

Gendered Justice: Tragedy and the Revision of the Feminine

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ABSTRACT

Athens had grown too rich, too powerful, and too politically astute to allow a primitive, apolitical form of justice to prevail. Revenge and retribution had to be transformed into a form of conflict resolution that was suitable to a sophisticated polis. How Aeschylus has Athena proceed with this transformation reinforces the feminine principle of reconciling reason. The enemy of reconciliation is not merely a desire for justice-as-revenge-and-retribution. The enemy of reconciliation is an absence of political space-time. We have already seen how the trial creates space-time between an infraction and its punishment. In the transformation of the Furies, Aeschylus illustrates this process more fundamentally. At the level of speech, Aeschylus realizes that words can be just as implacable as revenge and retribution. Words by themselves do not create political or juridical space-time. They have to be open or have to be opened to reason.

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This close identification of the polis with its citizens presupposed a high degree of solidarity, and this could take root only in a general civic interest that transcended all particularist interests. The general interest became so powerful that, on this new plane of citizenship, the citizens determined the conduct of politics just as much as politics determined the conduct of the citizens. Christian Meier (Meier, 1990, p.21)

Introduction: The Political and the Feminine

Many scholars have described the Greek discovery of the political. My understanding of this process is that the Greeks found an alternative to their traditional society, which gave them a competitive advantage over their rivals in the Greek world and enabled them to defeat the greatest empire of their day: Persia. As this series of victories under Athenian leadership created the conditions for the Greek miracle, which constitutes one of the highest, if not the highest, levels of civilized life in the history of man, these victories have been celebrated and venerated by every generation which measures its achievements by the Greeks. It is a story that needs to be told by each generation if the Greek achievement is to continue to resonate in the modern world. No one who believes in human freedom, no one who believes that the measure of man is man, who believes in reason, who believes in the individual, who believes in justice, can ever compensate the Greeks for their gifts to us, except by living a Greek life. Many great philosophers have made this the centerpiece of their teaching, especially Nietzsche. I am not about to undermine this great and glorious tradition. I am, however, about to suggest that so represented it leaves out something critically important and thereby fails to account for the sophistication of the Greeks and reflects a weakness of our civilization. The Greeks understood, often reluctantly and incompletely, that the discovery of the political entailed a revision of traditional gender roles. They understood that, absent this revision, their notion of the political would not be able to accommodate their sense of justice. These claims can be substantiated by an analysis of Aeschylus's *Orestia* and Euripides's *Medea*. It may be significant that this claim is better supported by tragedy than by philosophy. That, however, is the subject of another essay. The tragic form enables a great playwright to deal with complex matters without shearing them of their non-logical content, emotional or dramatic. Nor is the tragedian limited by the requirements of systematic exegesis. Moreover, he can shock (with violent speech or action) his audience out of their complacency or their conventions in a way not given to philosophers (Nietzsche is the most famous exception) and then enlist their reason. When discussing the still passionate relations

between gender, the political, and justice, the tragic approach can offer insights to people whose conventions inure them to the problematic of their views or who could not endure a sustained philosophical analysis.

This essay suggests that Aeschylus provided resolutions for two major issues of early Fifth century Athens. The first, which involves the discovery of the political, has been brilliantly interpreted by Christian Meier. The second, all but ignored by political scientists, is much more controversial, for the good reason that Aeschylus' suggestion was not taken up by Athenians. I am speaking of bringing respectable Athenian women, or at least the feminine principle, into the public life of the city. Feminist scholars have treated matters of gender in some detail, most often to demonstrate the misogyny of Athens (See, for example, Keuls, 1985; Pomeroy, *Goddesses*, 1975). None to my knowledge has dealt with those Athenians who were as unhappy in their way with relations between the sexes as contemporary feminists are in theirs, if perhaps for different reasons. By the same token, scholars like Meier do not seem to appreciate the significance of gender to Athenian political life. This essay attempts to deal with both of these matters indicating the interrelated properties of these issues, suggesting that the resolution of the one without the resolution of the other is unlikely to succeed. To argue so important and complex a proposition, really a series of propositions, cannot be properly done in a brief essay. I can indicate, however, that a deeply misogynist society like Athens was not and could not have been completely oblivious to the value of the feminine principle. By this term I do not mean either what moderns call the 'feminine' or the 'feminist.' I mean rather an alternative vision and approach to existence to what seemed conventionally and appropriately male regarding both male and female roles. Aeschylus offered powerful alternatives to the Athenian male's view of how he should act and *his* view of how Athenian women should act. He also offered powerful warnings of the catastrophe which would result if Athens ignored the wisdom of infusing their lives with the feminine principle. What I mean by this concept will I hope become clearer by the end of my analysis.

My approach reads the *Eumenides* in the light of the *Agamemnon*. The Athenian discovery of "the political" (I much prefer the term to "politics" which too much suggests the "who gets what" sort of question and too little of the overarching sense of the political which Meier systematically employs, Meier, 1990, p.4) requires the extension of the Hector-ideal to nearly all free male Athenians (See Arthur, 1984, p.12).¹ The Athenian integration of women into political life,

¹ "In the 'new' code which Hector articulates, and which reflects the organization of society around small, nuclear families, the position of the wife is upgraded and the concubine fades or disappears. Socially relevant transactions were still the

which might be considered as a generalization of the Aspasia-ideal, was never attempted. It is not likely that Aeschylus was aware of Aspasia and we cannot know whether he would have approved of Pericles' brilliant consort-wife. Yet when one considers his Athena in the *Eumenides*, it is difficult to deny his anticipation of this incarnation of the feminine principle, profoundly shorn of its erotic elements.

