamities: Pind. *Paian* frg. 52k 14–22; *Scolion* PMG frg. 1; *Orac. Chald.* frg. 133; Xen. *Mem.* 1.2.63.

383, 404, 830); the *ate* is also mentioned as raging in the house of Atreus without direct reference to any particular act of vengeance (*Ag.* 386, 770, 1124, 1566; *Choe.* 68, 339, 968, 1076). Hence, the passage where the violent feud is explicitly referred to as *stasis* needs little explanation (*Ag.* 1116 ff):

ἀλλ' ἄρκυς ἢ ξύνευνος, ἢ ξυναιτία
φόνου. στάσις δ' ἀκόρετος γένει
κατολολυξάτω θύματος λευσίμου.

She, who shares his bed, is the trap, the accomplice of murder. Let the insatiate *stasis* shriek over a sacrifice with stoning.

Thus, the death of Agamemnon, at the hands of his wife, is presented as an act of *stasis*. Similarly, it is the “*stasis* common to all” that answers the prayer for vengeance: *στάσις πάγκοινος ἅδ' ἐπιπροθεῖ* (458), for the death of Agamemnon’s murderers, delivered at the king’s tomb by his children⁶³. The association of mutual killing, the domain of the Erinyes (cf. the Chorus’ response to the quoted passage: 1119), with the *stasis* was already discussed in the preceding section⁶⁴. Furthermore, the motif of blood drunk by the ground, found in the averting blessing of the Erinyes (*Eum.* 979) is a recurrent one in the text of the trilogy, and situated always in the context of a more or less explicit calling for vengeance (*Ag.* 1018–1024; *Choe.* 48, 400–404, 514–522). Thus, the chain of revenges in the house of Atreus becomes a prominent symptom of *stasis*.

This feud, however, is no ordinary one, for it involves the most dreaded sort of violence, namely kin-killing and the subsequent destruction of the household (οἶκος). One of the most common epithets given to *stasis* in Greek literature is ἑμφυλος, which can be taken both as “of the same kin” and as “of the same tribe (φυλή) or community”. Kin-killing is also one of the most conspicuous clichés illustrating the atrocities of *stasis* described by Thucydides (καὶ γὰρ πατὴρ παῖδα ἀπέκτεινε)⁶⁵.

⁶³ The word *στάσις* in this verse has been variously translated, other instances of such reading cf. A. Pippin-Burnett: *Revenge in Attic and Later Tragedy*. Berkeley 1998, p. 107; the most common way, however, was to understand it as “party”, “company” (formed by Orestes and Electra).

⁶⁴ Cf. C.W. Macleod (“Politics and the *Oresteia*”..., p. 130): “with murder goes civil discord (*στάσις*): the killing of Agamemnon and of Clytaemnestra and Aegisthus are both acts of *στάσις*” – so far agreeable, however, the following explanation operating within terms of kingship, tyranny, murmurs of the people, and so on seems too narrowly political; in my opinion, it is the killing in requital, kin-killing, associated with violation of religion and ritual that illustrates the (political) notion of *stasis* in the *Oresteia* (v.i.); the trilogy itself is, of course (v.i.), political, but we must not forget that it is also poetry; whatever the conclusion however remains the same: “the reference to *stasis* in the Eumenides is amply prepared for” (p. 131).

⁶⁵ These atrocities of the *stasis* in Corcyra reported by Thucydides are taken into account, as the providing historical (but not political!) context for tragedy, also by J. Griffin (“The Social Function...”, p. 57); cf. R. Seaford’s response (“Social Function...”, p. 29, n. 36).

The most recurrent motif, however, connected with *stasis* in Greek literature is not violence, feud and mutual killing, but excessive richness (κόρος) breeding insolence (ὑβρις) and envy (φθόνος). An exceptional stress is given in the poetry of Solon and Theognis to evil profit (κέρδος), at the expense of Justice (Δίκη)⁶⁶. The theoretical basis to this association is provided by philosophers, whereas its exemplification is to be found in history. The craving for profit and wealth (πλεονεξία, φιλοκέρδεια) among the potent, as well as their excessive richness, creates envy among the little ones with both of them leading to an outbreak of violence. According to Thucydides, again, these were among the main causes of the *stasis* on Corcyra.

