

The justice of athena



In the Greek trilogy of revenge *The Oresteia*, Aeschylus actively utilizes literary symbols to suggest significant parallels between the representative system of justice reflected in the play and the prevalent democratic attitudes of 5th century Greek society. The goddess Athena is instrumental in drawing these parallels, as it is she who establishes the unbiased court system in which Orestes is tried. However, Aeschylus also shows the necessity of divine intervention in the resolution of the plot, which is an apparent contradiction of Athena's legal system.

Although this evaluation is valid, a more emblematic reading of the text reveals that Aeschylus in fact portrays divine intervention as a stabilizing component in the plot that Greeks should recognize and ultimately try to simulate in their own system of law. In order to relate the importance of this stabilization, Aeschylus opts to portray Athena and her legal system as an implicit analogy to Greek governance rather than a direct depiction, and thus is able to explore striking similarities between the two doctrines of justice.

In *The Eumenides*, Athena acts as the mediator and eventual catalyst for the resolution of the trial of Orestes, setting the scene for rational discussion and a fair judgment. When Orestes and the Furies arrive at her shrine, Athena decides to host a public trial in order to display an unbiased system of justice to the people of Athens. Athena expresses her disinclination to monopolize the final decision of this trial, stating " Embrace the one? Expel the other?

It defeats me / But since the matter comes to rest on us, / I will appoint the judges of manslaughter, / swear them in, and found a tribunal here / for all time to come" (496). Here, she expresses her idea of creating a court with a jury to judge Orestes. As the patron of the city of Athens, Athena vies to

teach the citizens how to construct a lawful, sound government that is capable of putting an end to the cyclical nature of bloodshed. Her emphasis on appointing “judges of manslaughter” and founding a “tribunal” indicates her specific intention of ending the cyclic nature of revenge in society, and strong rhetoric such as “for all time to come” designates the unending applicability of this on restricting vengeful actions in the future. Athena goes further to explain, “And while this court of judgment fills, my city, / silence will be best. So that you can learn / my everlasting laws. And you too, / that our verdict may be well observed by all” (576). This proclamation expands Athena’s intended area of influence past just Athens onto Greek society in general.

She wants Athens to be a beacon for the rest of Greece to follow, where the powers of persuasion and rational discussion dominate human impulses such as revenge-taking. Athena’s usage of the phrases “everlasting laws” and “our verdict may be well observed by all” in these passages emphasizes her belief that counter-instinctive principles such as peaceful conflict resolution are beneficial to society. However, the divine intervention displayed towards the conclusion of the trial is contradictory to this supposition, and brings to bear the idea that such a system of justice is not necessarily infallible.

Although the need for divine intervention in Orestes’ trial seems to undermine the justice and impartiality of the verdict, a more symbolic interpretation of this divine intervention reveals that it is in fact a vital stabilizing mechanism in the plot. At the end of the trial after Orestes and Apollo have given their statements, Athena comes to a decision, saying “My work is here, to render the final judgment. / Orestes, / I will cast my lot for

you... / I cannot set more store by the woman's death - / she killed her husband, guardian of their house. Even if the vote is equal, Orestes wins" (749). This eventually tips the vote in the favor of Orestes and resolves the trial with his acquittal. Athena created the entire procedure of the trial, and by putting herself in place as a "tie breaker" she ensured that a fair and democratic outcome be reached. Although divine intervention is visibly at play, Athena symbolizes the idea that a court consisting of jurors benefits from the existence of a leader or spokesperson to direct the discussion.

As the goddess of wisdom, Athena is capable of holding that power. However, when her court of law is adapted to society, her role as facilitator cannot be filled by a single person but instead by a more complete system of oversight, such as a pecking order of courts and legal arbitration. Aeschylus' intention in describing this is to remind the Greek people that even a sound legal system can be tainted if one person or entity is given too much power.

After the verdict, Athena responds to the outrage of the Furies, arguing "You were not defeated - / the vote was tied, a verdict fairly reached / with no disgrace to you, no, Zeus brought / luminous proof before us. / He who spoke / god's oracle, he bore witness that Orestes / did the work but should not suffer harm" (806). She claims that the verdict was "fairly reached", and that Zeus had a strong opinion on the issue of Orestes' safety. However, though "Zeus brought luminous proof before them" and has made his opinion widely known, Athena still leaves the final decision to herself and the jurors.