There is no more Olympian divinity than Athena and in my view no more powerful representative of the feminine. Otto accounts for her femininity as a kind of down to earth presence which inspires man to "mastery of the moment (Otto, 1954, 55)."² Athena, in this understanding, is the Goddess of Preventing-Men-from-Going-Off-on-Logical-Tangents. Athena, however, is much more than a companion to men in need of her inspiration, especially, on the eve of battle. Athena is more than the goddess of practical reason; she is Wisdom, or an ever-present reminder of its necessity. What wisdom requires is the reconciliation of values which is beyond the ability of masculine logic, as epitomized by Apollo, to effect. The *Eumenides* is a play about how this process takes place in the public realm. The discovery of a juris/political process enables the state to serve the needs of the Old Gods and the New without destroying Athenians in the process, by infusing the words of the law with the wisdom of Athena.

province of the males of the community, but these men were increasingly defined as heads of families, not as members of a class apart from the rest of society. The new heroic code therefore embodies a new type of humanism, in which man is defined as a total being, and not on the basis of one special function, and in which his rights as a member of society proceed from an acknowledgement of that which he has in common with the rest of society, rather than from his particular and special abilities." Arthur (1984), p.12

2. Otto does not define feminine feeling, beyond assuming that it is tied to motherhood. He sees Athena as masculine, "and yet her sex is feminine; what does this signify?" His answer is typical of his generation of scholarship: "In Apollo we recognize the wholly masculine man. The aristocratic aloofness, the superiority of cognition, the sense of proportion, these and other related traits in a man, even music in the broadest sense of the word, are, in the last analysis, alien to a woman. Apollo is all these things. But in the perfection of the living present untrammelled and victorious action, not in the service of some remote and infinite idea but for mastery over the moment—that is the triumph which has always delighted woman in a man, to which she inspires him, and whose high satisfaction he can learn from her. The divine precision of a well-planned deed, the readiness to be forceful and merciless, the unflagging will to victory—this, paradoxical as it may sound, is woman's gift to man, who by nature is indifferent to the momentary and strives for the infinite. So we understand the femininity of a divine being who nevertheless stands wholly on the side of man (Otto, 1954, p.55)."

Why is Athena the projection, or the inspiriting agent, of this process? Why a female god? Why this female god? What need did this profoundly misogynist, obsessively male society believe only she could fulfill? Otto's answer that she is a kind of keeper of the male nose to the grindstone of his real interests can only be partial, as is Kitto's that she provides a third force between those of authority and justice (Kitto, 1954).³ Perhaps a clue lies in the kind of female Athena is, as Otto suggests but misconstrues. Athena's companionability resides in her willingness to always take the male's part, which is in turn based on her motherlessness and virginity, that is, her independence of the sources of femininity. My view differs. Athena's motherlessness and virginity, I believe, pull in the opposite direction, that is, not away from femininity but toward it, conceived as a feminine principle which could not be discounted by misogynist Athens. Athenians tended to resent their dependence upon wives for legitimate male heirs. The political realm was defined by its independence of the realm of necessity with which women were inevitably and often completely associated. What a motherless and sexually abstinent goddess thus is able to present to Athenians in an especially undeniable way is what the feminine can bring to the idea of the political which the masculine cannot. In other words, shorn of its biological properties, the female principle of reconciling reason remains indispensable. Represented by Athena *par excellence* is the concept of reconciliation, reconciliation of Old Gods and New, of pre-political and political institutions, of individual and citizens, of male and female. In the *Eumenides* Athena reconciles all these dichotomies, just as she embodies wisdom, a reconciliation of logic and feeling. In a misogynist society what better way to teach men that the female contains indispensable value than by employing the Goddess of Hoplite Warfare to show them that the most masculine expression of their being requires the inspiration of a female?⁴ From this

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3. "But neither have the Olympians [via the concept of purity] found the way out. Order and authority are vindicated—but at what a cost! It is the function of the Erinyes, in contest with Apollo, to point out the cost. Each party is defending something essential; each overlooks something essential." It seems to me the very stridency of Apollo, if I may say, the very purity—its divinity in the final analysis—of his message and style, works against the need to accommodate the "essential". Unlike the Erinyes, Apollo does not even want to listen to any other viewpoint, much less allow a trial to determine Orestes' guilt or innocence. A way is needed in Kitto's words to reconcile the following: "To disregard the mother's claims is to flout one of the deepest human instincts; conversely, to exalt the mother's relationship over the father's, and in any way to palliate what Clytemnestra has done, is to destroy the basis of civilized society (Kitto, 1954, pp.58-9)." This way is encouraged, if not fashioned, by Athena.
4. I have noted a gender gap swirling around this idea. Whenever I have brought it up, whether in conversation or at professional conferences, males have uniformly

inspiration of the individual male to the infusion of the feminine principle into the polis should have been a shorter step than it proved to be.

If achieving manhood requires a powerful female presence, if not for a hero like Herakles or a titan like Prometheus, for an ordinary Athenian citizen-soldier, then it takes no great leap of logic or fact to come to the conclusion that the incorporation of female Athenians into the public life of Athens would make democracy more secure. Democracy depends on its free men. The Athenian *polis* was its citizens. Whatever better enables male citizens to carry out their dangerous and essential tasks without jeopardizing the legitimacy of the polis made democracy more secure. Athena performs this role as the goddess of Hoplite Warfare. In the *Eumenides* she performs the political equivalent of inspiring courage in the face of the enemy, by encouraging ordinary men to be Hector-like. By internalizing the feminine principle of reconciling reason, Athenian citizen-soldiers are able to resolve their conflicts without losing their integrity and without perpetuating catastrophe, becoming fully political. By resolving disputes juris/politically, they achieve an enormous competitive advantage over their rivals, procuring immense benefits to Athens. The failure to extend the lesson to the incorporation of women into public life was an unnecessary and foolish limit to their cardinal principle of freedom. By this failure of nerve, by their unwillingness to balance the logic of power with a sense of limits, they made it more likely that Athens would abuse its advantages and become an unjust empire. Athenians failed to ask the question, "Is it wise?" when they followed the logic of "We can, therefore, we must." The catastrophe of Agamemnon anticipated the Peloponnesian War. Aeschylus, a hero of Marathon, was lucky to have died before he could witness the realization of his nightmare.

This, however, is to anticipate. Let us remember *Agamemnon*.

*And further – do not by woman's methods make me
Effeminate nor in barbarian fashion
Gape ground-groveling acclamations at me
Nor strewing my path with cloths makes it invidious. Agamemnon, 918-2*

(MacNiece, 1957) ⁵

rejected it as silly on the ground that Athena is obviously not really a male, while females have immediately seen that separating motherhood and sexual activity in general does not remove the feminine from a person or a god.