All these themes significantly influence the *Oresteia*, both in the very plot itself and in the lyric commentaries of the Chorus as well. Not once we hear of the abundance of the house of Atreus in goods (*Ag.* 961–964):

οἶκος δ' ὑπάρχει τῶνδε σὺν θεοῖς, ἀναξ,
ἔχειν· πένεσθαι δ' οὐκ ἐπίσταται δόμος.

With the help of gods, our house abounds in possession of these goods, it knows no poverty.

These words are given direct, visual exemplification: as Clytaemnestra utters them, Agamemnon treads over the dyed carpet wasting the valuable goods and giving thus an explicit manifestation of κόρος. We also hear of the wealth accumulated in the family (*Choe.* 800 f), sometimes (819 ff with schol. ad loc.) also at the expense of the people (cf. *Theogn.* 50: κέρδεα δγμοσίῳ τὺν κακῶ ἐρχόμενα). This motif becomes even more obvious in the choral lyrics telling of evil profit and wealth at the cost of justice (*Ag.* 381–384; *Eum.* 538–542). The latter associates it with the Erinyes and hence, with violence and the *stasis*, whereas in the former it is a veiled allusion to Agamemnon himself⁶⁷.

Beneath the poetic and (ancient) historical thought *stasis* clearly appears a failure of social order. The atrocious outburst of violence is a result of the deterioration of mechanisms which so far were meant to tame and/or avert it: laws or customs (in the “pre-law” communities) and religion, that is to say (when speaking of Greek religion): ritual. In the Greek *poleis* those were actually inseparable. Solon reproaching his fellow-citizens accused them of robbing both public and sacred goods

⁶⁶ *Theogn.*: κέρδεα δημοσίῳ σὺν κακῶ ἐρχόμενα. / ἐκ τῶν γὰρ στάσιές τε καὶ ἔμφυλοι φόνοι ἀνδρῶν (50 f), cf. also 86, 199 ff, 466, 608, 835; *Sol.*: χρήμασι πειθόμενοι (4.6), πλουτεῦουσιν ἀδίκοις ἔργομασι πειθόμενοι (4.11), οὐδὲ φυλάσσονται σεμνὰ Δίκης θέμεθλα (4.14); cf. also *Arist. Ath. Pol.* 5.3.

⁶⁷ The transition from Agamemnon’s private wealth and consumption (the carpet scene) to the communal benefit of the *polis* (the blessings of the Erinyes) is noted by R. Seaford (“The Social Function...”, pp. 124–131).

(οὐθ' ἱερῶν κτέανων οὔτε τι δημοσίων / φειδόμενοι κλέπτουσιν...), thus pointing to the decline of both religious and political authority in his community.

This is, yet again, exemplified in the testimony of the historians. The deterioration of religious authority becomes manifest in the violation of the sanctity of sacred precincts and altars as well as of supplication ritual: this we find in Thucydides' report of the *stasis* on Corcyra (καὶ ἀπὸ τῶν ἱερῶν ἀπεσπῶντο καὶ πρὸς αὐτοῖς ἐκτείνοντο, cf. also 3.81.3) and in Plutarch's – of that in Athens (οἱ δὲ τοῖς βωμοῖς προσφυγόντες ἀπεσφάγησαν). In both narratives we also see the obvious failure of the existing laws (the political authority) in resolving the conflict: some Corcyrean oligarchs were persuaded to stand trial and subsequently sentenced to death, all of them (3.81.3); not only did this fail to put an end to the strife, but even worsened it. The followers of Kylon, besieged on the Acropolis, were also persuaded by Megakles, the leading archon, to stand trial (ὁ ἄρχων ἐπὶ δίκη κατελθεῖν ἐπεισεν). In this case, however, they were all killed before the commencement of any legal action whatsoever.