Thus, the outcome is a fairly represented verdict. This situation highlights the opportunity for a person in power to change or influence legal decisions

to their advantage, and is a subtle warning to Greeks that this is a concern even in the best courts of law. Through this, Aeschylus is able to reconcile the existence of divine intervention in the trial. Furthermore, Athena's direct influence as a goddess on the decision of the jury is clarified to be minimal, through her commitment to maintain order and impartiality throughout the trial.

Although Athena is allowed ample freedom to express her own opinions in the debate in *The Eumenides*, she is careful to limit the amount of direct influence she has on the jurors in order to set an accurate legal example for the citizens of Athens. When the Furies protest to the outcome of the trial, Athena replies, " I put my trust in Zeus and... must I add this? / I am the only god who knows the keys / to the armoury where his lightning-bolt is sealed. / No need of that, not here. / Let me persuade you" (837).

In order to properly instruct the Athenian citizens on the concept of justice, Athena actively demonstrates just thinking and actions in and around the trial. The way she chooses to handle the situation with the Furies using persuasion rather than brute force is a testament to her will to maintain peace and order in the aftermath of the decision. In this, Athena knowingly limits herself to being a player in her system of justice rather than a goddess who can do what she wants with supernatural abilities.

Consequently, the citizens are able to draw from her principles and utilize them in their own thinking and actions. Athena's true intentions of the trial become increasingly evident towards the conclusion of *The Eumenides*, as she discusses the broader implications of Orestes' trial and reinforces her belief that Greeks should think for themselves to create a working system of

law. Athena describes her definitive goal as she calms the Furies, saying “ Lull asleep that salt black wave of anger - / awesome, proud with reverence, live with me. The land is rich, and more, when its first fruits, / offered for heirs and the marriage rites, are yours / to hold forever, you will praise my words” (842). Athena’s use of the phrases “ the land is rich” and “ first fruits” signify the potential she perceives in Athenian society for sound government. The “ fruits” are the positive outcomes of introducing her citizens to a fair and balanced court system. Athena uses such images to help indirectly describe her intentions, instead of stating them in plain text.

This highlights the will of Athena to set the basic framework for the future of Athenian law without getting involved in the actual establishment of it. Due to the implicit rather than categorical nature of Athena’s teachings, her demonstration of justice in *The Eumenides* is clearly an analogy to sound government as opposed to a formula that Athenians must strictly follow. In *The Oresteia*, understanding Athena as a literary symbol of justice helps us identify her true intentions of indirectly influencing Greek society and allowing her citizens to think for themselves.

Upon her return to the shrine with 10 chosen citizens/jurors, she says “ Call for order, herald, marshal our good people. / Lift the Etruscan battle-trumpet, / strain it to full pitch with human breath, / crash out a stabbing blast along the ranks” (572). The image of the “ battle-trumpet” marshaling people rather than Athena herself is a testimony to the analogous nature of her teachings. Traditionally, when a horn is blown, it is used to communicate a broad idea that can unify the greatest number of people through its sound.

In Athena's context, she uses the horn to urge Athenians to witness the trial and participate in the birth of a new age of justice. Receiving the call from the horn rather than from Athena herself allows the Athenians to remain objective and come to their own conclusions, rather than be directly influenced by the goddess' wisdom. Athena goes on to say, " So I urge you, Athens. I have drawn this out / to rouse you to your future. You must rise, / each man must cast his lot and judge the case, / reverent to his oath.

Now I have finished" (722). This is Athena's final decree to all her citizens that every man in Athens should engage in rational discussion and come to a decision regarding the issue at hand. Athena wants the debate to be pervasive, helping to spark a new line of legal philosophy in society and enabling Greece to ascend to the ideal of a truly intellectual civilization. Throughout the *The Oresteia*, Aeschylus uses his characters to create an ever-fluctuating system of justice that is only truly resolved in the final act of *The Eumenides*.

Athena is at the forefront of this resolution, as she takes a more indirect, yet highly effective approach towards teaching the Athenian citizens what the concept of " justice" entails. The divine intervention evident in the plot does seemingly contradict Athena's teachings to the citizens, but through allowing them to think for themselves, she enables them to adapt what they see in the trial to what can be accomplished in society. By representing Athena as a symbol of justice, Aeschylus is able to illustrate the intricate nature of the Greek legal system, and leaves an indelible mark on philosophy and the Greek perception of justice.