⁵ All quotations from *Agamemnon* are from the translation by MacNiece (1957), *Ten Greek Plays*, edited by L.R. Lind, Houghton Mifflin, Boston, 1957

Remembering *Agamemnon*

Agamemnon represents not only a pre-political ruler, a *basileus* (chieftain) become *anax* (king), a form of leadership which must give way to a political regime suitable to Athens in the early Fifth century. He serves as a negative and catastrophic example of what would happen should kingship (or any other form of authoritarianism) resurface. *Agamemnon* is thus a cautionary tale for Athenians still savoring their triumph over the Persians, a process in which Aeschylus was personally involved as soldier and playwright. The full force of the warning, however, can be appreciated only if the full measure of the triumph, including its condition of the increased legitimacy of Athenian society, is comprehended. To value properly what might be lost entails a proper understanding of what was gained in the discovery of the political. To grasp the full terror of the retrogression to the pre-political dramatized in the *Agamemnon* the full glory of the epiphany which closes the *Eumenides* must be experienced.

It may seem perverse to suggest that the first play of a trilogy cannot be understood without knowing the last play. Of course *Agamemnon* can be understood without *Choephoroi* and *Eumenides* in its own terms, however much they are deepened by the rest of the trilogy. There is nothing perverse in anticipating (remembering) *Eumenides* while experiencing *Agamemnon*. First of all, Attic tragedy is not plot-driven like contemporary suspense thrillers. Aeschylus's audience "knew" what was going to happen at least in broad outline. Given the pedagogical purposes of Attic drama, it is not controversial to conceive that *Agamemnon* was written not only to set the stage for *Eumenides* but to show what could happen to Athenians should democracy grow weary of itself and long for kingship or tyranny, a distinction which was without much of a difference for the ardent democrat and citizen-soldier Aeschylus (Little, 1942)⁶ One thus revisits the now blacker horrors of *Agamemnon* under the full sun of the joy of *Eumenides*, just as one remembers the first play as one sees or reads the last. Moreover, one remembers *Agamemnon*, as one experiences it, because one already knows *Eumenides*. *Agamemnon* is darker against the anticipated and already experienced light of *Eumenides*.

6. "It is no accident that the sixth century B.C. saw the rise of the drama or that its birthplace was the city-states of the Greeks. Like the formation of the city-state itself, like the expanding commercialism which accompanied such a formation, like democracy and free speech which resulted from it, the rise of the theater was one symptom in a far-reaching social change-over. It was part of the passage from tribal culture to political life (Little, 1942, p5)."

Allow a personal example; During Diana Rigg's performance of *Medea* in N.Y., the audience demonstrated this point. When her children first appeared, before any suggestion that she would kill them, the audience gasped. It literally and loudly gasped. The audience knew the plot and that knowledge made the appearance of the children unbearable, thus heightening the horror. Euripides, like Hitchcock, knew that prevision of the violence makes the violence more dreadful. The same process works in *Agamemnon*. Knowing an alternative to revenge and retribution exists, makes the murders of *Agamemnon* less acceptable and more horrible. To the violence and gore is added gratuity. Revenge and retribution is no longer existential and necessary. It is folly and contingent. It is easy to imagine that Athenians were not only happy to have left the world of revenge and retribution, but they appreciated the possibilities of political life, which illuminates the pre-political realm not only as vicious self-defeating cycle of crime but as a regime which denies the benefits of democracy, benefits which were only beginning to be appreciated by the soon to be preeminent Athenian polis.

Secondly, my argument suggests that an inability or an unwillingness to exploit the feminine principle exemplified by Athena would make democracy more likely to fail to resolve conflicts inevitable in a free and contentious polity undergoing rapid and unprecedented change on all fronts. The perennial conflict of the sexes mirrors the conflicts of free citizens struggling to attain the prizes and preferment of an increasingly wealthy, powerful, creative, and intellectually vital polity. Just as Aristotle builds his *Politics* out of the necessitous co-operation of the family, despite the differences in principle—of gender and other biological attributes, sensibility, interests, ages, social expectations, roles etc.—Aeschylus builds his conflict-resolving "judicial-polity" out of the voluntary co-operation of Athena, the Furies and Athenian citizens, voluntary to be sure but under the sobering threat of imminent catastrophe, both in terms of a reinstatement of the power of the Furies and in a return to the pre-political realm of *Agamemnon*. Aeschylus does more than suggest that an accommodation of the Other—whether other citizens in the *agora* or assembly or battlefield or the other sex in the *oikos*—is essential to civilized life and the survival of the *polis*. He suggests a mechanism for accommodation, a mode of reconciliation, which depends in the final analysis on the infusion of the feminine principle in both arenas.

Let me summarize. *Agamemnon* is a cautionary tale because when Agamemnon returns from Troy he destroys all possibilities for the establishment of a legitimate, if non-democratic, regime. This destruction or denial of political possibilities is partly embodied in his character, partly in

his actions, including the sacrifice of his daughter, Iphigenia, and partly in the response he generates from Clytemnestra. All this is well-known. Less obvious is that some of the elements of political legitimacy at least in embryonic form exist in Argos. Agamemnon not only fails to see the possibilities of political legitimacy of the democratic apotheosis of the *Eumenides*, for which he cannot be held at fault, he sees what is required to rule properly in Argos (at least through the democratic eyes of Aeschylus) and fails to act accordingly. He has choices, just as he had at Aulis, and he acts in a way which earns the condemnation of Aeschylus and other democrats as fully as he earns the condemnation of Clytemnestra and other mothers, wives and daughters, to say nothing of the rest of us.

For the sake of the polis as a whole, the cycle of hubris and punishment must be broken. Christian Meier (Meier (1990, p.46)

Political Space-Time: Agamemnon

The first condition, after conceiving the circumstances as a problem, of escaping the cycle of revenge and retribution (justice in a pre-political order), is to create space-time between the event-response/event-response series. The tension entailed in this process of space-time creation is the centerpiece of the dramatic confrontation between Clytemnestra and Agamemnon regarding the tapestries. This, their only verbal exchange, follows her all-too-fulsome praise of Agamemnon and immediately precedes the murderous bath she has prepared for him. The exchange centers on whether Agamemnon should walk into the palace on the embroidered tapestries Clytemnestra has laid out for him. Much scholarly discussion has concerned the significance of the tapestries which need not concern us. With regard to the political, however, it is appropriate to highlight several interrelated points. Before we consider their tense exchange—and why their exchange must be tense—we need to examine Agamemnon's speech upon his arrival in Argos. Agamemnon greets the Elders traditionally:

*First to Argos and the country's gods
My fitting salutations, who have aided me
To return and in the justice which I exacted
From Priam's city. Hearing the unspoken case
The gods unanimously cast their vote
Into the bloody urn for the massacre of Troy. [810-5]*

Following more praise of the gods, matters more immediately practical and ominous are addressed. Agamemnon promises an assessment of what has transpired during his ten-year absence.