As many other tragedies, *Oresteia* is a strongly religious drama. Scholars often speak of two planes, or a twofold action, namely the divine and the human. Furthermore, Aeschylus' poetry is considered to be pious and moral at the same time, where, despite their apparent ambiguity, the gods always turn out to be guardians of Justice. Is it possible then to find a pattern similar to those presented above, that is to say the deterioration of religious authority? It does become plain, after putting aside the “divine plane” however (it was Euripides, who dared show the gods corrupt), and taking the “human” into closer consideration. Here, we find the most striking feature of subverted religion (and hence social order in general) in the *Oresteia*: the corruption of ritual⁶⁸. This motif is manifest in each act of killing in the long, passed on for generations, chain of violence.

In the feast of Thyestes we see a gruesome perversion of sacrificial meal (δαΐς: 1242, 1593) and of the feast of reconciliation “in honour of the suppliant received again into the family”⁶⁹. The sacrifice of Iphigenia is explicitly referred to as θυσία ἄνομός τις ἄδαιτος. While it is obvious that this ritual is not to be accompanied neither by song (νόμος) nor by feast (δαΐς), we observe yet another disturbing perversion: this sacrifice is presented as a corrupt marriage ritual⁷⁰. The killing of

⁶⁸ Cf. P. Cartledge (“‘Deep plays’...”, p. 6): “rituals as symbolic statements of social order”; and: P. Burian (“Myth into ‘muthos’: the Shaping of the Tragic Plot”. In: *The Cambridge Companion to Greek Tragedy...*, p. 193): “such representations [religious ritual in distorted and aberrant forms] produce a sense of danger for the well-being of the community, a precarious imbalance that calls out for redress”.

⁶⁹ F. Zeitlin: “The Motif of Corrupted Sacrifice in Aeschylus' *Oresteia*”. *TAPA* 1965, Vol. 96, pp. 469 f.

⁷⁰ Note especially the use (or abuse) of the word προτέλεια signifying sacrifices preliminary to marriage; according to tradition (e.g. in Euripides' *I.A.*), Iphigenia was lured to Aulis with a promise of marriage to Achilles (F. Zeitlin: “The Motif of Corrupted Sacrifice...”, pp. 465 f.);

both Agamemnon and Cassandra is presented with sacrificial terms⁷¹. This corruption, seemingly absent from the *Libation Bearers*, returns in the last part of the trilogy. What we witness here, beyond the, again, frequent employment of sacrificial vocabulary⁷², is the failure of purification ritual. As discussed above, the Erinyes are the visible manifestation of defilement. Orestes, polluted with the horrible stain of matricide, is purified in Delphi by Apollo himself. And yet, despite his own assurances (*Eum.* 445 f, 451 f), the hideous escort of the Erinyes still follows him wherever he goes; the blood of his mother, spilled on the ground cannot be summoned back: αἷμα μετρῶον χαμαὶ δυσαγκόμιστον (*Eum.* 261 f), just as Agamemnon's before: τί γὰρ λύτρον πεσόντος αἵματος πέδοι (*Choe.* 48)⁷³. It should also be mentioned that, according to some⁷⁴, the finale of the *Eumenides* (and to the whole trilogy as well) gives a glimpse of yet another ritual, this time however, not distorted, namely the Panathenaic procession, with the Erinyes (now Semnai) as methics (who had a strictly defined and prominent role in the procession). Along with the reestablishment of order ends the corruption of ritual, manifest in this dramatic allusion to the Athenian festival.

