

The Patriarchal Nature of Justice in *The Oresteia*

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The Oresteia trilogy, which includes the plays *Agamemnon*, *The Libation Bearers*, and *The Eumenides*, has justice as its central theme. Aeschylus wrote these plays sometime during the period after the end of the Persian wars, when the star of Athens was on its ascendancy. It was the dawn of a new age, marked by the establishment of a new socio-political order based on democracy and the rule of law. The rule of law meant the institutionalization of justice. Justice was no longer a personal responsibility to be meted out according to the rule of family vendetta - blood for blood; it was now a state responsibility embodied in the law that the state, representing the community as a whole, set down. It was a step forward in the direction of realizing a more peaceful and orderly coexistence. However, this institutionalization of justice was also a step forward in the institutionalization of male dominance. The rule of law also came to stand for the rule of man over woman: patriarchy. This must not be understood to mean that the subjugation of women began with the emergence of the legal order, or other social institutions, for women had been relegated to an inferior status in society long before that. But as long as the family was the sovereign unit of society, the nerve centre of social life, women had voice and representation. However, with the shifting of power from the family to the polis, and the organization of society into complex formal institutions that assumed authority to set down rules governing social life, the alienation and marginalization of women was complete.

The parallel transformation in the order of justice and the gender equation becomes evident as *The Oresteia* trilogy progresses. In the first play, *Agamemnon*, Clytaemnestra murders

Agamemnon to avenge the sacrifice of Iphigeneia in accordance with the ethic of revenge, the brutal code of revenge killing that demanded that a person's murder be avenged in kind by his/her close blood relative. It also called for torment at the hands of the Furies, female divinities of a terrible nightmarish aspect, for anyone who murdered a close blood relative. In the second play, *The Libation Bearers*, Orestes kills Clytaemnestra to avenge the murder of Agamemnon. This act is still in keeping with the revenge ethic, but it is committed primarily at the instigation of Apollo, who then steps centre-stage in the third play, *The Eumenides* (E), to argue in defense of Orestes in a trial presided over by Athena. This ultimately leads to the end of revenge killing and the establishment of a new order of justice based on the laws of the polis.

Closely correlated to this redefinition of justice is the change in the status of women and the legitimizing of patriarchy. The sole purpose of the old revenge ethic was to defend the sanctity of the filial bond, clearly stated by the Furies when they catch up with Orestes at Athena's shrine: "Every mortal who outraged god or guest or loving parent: / each receives the pain his pains exact" (E 269-70). Clytaemnestra does not invite the wrath of the Furies for killing Agamemnon, for "that murder would not destroy one's flesh and blood" (E 210). Orestes, on the other hand, is relentlessly pursued by these ancient deities, who will stop only when he is made to pay "agony / for mother-killing agony" (E 266-67). Thus the old order, though it perpetuated endless violence and bloodshed, also upheld the mother's or the daughter's rights, even over those of the husband's. The Furies who preside over this order are subservient to no other god, for, as they claim, "The Fates who gave us power made us free" (E 352). They are roused to action by matricide but remain indifferent to the killing of a husband by his wife. However, when this state of affairs, "where justice and bloody slaughter are the same" (E 184) gives way to a more evolved form of justice culminating in the trial at the areopagus, the forces of patriarchy,

too, win the day. Apollo's arguments in defense of Orestes are rabidly patriarchal, all based on the fundamental notion that a woman's life is worth less than that of a man. There are many inconsistencies in his strident justification of Clytaemnestra's murder. For instance, he abuses the Furies for their despicable blood-thirsty ethic, the endless cycle of revenge they set in motion, yet when they ask him why he commanded Orestes to kill his mother, he coolly admits that he "commanded him to avenge his father, what of it?" (E 201). Apollo seeks to replace the sanctity of the filial bond with the sanctity of marriage rites as the principle of justice: "Marriage of man and wife is Fate itself, / stronger than oaths, and Justice guards its life" (E 215-16). Along with this he makes an argument, albeit a very specious one, against the mother's rights:

"The woman you call the mother of the child is not the parent, just a nurse to the seed, the new-sown seed that grows and swells inside her. The *man* is the source of life - the one who mounts. She, like a stranger for a stranger, keeps the shoot alive unless god hurts the roots." (E 666-71)

As proof of his theory, he points to Athena, the goddess who sprang to life from Zeus's forehead, living proof that "the father can father forth without a mother" (E 673). Thus, in seeking to make marriage more sacred and inviolate than the parent-child relationship and in denying the mother's stake in the offspring of a marriage, Apollo systematically follows the typical patriarchal strategy of denying women their rights and pushing them to the disenfranchised margins of society.

Athena, the presiding judge at the trial, is motivated by a very different purpose, but she, too, supports the concept of male superiority. It is true that her primary concern is for peace and an order of justice that will ensure peace. This implies that civil strife, the unnecessary bloodshed caused by Greeks killing Greeks, caught up in "intestine war / seething against themselves" (E

870-71), must be put to an end. However, at the time of casting her crucial deciding vote, she exonerates Orestes with the justification, "No mother gave me birth. / I honour the male ... / I cannot set more store by a woman's death" (E 751-54).

The fate of the Furies is most poignantly symbolic of how women are made the scapegoat in this noble quest for a more civilized and "just" justice. They lose the trial and the matricide goes unpunished, but Athena makes them accept the outcome by the alternate use of persuasion and threat. They are defeated by the new gods but not excluded from the pantheon, for that would have allowed them to pose an external challenge to the new divine set-up as a separate and conflicting base of divine authority. Their very incorporation into the new set-up is evidence of their loss of power. Their fierce independence is transformed into malleable docility. The goddesses of vengeance, the prosecutors of matricides, turn to singing praises of marriage-that institution which assuredly favours man and works against woman according to Apollo's will and upheld by Athena's verdict. The precedent established in Orestes' trial has a twofold significance: it cements domestic peace, since Orestes swears on behalf of posterity to uphold the laws of the polis and protect its " ... rights / and citadel for ever" (E 786-87); it also legitimizes the inequality between man and woman.

Dr. Dorrill's Comments: *Moni's essay is an outstanding example of a well-thought-out elegantly presented critical reflection. She has a provocative thesis, cogently supported, and her paper clearly shows a profound understanding of The Oresteia. I believe her paper is the best one I've received in my nearly twenty years of teaching at Southeastern.*