*That which is well already
 We shall take steps to ensure will remain well.
 But where there is need of medical remedies,
 By applying benevolent cautery or surgery
 We shall try to deflect the dangers of disease. [846-50]*

It is clear that punishment will be apportioned with dispatch. His physical absence implied no political discretion for those who were left in charge. Traditional rulers delegate authority only for rule-application. Everything is to be done as if the king were present. Agamemnon's only concession to human frailty is that they can expect the status quo ante to be restored surgically. Agamemnon's words are notable for what they do not say. He makes no reference to his wife or children. The separation of public and private, of masculine and feminine, is also to be restored, in the event any slippage has occurred. One can only wonder whether the rumors to which Clytemnestra will presently refer have reached Agamemnon. Only with the entrance of Clytemnestra does Agamemnon feel the need to speak of her and then only after she welcomes him. Her words also pledge a restoration of traditional values and roles, suggesting that however much they might have of necessity been strained, she is as eager for relief from unwanted duties as she is to have him in her bed. Nevertheless, her words stretch tradition in at least two respects, both warnings that restoration will be more difficult to achieve than even a more wary Agamemnon might suppose. First, she makes veiled sexual references, denying the propriety of shame and shyness, major female virtues:

*I shall feel no shame to describe to you my love
 Towards my husband. Shyness in all of us
 Wears thin in time. [855-7]*

Secondly, she urges Agamemnon to act inappropriately for a Greek king, acts appropriate for an Oriental despot, literally, a "barbarian Mede" [919]. At the moment of his triumph Agamemnon shies from the tapestries spread before him:

*It is the gods who should be honored in this way.
 But being mortal to tread embroidered beauty
 For me is no way without fear.
 I tell you honor me as a man, not god. [922-5]*

Thirdly, by her extravagance, she disregards the requirement to preserve the wealth of the household and by extension the city. Most importantly, Clytemnestra does not accept him at his word and overcomes his misgivings, misgivings which are a mixture of the most traditional (the gods

might be offended and exact punishment) [928-9] and the embryonic political (the people's voice is mighty). [938]

At the same time, Clytemnestra demonstrates the power of words. For she succeeds in creating space-time between Agamemnon's intention and his action, overcoming his specific objection: "It is not a woman's part to love disputing." [940] In his effort to restore traditional kingship, Agamemnon takes pains not to offend the gods. Regarding practical matters of rule, he attempts to restore his unquestioned will. Although there is some concession to the people's assembly [845-6], their wishes are advisory at most. What happens is supposed to be up to the king. Her words, however, prove otherwise. They have neither the substance, effect nor the tone of an advisor, much less a supplicant expressing a request for a benefice or a properly subservient wife grateful for her husband's dominating presence. She argues as an equal, more than an equal, for she controls the dialogue rhetorically and substantively. "Give way," she says. "Consent to let me have the mastery." [943] She sounds much more like what she is—a regent who is informing the returning king of what he needs to do to reclaim the authority so well executed by her in his absence—than what she pretends to be. Her masculine turn of phrase and persistence is palpable. Above all is her restraint, her superhuman control of her emotions in order to pursue her objectives. There is no mention of Iphigenia.

By convincing Agamemnon to tread on the tapestries, Clytemnestra both destroys and establishes the need for the political and does so with great irony by employing the cardinal mode of politics: argumentative speech. It is clear that she wishes only to undermine Agamemnon's claim to be a just king by enticing him to sacrilege and tyranny, not to destroy Argos. Agamemnon is already a dead man, if she is to continue to rule, however, she must destroy his *right* to kingship. She tries to do this by demonstrating how shallow is his regard for the gods and the people (her views are problematic). Agamemnon's vanity overrides the divine limitations on traditional kings, provoking popular resentment which is in turn ignored. Secondly, while asserting his wife's overreaching—regarding her excessive praise of him, her orientalism, her willingness to despoil the wealth of the household and city, and her love of disputation—he allows her to prevail, foolishly taking her proclamations of wifely subservience at face value. A king must first be wise enough to rule his household if he is to rule his city. Thus are aborted the chances for Argos to develop politically and why Orestes has to find his way to Athens to find justice.

They are all of them free women, free in thought and in spirit, treated with as much respect as any of the male characters, and with far greater minuteness and sympathy. Gilbert Murray (Murray, 1934, p.19)

Between Tradition and Monstrosity

Now the second part of my argument can be broached. The straining of traditional public roles is clearly mirrored and intensified by the straining of gender roles. Not only do both Agamemnon and Clytemnestra strain against the proprieties of their respective roles, while proclaiming their devotion to them. Each tries to confine the other – to locate the other in traditional space, essentially timeless and unchanging. To do so, each strains the limitations of their roles, which to compound matters are perceived differently and presented deceptively.

From the play's first speech to its last, gender is a *leitmotif*. The Watchman says:

*Which task has been assigned to me,
By a woman of sanguine heart but a man's mind? [10-1]*

At the end of the play, Clytemnestra says: "So stands my word, a woman's if any man thinks fit to hear" [1661]. And in the last two lines, she concludes, synthesizing:

*You and I,
Masters of this house, from now shall order all things well. [1672-3]*

In between, at many places in different ways, most often by the Chorus, gender references illustrate the difficulties involved in fulfilling the Watchman's description of Clytemnestra's character and its actualization as master of the House of Atreus. Sometimes the assumption of masculinity seems laudatory, yet disquiet remains: "Woman, you speak with sense like a prudent man." [351] "Woman," here is a more or less neutral form of address, but it nevertheless has negative overtones which are made explicit elsewhere. Note the Chorus Leader's accusation of Aegisthus: "You, woman, waiting in the house for those who return from battle." [1625] Aegisthus does not deign to deny the charge, but explains it by another negative reference to alleged female characteristics, deception: "For the trick of it was clearly woman's work." [1636] Clytemnestra throughout the play indicates sensitivity to the stereotyping of women by men, notably their foolishness or witlessness: "You challenge me as a woman without foresight." [1401] Or their lightness or flightiness: "Indeed a woman's heart is easily exalted." [592] Even Cassandra, who lacks neither foresight nor gravitas, who does not possess the capacity to deceive and who is a victim of Apollo's lust, resists stereotyping regarding the linking of patient acceptance and bravery: "A happy man is never paid that compliment." [1302]

The presence of gender conflict, or at a minimum of sensitivity and irritation to gender stereotyping, does not by itself indicate a mode of resolving differences. There are at least four approaches possible: (1) an acceptance of traditional roles; (2) a temporary suspension of traditional roles, up to and including a woman's assumption of a masculine role under proper circumstances; (3) permanent role reversal; (4) less dichotomous roles in either or both of two senses, (a) taking advantage of individual attributes irrespective of gender, or (b) recognition of a synthesis of masculine and feminine attributes either in an individual or as a consequence of political activity.