Beneath the chain of vengeance in the house of Atreus we see not only the perversion of ritual but also a failure of other aspects of social order. The subsequent killings understood as the execution of hypothetical "old law of vengeance" are, in fact, a collapse of the actual collective punishment. Agamemnon was slain because the people, represented here by the Chorus, failed to put him to exile, as a defiled killer of his own daughter; ὄν τοῦτον ἐκ γῆς τῆσδε χερῶν σ' ἀνδρηλατεῖν μισμοῦτων ἄποινα (1419 f) asks Clytaemnestra, at the very moment when she herself is threatened by them with the same (1410 ff). Furthermore, when speaking with the elders, she uses the strictly legal vocabulary (δικάζειν, δικα-

A.M. Bowie ("Religion and Politics in Aeschylus' *Oresteia*". *CQ* 1993, Vol. 43, No. 1, p. 20) takes this interpretation one step further, considering the sacrifice of Iphigenia as a corrupt (female) rite of passage, with regard to the Attic ritual of Brauronia.

⁷¹ *Ibid.*, pp. 470–480.

⁷² *Ibid.*, pp. 484 f.

⁷³ Cf. Plato on matricide, as defilement, which cannot be cleansed: τοῦ γὰρ κοινῷ μιανθέντος αἵματος οὐκ εἶναι κάθαρσιν ἄλλην, οὐδὲ ἐκπλυντον ἐθέλειν γίγνεσθαι τὸ μιανθὲν πρὶν φόνον φόνῳ ὁμοίῳ ὁμοιον ἢ δράσασα ψυχὴ τελεῖται καὶ πάσης τῆς συγγενείας τὸν θυμὸν ἀφιλασσαμένη κοιμίσση (*Leg.* 872e–873a); on Orestes' Delphic purification cf. B. Vickers (*Towards Greek Tragedy...*, p. 409): "[his] claim to have shaken off his stain is exposed as wishful thinking"; K. Sidwell ("Purification and Pollution...", p. 45) somewhat inconvincingly argues that the Delphic purification did its job, and is "dramatically represented by the difficulty they [the Erinyes] have in catching up with him [Orestes]"; an equally unconvincing explanation has been offered by A.L. Brown ("The Erinyes in the *Oresteia*"..., p. 25): "now that they have acquired a visible existence (...) they must obey the logic of this new dramatic representation. They cannot suddenly vanish when Orestes is purified or acquitted".

⁷⁴ A.M. Bowie: "Religion and Politics...", pp. 27–31; P.E. Easterling: "Tragedy and ritual". In: *Theatre and Society*. Ed. R. Scodel. Ann Arbor, pp. 17 f.

στής). Despite the threats, however, in this case the collective punishment also fails: Clytaemnestra is not exiled, and thus the violence continues.

Finally, Orestes, the last link in the chain of mutual killing. Unlike his predecessors, he does go into exile (of his own free will) and yet – the Erinyes, the violence, still pursue him (v.s.). Eventually, Orestes is acquitted by the court of Areopagus, but nevertheless, the threat of violence persists. The Erinyes pose a threat to the court, as well as to the whole community. The verdict itself does not seem to break the vicious circle of defilement and violence, it only transposes it from the acquitted to the judges⁷⁵. It is the divine intervention of Athena, who calls upon the gentle Persuasion⁷⁶(Πειθώ), not refraining, however, from threats (826 ff), that eventually tames the vengeful spirits⁷⁶. Finally, the deterioration of the very basis of social order, namely the gender politics. The Athenian city-state was a strictly “men’s club”⁷⁷, where only men enjoyed full citizenship. The female killing male was thus considered the most frightening and hideous of crimes, as is explicitly stated in the *Libation Bearers*, where the Chorus recounts the myth of the Lemnian women; women taking up men’s duties were always a sign of social disorder, sometimes enacted in dissolution rituals. This transgressive disorder combined with crime is embodied in the female Clytaemnestra⁷⁸.

In short, the most prominent socio-religious and moral phenomena of the *Oresteia*: *hubris*, superfluity (κόρος), vengeance, mutual killing, kin-killing, perversion of ritual and gender aberrations all being – either explicit (as *hubris*, κόρος and mutual killing) or tacit symptoms of social disorder – seem to merge into one notion, that is *stasis*. Thus, the benedictions in the *Eumenides*, with direct allusions to the problem of civil strife, need not be taken as unfit intrusions due to Aeschylus’ political partisanship, but as a relevant and meaningful closing of the whole trilogy. It is not the replacement of the old order (maintained by blood feud and mutual killing) by the new (that of legal action), but disorder (*stasis*) brought to an end, that underlies the plot of the *Oresteia*.

5. *Oresteia*, *stasis* and the Athenian political discourse

It is a truism nowadays to state that every text is in discourse with its context. The themes of classical drama were taken from the mythical past, which predates

⁷⁵ It is noteworthy that the judges themselves were considered as defiled (with the Erinyes as supernatural agents of defilement) in cases of wrongfully acquitting a murderer (cf. *Ant.* 3.3.11 f).

⁷⁶ There is a parallel between *Oresteia* and the *Odyssey* here: both in Homer and in Aeschylus it is eventually the goddess Athena who ends the *stasis* and achieves that by means of persuasion (for *Odyssey* v. s.).

⁷⁷ P. Vidal-Naquet (*Czarny lowca*. Warszawa 2003, orig. 1986, p. 274); the perfect citizen (male, adult, free and of legitimate descent) is defined by Aristotle (*Pol.* 1274b–1278b).

⁷⁸ S. Goldhill (“Civic Ideology...”, p. 42); E. Hall (“The Sociology...”, p. 107): “the most transgressive woman in extant tragedy”; B. Vickers (*Towards Greek Tragedy...*, p. 419): “Clytaemnestra has been consistently shown as a force opposed to nature”.

not only the 5th century, but also the very formation of the Athenian city-state as well; nonetheless, they were reshaped so that to fit the new society in which the tragedy was created. Hence, one can speak of the discourse between the text (drama) and its context (fifth-century Athens). In the case of Greek tragedy, however, this discourse is (at least) twofold. It is not only the context shaping the text (and hence providing means to understand, “decode” it) but also the text (the tragedy) shaping the contemporary (political) context. This does not necessarily mean returning to crude historicism, and searching the plays for references to actual events (e.g. *Trojan Women* with the sacking of Melos), contemporary politicians (e.g. Agamemnon with Cimon or Oedipus with Pericles!) or spotting direct political partisanship (the famous case of Aeschylus’ attitude towards Areopagus, and hence towards either the democratic or aristocratic factions in Athens)⁷⁹.

Greek tragedy did, however, play a significant political and social role in classical Athens; we must refrain from applying the Kantian aesthetics of *Interesselösigkeit* to its phenomenon. Tragedy was not poetry for the sake of art and “tragic pleasure” only; at least not the classical (fifth-century) tragedy⁸⁰. They were performed as a part of public and political (in the broad sense) festivities⁸¹, they were chosen and nominated for performance by city magistrates (archon eponymus) not critics, nor profit-seeking businessmen⁸², they were perceived by a body of ordinary citizens attending public festivities, not a cultural elite of theatre-goers⁸³, last but not least, they were expected by the contemporaries to actually teach the citizens,

⁷⁹ S. Goldhill (“Civic Ideology...”, pp. 35, 47); C.W. Macleod (“Politics and the *Oresteia*”..., pp. 127 ff); E. Hall (“Sociology...”, p. 94).

⁸⁰ This is the traditional reading of Greek tragedy, reaching back to Aristotle and his famous *katharsis*; although the *Poetics*, due to its antiquity, give many valuable insights into the ancient drama, we must not forget, that this treatise is confined to aesthetics only, with neglect of other important aspects as politics and religion; on the other hand, the political significance of tragedy is pinpointed in even earlier sources than Aristotle, that is Aristophanes and Plato (v.i.).