Aeschylus clearly rejects (1) and (3); accepts (2) as fraught with danger; and prefers (4) with the qualification that homogenization is not the price of synthesis. Nor does a resolution of gender conflict, however achieved, imply political resolution of disputes among citizens or between government officials and citizens. Put in the form of a question; is there a relationship between Aeschylus's preference for gender resolution (4) and the legitimacy of conflict resolution entailed in a just polity? My suggestion is that Aeschylus thinks there is. My approach is to show why Agamemnon's solution, largely traditional (1) cannot work, why Clytemnestra's, largely (3) permanent role reversal pretending to be (2) temporary, is worse. Finally, I will try to indicate the circumstances under which (4) might be effective.

The limitations of traditional gender roles pervade *Agamemnon*. The precipitant of the action of the play turns on Agamemnon's sacrifice of his daughter to his ambition and Clytemnestra's inability to see that circumstances compelled or at least constrained his actions once he was at Aulis. Cassandra's presence as Agamemnon's booty not only pours vinegar into Clytemnestra's wound, but indicates the callous self-centeredness of traditional male prerogatives and the unwillingness of women to accept it even from kings in the moment of triumph. Most importantly, traditional gender roles are inextricably bound to the cycle of revenge and retribution which the trilogy works to overcome. Traditional justice, avenging one crime by undertaking another, leaves little room for pity or reason either in the household or in the polis. The Other, whether sexual or citizen, remains profoundly outside of the highly circumscribed decisional space-time of the actor driven by traditional values.

By treading on the tapestries, he denies the legitimacy of any act judged by the polis. He reasserts the relationship of event-response/event response determined by Fate. Not only does he commit acts inappropriate for a Greek king and fail to rule his household, he does so in a manner which privatizes

the political. Agamemnon "reverses" the process the *Choephoroi* and the *Eumenides* develop. He draws the embryonic political concepts of Argos into his person. This is the core of orientalizing, the destruction of the people's voice, the spoilage of "public" goods, the enfolding of the polis into the household. Agamemnon, who rose from chieftain to king, reverts to chieftain, by walking on the tapestries. This personal retrogression is a metaphor for the retrogression Aeschylus fears a weary democracy might default to, from a *polis* defined by the activities of its citizens, to a tyranny defined by the acts of one man. Agamemnon knows what it is like to be a king, yet is tempted all too easily to become a tyrant. Athens knows what it is like to be a democracy, yet must not be tempted to tyranny. The catastrophe Agamemnon undergoes could not be a more powerful incentive for Athenians to keep their democratic instincts healthy and vigorous. This entire process, beginning with Helen and Paris, the sacrifice of Iphigenia, the wanton desecration, not just destruction, of Troy, it must be remembered, is precipitated by traditional values and reinforced by traditional gender roles, roles which the force of circumstance and the power of Clytemnestra's personality, intellect and will would not accept.

Role reversal is no better. The values which define traditional society remain intact, indeed become intensified. Clytemnestra is seen as monstrous by Cassandra:

*Female murders male.
What monster could provide her with a title?
And amphisbaena or hag of the sea.... [1231-3]*

The Chorus confirms this view and anticipates Clytemnestra's assumption of the mantle of a Fury later in the trilogy:

*But you may have been abetted
By some ancestral Spirit of Revenge. [1508-9]*

We have already noted the Chorus Leader's disgust with Aegisthus' feminine duplicity. Here his unwillingness to act like a man is castigated:

*Why with your cowardly soul did you yourself
Not strike this man but left that work to a woman
Whose presence pollutes our country and its gods? [1643-5]*

At a minimum, *Agamemnon* indicates the inability of traditional gender roles to deal with the problems of the *polis*. Neither the archetypal male, the tyrant in the fullness of his triumphal return, nor the *traditional* queen-wife, who could not have held Argos together for the ten years of her husband's absence. Regardless of the disquiet it entailed or the catastrophe it portended, the role of king implied a political queen, someone who could

rule in his absence. The personification of the victorious male implied a woman who could not be content with deference, devotion, submission, to say nothing of a sequestered existence. Absent the sacrifice of Iphigenia, there would have been problems in Argos upon Agamemnon's return. Absent Cassandra, there would have been marital strains between a man like Agamemnon and a woman like Clytemnestra. These two factors worked as intensifiers of inevitable conflict, not as creators. Both underlined the idea of male, especially kingly prerogative. Victorious kings have their pick of female booty. Ambitious kings will sacrifice their daughters for a chance of victory. I realize Iphigenia's sacrifice can be seen in a more complex context, which would deal with the imminent mutiny of the army among other factors. Nevertheless, the event of child sacrifice remains stark and for many Athenians indefensible. Kin-murder was after all one of the worst, if not the worst, offence against the gods, as the entire *Oresteia* demonstrates. It called for revenge, regardless its rationale. The victory over Troy could not cleanse Agamemnon. In *Agamemnon* Aeschylus suggests that revenge and retribution not only would have been inevitable but unproblematic, absent the other difficulties Argos, and by extension Athens, was facing. By definition traditional societies work. They do not work forever, and also by definition, they cannot deal effectively with change. Argos changed in Agamemnon's absence. A woman ruled effectively. A woman defined her sexual role and taken a partner who suited her. There could be no going back. Her murder of Agamemnon was justified by traditional revenge and retribution. It was made inevitable by the inability of tradition to deal with the changes implied by the victory at Troy. This is not to say that the Clytemnestra's retribution for the murder of her daughter was not important or justifiable by traditional standards. It is to say that Clytemnestra's murder of her husband was more the effect of change than of the application of traditional values.