⁸¹ The various political (in the broad sense) aspects of Greek tragedy are presented by J. Winkler & F. Zeitlin (*Nothing to Do...*); a polemic with this view, in favour of the traditional, “literary” reading of tragedy (criticized by R. Seaford, “The Social Function...”, and S. Goldhill, “Civic Ideology...”, pp. 36–40, who elsewhere (p. 47) refers to the Great Dionysia as “performance of citizenship”), is presented in J. Griffin (“The Social Function...”).

⁸² E. Csapo & W. Slater (*The Context of Ancient Drama*. Ann Arbor 2001, orig. 1998, pp. 104, 108 ff); even if we take into account J. Griffin’s critical remark that “the archons simply tried to select the poets whom they thought their fellow citizens wanted to hear” (“The Social Function...”, p. 54), Aristophanes gives considerable evidence that it was indeed tragedies which “made them better” (*Ran.* 1009 ff) that they wanted to hear (*Nub.* 1364–1372); not to mention Euripides’ relatively low esteem among his contemporaries.

⁸³ Athenian audience as a polis: S. Goldhill (“The Audience of Athenian Tragedy”. In: *The Cambridge Companion to Greek Tragedy*..., pp. 57–66); cf. also J. Vernant & P. Vidal-Naquet (*Mythe et tragédie en Grèce ancienne*. Paris 1977, pp. 24 ff).

as (according to Aristophanes) Aeschylus did, not to merely entertain them, as did Euripides⁸⁴.

This general, and commonly accepted view, finds an accurate exemplification with the problem of *stasis* in tragedy. In the times of Aeschylus, Sophocles and Euripides civil strife was not a problem of more or less distant past, but of contemporary, everyday life. Both poetry and philosophy provide evidence that the fear of *stasis* was a prominent aspect of the Greek thought in the archaic and classical period, that is in the time of the city-states. History proved that this fear was not out of place⁸⁵.

Attic tragedy, whose political and social significance has been already recognized and acknowledged, reflects this anxiety in a more or less explicit way. The *stasis* here is often employed merely as a cliché illustrating other calamities. In many cases, however, it forms the very basis of the plot, although without being mentioned explicitly. The intra-familial strife and destruction is among the most conspicuous patterns found in Greek tragedy⁸⁶. This already is a metaphor of *stasis*, since the household is not presented by itself but within the frame of the *polis*, most conspicuous in the fact that the individual heroes are opposed to the collective body of the Chorus⁸⁷; the strife destroying the household is thus presented in a wider, political scale, as a universal problem of the society. The problem of *stasis* within a particular (royal) household is sometimes explicitly generalized as afflicting the whole community as in Aeschylus' *Sept.*, Sophocles' *OT* or Euripides' *Phoen.* and *Bac.* Not once we meet the familiar pattern of scapegoating as solution to the problem of *stasis*, as in Sophocles' *OT* and Euripides' *Hipp., Or.* and *Ba.*

With this in mind it is time to briefly recount what has been said on the problem of *stasis* in Aeschylus' *Oresteia*. It is obvious that the trilogy is based on an old gruesome myth whose origins are to be traced deep in the Dark Age, if not in Mycenaean Greece. As such, it might well be considered as reflecting some primeval violence predating much the legislation and founding of judicial process which

⁸⁴ Cf. O. Longo ("The Theatre of the Polis". In: *Nothing to Do with Dionysus?* Eds. J. Winkler & F. Zeitlin. Princeton 1990, pp. 14, 18 f): "consolidating the social identity, maintaining the cohesion of the community"; criticized by J. Griffin ("The Social Function...", p. 40) as exaggerated in favour of collectiveness of the drama and deconstruction of the author's (and the text's as well) individuality; teaching the city: S. Goldhill ("The Audience...", pp. 66 f); on Aristophanes' criticism of tragedy cf. T. Paulsen ("Tragödienkritik in den Frösche des Aristophanes". In: *Studies in Ancient Literary Criticism*. Ed. J. Styka. Kraków 2000, pp. 78 f).

⁸⁵ Griffin's rhetoric question "why do we not find anything about the really live issue in Athenian internal conflict between democracy and oligarchy?" can thus be answered positively: we do find that the conflict, namely the *stasis*, is of great importance to Greek tragedy, as it is to be found in majority of the preserved dramas.

⁸⁶ Apart from the *Oresteia* and the two *Electra* plays: Aesch. *Septem., Suppl.*; Soph. *Ant., Trach., O.T., O.C.*; Eur. *Med., Hipp., Andr., Herc., Phoen., Or., Bacch.*

⁸⁷ (...) "representatives of the collective citizen body" as O. Longo ("Theatre...", p. 18) puts it; cf. also J. Vernant & P. Vidal-Naquet (*Mythe et tragédie...*, pp. 13 f).

took place along with the development of the new social structure, that is the city-state, the *polis*. It has been argued, however, on the basis of Homer that violence was not a dominant – much less the only – way of solving conflicts in these archaic communities, and should be considered rather as a failure of the existing social order (of whatever kind), not as its execution on a regular basis. So much for the myth itself.

Oresteia, on the other hand, is not to be taken simply as its dramatization enriched with a few ornaments of Aeschylus' poetic genius. Neither is it a story of a particular isolated mythical family: the old myth of the house of Atreus is located within the new frame of the *polis*⁸⁸. The trilogy is written by a member of the community, produced (as a dramatic performance) by this community (since it depended upon the magistrates, whether the play was granted a *choregos*, who was then “asked to” pay (λειτουργία) for the training, upkeep and dresses of the chorus and the actors), perceived by the community (as a part of a public, state festival) and judged by it (since the jury was also elected from among the citizens – as most of the magistrates – by lot).

As such, it was expected not only to be perceivable by the contemporaries, but also to deal – in a positive way – with the current political problems. I hope to have proved that the evolution of justice, the genesis of law and the anthropology of vengeance were of no interest to the fifth-century Athenian community, whereas the problem of *stasis*, constituted a persisting menace to its very existence⁸⁹. The violence is no more a meaningless chain of atrocities with immoral (or rather: amoral) deities as accomplices but a precise social problem; thus, the unthinkable becomes intelligible – intelligible through the “language”, the code of the *polis*.

⁸⁸ The Argive elders forming the chorus of *Agamemnon* fit in nicely as “representatives of the collective citizen body” (cf. n. 87), whereas the female slaves, the Libation Bearers (neither females nor, of course, slaves were considered citizens), might cast some doubts; even they, however, speak in a highly political manner of the Argive city-state, as if entitled with fully-fledged citizenship (e.g. 1044–1047); on the relations between household and *polis* in Aeschylus' *Oresteia* see J. M a i t l a n d (“Dynasty and Family in the Athenian City State”. *CQ* 1992, Vol. 42, No. 1, p. 30): “(...) the growing demand that the individual interests of the *oikos* be subject to the collectivity”, the author then concludes that the traditional material was adapted to the demands of the new city-state so that to produce a tension between the family and dynastic values, resulting in a collapse of a great (most often ruling) house; R. S e a f o r d (*Reciprocity and Ritual...*) goes one step forward suggesting that the destruction of a powerful (aristocratic, individual) household in tragedy contributes to the overall well-being of the (democratic, collective) *polis*; on the domestic, intrafamilial quarrels leading to *stasis* see Arist. *Pol.* 1303b (cf. E. H a l l: “The Sociology...”, p. 102).

⁸⁹ Cf. P. C a r t l e d g e (“‘Deep plays’...”, p. 25): “Athenian democratic politics were always a high-tension, high-risk business and the threat of *stasis* was rarely all that far beneath the surface of everyday events”.