Thus the problem for Aeschylus becomes not only how to transcend the revenge and retribution values of traditional society but how to transcend the murderous implications of a society changing too rapidly to be dealt with by its traditional means of conflict resolution. Aeschylus thus faced in two directions: away from an already anachronistic traditional set of values and away from the chaos which would accompany the application of revenge and retribution in a rapidly developing Athens. The *Eumenides* was his solution.

The old law, with its implacable insistence on punishment, is severe and terrible.... The Erinyes do all in their power to ensure that the law is enforced.... Athene, on the other hand, maintains that it is a quaestio juris:

the question she asks is whether or not Orestes' deed was just, and to answer this question a court of law is needed to assess the facts of the case.
Christian Meier (Meier, 1990, p. 100)

The Eumenides and the Discovery of the Political

Although the *Eumenides* begins with a prayer to the Earth and Themis, two pre-Olympic deities, Apollo in his first lines does not try to conceal his contempt for the Old Gods, calling them "lewd creatures," "repulsive maidens," "gray and aged children, they with whom no mortal man, nor god, nor even beast, will have to do." [67-70]⁷ The Furies or *Erinyes* self-assessment differed:

*We hold we are straight and just. If a man
 Can spread his hands and show they are clean,
 No wrath of ours shall lurk for him.
 Unscathed he walks through his lifetime.
 But one like this man before us, with stained
 Hidden hands, and the guilt upon him,
 Shall find us beside him, as witnesses
 Of the truth, and we show clear in the end
 To avenge the blood of the murdered. [311-20]*

So secure are the Furies that they act in accordance with justice they "delegate" their authority to avenge matricide to Athena, who with mock incredulity asks: "You would turn over authority in this case to me?" [434] By the very establishment of the court Athena erodes the Furies' power—their capacity to act was now contingent upon a trial—yet they are not so foolish, as they quickly make clear. Should Orestes win they will become agents of chaos, punishing him and his polis:

*We are the Angry Ones. But we
 Shall watch no more over works
 Of men and so act. We shall
 Let loose indiscriminate death. [499-506]*

Thus the Furies believe they retain all effective power, despite acquiescing to Athena's wishes. The case is clear, their cause just, and their power complete should the verdict not reflect Orestes' obvious and incontestable guilt. No one, not even Orestes, denies the only relevant fact: he killed his mother.

The Furies do not understand that a new force is emerging, which, if it does not have the power to prevent their reign of "indiscriminate death," does have the power to transform their nature, or, more precisely, to convince

¹⁴ All quotations are from the Lattimore translation, found in Grene & Lattimore (1968)

them of the wisdom of so doing. The transformation of the Furies into the Eumenides marks the final takeover of the New Gods, because the Old Gods are now subject (albeit by virtue of their compliance) to the power which flows from the reconciliation of political man and Olympian deity. Their actions are now contingent upon a violation of the New Order, not merely upon a violation of the Old Laws (Meier, 1990).⁸

How is this transformation effected? According to Meier, the necessarily unsatisfactory nature of the pre-political justice necessitates the discovery of the political. Defined simply as the circumstances under which every public matter, including what gets so defined, is at the disposal of the citizenry (Meier, 1990).⁹ Only by subsuming within the polis (that is, the decisions of the citizenry) divinely determined, event/response justice can the cycle of revenge and retribution be broken.¹⁰ Judicial process replaces the simple ascertaining of the facts, the designation of their criminal nature and prompt punishment. Facts become legal facts, relevant evidence. Criminality becomes a much richer concept than A did x, x is prohibited, therefore A committed a crime, therefore punishment is warranted. Operationally, the trial and its procedures interject space and time between the act and the appropriate legal response. Into this space/time, flow reason, political

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8. Meier puts it this way: "The old law, with its implacable insistence on punishment, is severe and terrible. It affords no prospect of breaking the curse that hangs over the house of Atreus and obliges Orestes to avenge his father by killing his mother. The consequence is an endless chain of crime and punishment—or crime and revenge. The Erinyes do all in their power to ensure that the law is enforced.... Athena, on the other hand, maintains that it is a *quaestio juris*: the question she asks is whether or not Orestes' deed was just, and to answer this question a court of law is needed to assess the facts of the case (Meier, 1990, p.100)."
9. Consider his fuller definition. "The *political* denotes a field of association and dissociation, namely the field or ambience in which people constitute orders within which they live together among themselves and set themselves apart from others. It is at the same time the field in which decisions are made about order and delimitation, as well as other questions of common interest, and in which there is a contention for positions from which these decisions can be influenced (Meier 1990, p.4)."
10. "What Aeschylus depicts in the *Oresteia* represents a great advance in the history of civilization: the ineluctable sequence of self-perpetuating revenge yields to the law of the polis, self-help to citizenship, and the high-handed power of the house or the individual to the sovereignty of the city. Nothing less was involved than the establishment of the polis as an entity that transcends all particularist forces." It should be added that the polis, that is, the citizenry, which determines what is considered "particularist (Meier, 1990, p.91)."

considerations, emotions, and all the other elements human conflict short of violence.

The court, however, is not a mechanism for producing justice, not in the simpler pre-political sense of just retribution. In Athena's hands it is a political agency. This is the significance of the equally divided jury which frees Orestes, Athena providing the decisive vote:

Athena's decision is partial, for she expressly states that, having no mother herself, she is bound to side with the male – which means she is obliged to side with the new order, and hence with Orestes.... It is clear, then, that for Aeschylus Athena's deciding vote is simply part of the decision-making process. It cannot be taken to guarantee the rightness of the decision or the infallibility of judgment. Christian Meier (Meier, 1990, p.107)

The trial will be discussed below. Here it suffices to see Athena as resolving the dispute in favor of the new and against the old cycle of revenge and retribution. "At one point Athena reproaches the Erinyes, saying, 'You would rather be called just than act justly' (430). A new and genuine justice, associated with the polis and its institutions, is to replace the old." For Meier, this resolution of the matter, despite a hung jury and a biased decision by Athena, implied the discovery of the political. It was this reconsideration of otherwise implacable combatants which signified the discovery of the political.

The inability of a juridical proceeding to provide justice and thereby reconcile the injunctions of the Gods to human understanding (or the conflicts of human factions) implies the need for another mode of reconciliation. The *Eumenides* is Aeschylus' attempt to break the deadlock which would otherwise continue to fuel revenge and retribution. His approach is premised on the inability of humans to achieve justice even with the help of the Gods, although it is suggested that the juridical process has to be applied, if only to demonstrate the truth of this premise in a given case. As the preferred solution, justice had to be shown to be unavailable. Only then could an imperfect solution be legitimate.

It is only through this confrontation of two points of view, both equally one-sided, that a new law emerges that finally breaks the self-perpetuating vengeance... Given the extreme positions taken by both sides, each must be right and wrong. Obviously both were meant to behave at first like political factions (Meier, 1990, p. 103).

At this impasse another question forces itself upon the adversaries. "What would serve the polis, not which side was correct or in the right?" Statesmanship is Athena's goal, not justice in the narrower sense of a correct verdict *simpliciter*. Athena breaks the cycle of revenge by removing divine

conceptions of justice from the agenda and replacing it with transformed roles within the polis. She then moves to break the deadlock of faction. Human justice (that is, absolute preference for particularist rule) also has to be removed from the agenda. The echoes of Cleisthenes resound in Aeschylus' appeal to the political order over the heads of factions.

However sound the reasons that persuade the individual to vote in a particular way, the ultimate decision lies with the majority and this decision is binding, even though it may not necessarily rest on compelling arguments. As Aeschylus sees it, not even the daughter of Zeus can guarantee the correctness of a particular judgment: it may well be partial, and the best she can do is to try subsequently to enshrine this unquestionably partial judgment in a comprehensive true order (Meier, 1990, pp. 107-8).

Thus understood the political realm is a compromise, at best a partial truth in two senses: its incompleteness and its partisanship. Political truth lacks impartiality and therefore cannot aspire to Justice. Nor would a human ability to grasp The Truth do much good, not unless all factions not only agree with its substance but with its implications for their well-being. The Truth turns out to be plural. What singularity could man derive from contradictory injunctions of the Gods or contradictory demands of self-interested factions?

For Aeschylus, then, there seems at first to be not just one law, before which any contrary assertion about what is lawful is ipso facto wrong and unjust. He seems rather to adopt a neutral position, from which each of the disputants appears to be merely partisan, defending something that is vitally important to society, yet failing to recognize something else that is equally important. This makes alternative concepts of law seem fundamentally alike... (Meier, 1990, p.104).

When Gods war, humans supply the casualties. When factions are not reconciled, citizens suffer. Prudence dictates an avoidance of the conflict by providing a political reconciliation the gods would accept and human beings could live with. Prudence is the measure of the political. The fundamental question is no longer what Justice requires but what enables the polis to avoid the cycle of revenge and retribution, the scourge of the pre-political past?

In Meier's understanding of the *Eumenides*, two forms of justice, two absolute legal requirements collide. There is no possibility of logical reconciliation or a correct verdict. Athena provides a necessary *political* solution. A flawed decision thereby becomes palatable to all the parties, especially the Gods, Old and New. Perhaps the palatability of impure decisions allowed the Greek to be political in a way that monotheistic

traditions have found much more difficult.¹¹ The polis develops according to its own logic and men are free from divinely imposed and, what's more important, inevitable catastrophe. Not merely implied by actions which could not avoid offending this God or that, catastrophe would be of their own making. Humans are now responsible for their actions to the degree that their errors are truly theirs and not an inevitable consequence of a perverse universe which delighted in their futile efforts to avoid punishment. Errors would be punished. The Gods would be served. Athena's gift of the political provides the polis and its citizens with decisional space. Reason could now be put to use worthy of it, the settlement of conflict without resort to violence. The cycle of revenge and retribution is now at humanity's disposal. Men and women are no longer playthings of the Gods.

Nevertheless, the Gods remain in the Aeschylean world, if only in their transformed status. They are a necessary check to man's propensity to self-importance, to hubristic disregard of human limits. The more the citizenry succeed in their rapidly developing *polis*, the more the world becomes subject to their political manipulation, the more necessary are divine sanctions. More than piety mandates this Aeschylean limit. It is entailed in the inability of man in principle to achieve justice. The political is at best a pragmatic substitute for justice. Used wisely, it enables the *polis* greater scope for public actions, for the citizenry would spend less time and energy fending off a perverse cosmos. Used unwisely, the political would subject the *polis* to divine retribution, to justice, necessarily divine, necessarily inaccessible to the citizenry on their own. Aeschylus' vision of the political is thus profoundly religious. The Gods still properly intervene in human affairs, although they are now expected to behave more benignly. The citizens are now able to respond to their responsibilities more intelligently. The price for this zone of discretion is that the punishment of transgressions would seem just and not the whimsy of the Gods. The price of adulthood is uncomplaining acceptance of punishment when deserved. However much human beings might long to be a plaything again, there was no turning back.

Aeschylus does not expect Athenians to accept a substitute for this process automatically, not even after they recognize the senselessness of the revenge cycle. He moves the audience gradually to full acceptance of the political, first by relying on an apparently pre-political, thoroughly religious procedure: the purification of a crime by propitiation of the gods. Apollo's promise to absolve Orestes of the murder of his mother is an effort to create

¹¹ For a devastating critique of monotheistic intolerance, see Moore (2000).

space-time between one murderous event and murderous retribution. Under proper circumstances the gods may intercede, erasing the pollution without creating another crime. Notably, Apollo fails. In this failure of one of the most powerful gods of Olympus, the germ and necessity of the political is present.

Ritual is limited in its capacity to absolve crime, while the necessity to break the cycle of revenge remains. Although this seems a reassertion of the power of implacable forces, a political idea is embedded in the idea of propitiation. By suggesting that guilt can be transferred from the actor to another plane, that between crime and retribution some legitimate supplication may occur, space-time is created in which the political may germinate. By allowing acts of propitiation, the god suggests that, not only is the actor in some sense an agent of the god, but that the god assumes some responsibility for the act. By "implicating" the god, propitiation thus can be seen to dilute the crime, dulling if not removing the stain of pollution. In an embryonic sense, the crime is "politicized," that is, removed from the plane of an isolated individual to the plane of religious ritual. When the propitiation fails, the need for a more powerful notion of the political becomes plain. Pushing the idea of separating the crime from the individual, Aeschylus generalizes the absolution process from god-criminal to polis-fellow citizen.