Jan Kucharski

Problem *stasis* w *Oresteji*

Streszczenie

Powszechnie interpretuje się *Oresteję* Ajschylosa jako historiozoficzną alegorię rozwoju sprawiedliwości ludzkiej i boskiej. Każda część trylogii miałyby obrazować którąś fazę owego rozwoju: *Agamemnon* – panowanie pierwotnego, plemiennego prawa krwawej zemsty, stosowanego przez Erynie; *Ofiarnice* – arystokratyczne pryncypia oczyszczenia, których patronem byłby Apollon; wreszcie *Eumenidy* – powstanie demokratycznej i praworządnej *polis* pod opieką Ateny. Ten ostatni akt, traktowany zgodnie jako tryumf cywilizacji, miałyby usuwać w cień wszelkie sprzeczności i okrucieństwa towarzyszące poprzednim etapom.

Niniejszy tekst jest próbą przedstawienia odmiennej interpretacji trylogii Ajschylosa, próbą dotarcia do jej recepcji w klasycznych Atenach. Trudno wyobrazić sobie, że zgromadzeni w Teatrze Dionizosa Grecy interpretowali *Orestesję* w duchu nowożytnych, historiozoficznych koncepcji, wspierających się zresztą na wątych podstawach teoretycznych. Chaotyczna przemoc, morderstwa w obrębie rodziny, odwrócenie panujących stosunków społecznych, skażenie religii zbrodniami i inne transgresje przedstawione w *Agamemnonie* i w *Ofiarnicach* – wszystko to w mentalności starożytnych Greków kojarzono ze stanem politycznego kryzysu, znanym jako *stasis*. Do tej właśnie *stasis* kilkakrotnie nawiązuje też tekst trylogii. Tryumf Areopagu i Aten w *Eumenidach* byłby tym samym rozumiany nie tyle jako alegoria ostatecznego etapu ewolucji cywilizacji i ludzkości, ile jako odbudowa zburzonego ładu, przywrócenie właściwych mentalności greckiej stosunków społecznych i religijnych.

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Stasis Problem in dem Werk *Orestea*

Zusammenfassung

Das Werk *Orestea* von Aischylos wird gewöhnlich als eine geschichtsphilosophische Allegorie der Entwicklung von menschlicher und göttlicher Gerechtigkeit interpretiert. Jeder Teil der Trilogie sollte zwar eine bestimmte Phase der Entwicklung veranschaulichen: *Agamemnon* – das ursprünglich geltende, von Erinnyen vertretene Stammesrecht zur blutigen Rache; *Opferpriesterinnen* – aristokratische Entsöhnungsprinzipien, deren Patron Apollon sein sollte; und *Eumeniden* – die unter dem Patronat von Athene entstandene, demokratische, rechtsstaatliche *Polis*. Der letztgenannte, übereinstimmend als ein Zivilisationstriumph betrachtete Akt sollte alle, den vorigen Stadien beige-wohnten Widersprüche und Grausamkeiten beheben.

In vorliegender Arbeit bemühte sich der Verfasser, die Trilogie von Aischylos anders zu interpretieren, indem er nach deren Rezeption in klassischem Athen greift. Es ist kaum vorstellbar, dass die im Dionysos-Theater angesammelten Griechen das Werk *Orestea* den neuzeitlichen, geschichtsphilosophischen, auf schwachen theoretischen Grundlagen fußenden Anschauungen gemäß verstanden haben. Chaotische Gewalt, die innerhalb einer Familie begangene Morde, gestörte gesellschaftliche Beziehungen, die mit Verbrechen verseuchte Religion und andere in *Agamemnon* und in *Opfer-*

priesterinnen dargestellte Transgressionen – all das war in der Mentalität der alten Griechen mit der als *stasis* genannten politischen Krise assoziiert. Auf diese *stasis* bezieht sich auch mehrmals der Text von der Trilogie. Der Triumph von Areopag und Athen sollte also in *Eumeniden* nicht als eine Allegorie der letztendlichen Stufe der Zivilisationsentwicklung und der menschlichen Entwicklung, sondern als eine Wiederherstellung der gestörten Ordnung und der, für die griechische Mentalität typischen gesellschaftlichen und religiösen Verhältnisse verstanden werden.