Thus the *Eumenides* employs a much more sophisticated mode of creating political space-time than *Agamemnon*. By virtue of the trial the crime is politicized, that is, is subsumed by the citizens. Their verdict determines justice. This cannot occur without the compliance of the gods, the Furies as well as Athena. Nor is there a guarantee that a new pollution will not be created by the verdict. The responsibility for assessing Orestes' actions is the jury's and by extension the *polis*'s. Aeschylus suggests that less dichotomous gender roles are related to the discovery of the political. Appreciating the link between reconciling reason and the feminine principle, as incarnated in Athena in *Eumenides*, deepens and darkens the catastrophe of the *Agamemnon*. Not only is there no Athena present, but her absence allows Clytemnestra and Apollo to assume roles more furious and less reasonable than the Furies themselves. Athena, herself a synthesis of masculine and feminine, of warrior and companion, of wisdom and compassion, the goddess whose nearness engenders courage in the face of the enemy and understanding in the face of the Other, citizen or spouse, provides a profound understanding of the political. For she alone cannot accomplish justice. She needs the jury as much as they need her, if a politically acceptable verdict is to result. Human beings need gods and gods need them. Justice cannot be *either* human (masculine *and* feminine) *or* divine or all combined. It is an outcome of all of these principles as they find expression in a jury/political process.

Towards a Definition of the Feminine Principle

While I intend to fulfill my promise to supply a more elaborate definition of the Feminine Principle, my effort here is not a universal definition, but one which can be extruded from my analysis of the *Oresteia*. This restriction is not entirely methodological. It is also based on the judgment of Aeschylus and Euripides that such a principle would at least be intelligible to their audiences and as such might have some chance of being absorbed by Athens. Aeschylus was trying to formulate a sense of the feminine which would limit the excesses of a misogynist *polis* which based its survival and identity on a hoplite culture. The aging of the Men of Marathon enhanced the myth of the invincibility of citizen-soldiers and by extension the *polis* which conceived them, including its restrictions of respectable women to the *oikos*. With this context in mind, what conception of a feminine principle might be able to infuse itself into the male perception of Athenian reality?

First of all, the idea that a woman was *merely* the sum of her roles as wife, sex partner, mother, daughter, sister or household manager had to be discarded. No Athenian male (or woman, so far as the record shows) ever denied the importance of these roles or even their primacy. The female gods of Athens faithfully mirror these roles. Their danger to the *polis* and their over ambitious males is obvious. As we have seen Aeschylus did more than issue a warning of catastrophe should justice be violated. The trial has already been discussed. The substitution of a human conception or a political conception of justice for absolute notions, divine or human, has been analyzed. In modern terms this politicizing of justice is tantamount to political legitimacy, a process increasingly necessary as Athens became more democratic and more diverse. Athena's critical role in the trial has been analyzed, emphasizing her embodiment of reconciling wisdom as contrasted with Apollo's all-too-linear-intellect. Apollo, like the *Erinyes*, is too literal. Unlike the *Erinyes*, he skulks off the stage without an exit line, while the *Erinyes* await transformation. (It could not have been lost on the Athenian audience that the only irredeemable Fury is Apollo, a male.) This transformation, which takes up nearly a third of the *Eumenides*, is critical to understanding Aeschylus's feminine principle. Instead of ending the *Eumenides* with a celebration of the defeat of the logic of revenge and retribution, instead of having Athena rest on her great victory in the trial, Aeschylus has Athena convince the *Erinyes* that they have not been duped or humiliated. Political legitimacy requires that those who lose a political or judicial contest accept the process which resulted in their defeat. Unlike Apollo, the human defeated cannot skulk off to Olympus without severing their ties to their *polis*. Aeschylus does not make this point by noting human limitations, whether of mortality or courage or wisdom. He does not say that

to be human is to be compromised or humiliated. And he makes this point in the most powerful way possible. He transforms or has Athena transform the implacable Erinyes into the Eumenides, the Well-Disposed. Rather, he has Athena *convince* them that this is a preferable way of life. The Furies transform themselves. The implacable becomes politicized making human justice or political legitimacy possible. Everyone is included except Apollo.

How Aeschylus has Athena proceed with this transformation reinforces the feminine principle of reconciling reason. The enemy of reconciliation is not merely a desire for justice-as-revenge-and-retribution. The enemy of reconciliation is an absence of political space-time. We have already seen how the trial creates space-time between an infraction and its punishment. In the transformation of the Furies, Aeschylus illustrates this process more fundamentally. At the level of speech, Aeschylus realizes that words can be just as implacable as revenge and retribution. Words by themselves do not create political or juridical space-time. They have to be open or have to be opened to reason.

The *Erinyes* speak, but until their transformation, their words are impervious to reason. This is illustrated by their literal repetition of two speeches, as they converse with Athena.¹² The first, comprised of fifteen lines, begins:

*Gods of the younger generation, you have ridden down
The laws of elder time, torn them out of my hands. [778-9]*

Athena responds, 'you have not been beaten.' [795] The Furies respond by repeating word for word all fifteen lines. Then, Athena responds, including a threat.

*Do not
In too much anger make this place of mortal men
Uninhabitable. I have Zeus behind me. [824-6]*

Ignoring her words, the Furies respond, again claiming their rights have been taken. Athena, in a twenty-two line speech, ending with a plea for them to:

*Do good, receive good, and be honored as the good
Are honored. Share our country, the beloved of god. [868-9]*

Again, the Furies do not listen and merely repeat their last words. Athena responds:

*I will not weary of telling you all the good things
I offer, so that you can never say that you,*

¹² Those familiar with Shakespeare's *Merchant of Venice* will recall that Portia's conversation with Shylock employs this same technique, as Shylock repeats 'I'll have my bond.'

*An elder god, were driven unfriended from the land
 By me in my youth, and by my mortal citizens.
 But if you hold Persuasion has her sacred place
 Of worship, in the sweet beguilement of my voice,
 Then you might stay with us. But if you wish to stay
 Then it would not be justice to inflict you rage
 Upon this city, your resentment or bad luck
 To armies. Yours the baron's portion in this land
 If you will, in all justice, with full privilege. [881-91]*

With this speech Athena opens a crevice into which all the Furies's anger and hate spills. They agree to become part of the *polis*. Athena, by a deft combination of veiled threat, patience, persuasion, and an offer of a better way of life, has transformed the literal, absolute, implacable embodiments of revenge and retribution into guardians of the *polis*. The true epiphany can begin. It was comprised not of a simple judicial victory, but of the greater victory of human reason over the literal and the absolute, divine provenance or no. An essential element of human reason, the element most often missing in misogynist political organizations, is the feminine principle incarnated by Athena. The Goddess of Wisdom indeed.

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