

Chapter 4

The Role of the Extended Family in Exacting Blood Revenge in

Classical Athens¹

Fiona McHardy

University of Roehampton

At the heart of Athenian conceptions of revenge is the image of Orestes, the dutiful son who avenges his father. For many, Orestes' revenge is the archetypal act of revenge in which a close family member slaughters the man who killed his father (e.g., Burnett 1998: 113. See Homer *Od.* 3.196–8; Aristotle *Rhet.* 1401a38b1). The story is richly represented in extant tragedy, and the image was potent enough to form the backbone of a homicide prosecution written by Antiphon in which a young son depicts himself as Orestes avenging his father's death by prosecuting his stepmother for homicide (see esp. 1.17; Apostolakis 2007). Much attention has also been paid to the character of Electra who plays a key role in egging on her brother to take revenge in tragic versions of the myth. In particular, it has been noted that she places the cause of her natal kin and the need for revenge for her father ahead of her own marriage (see e.g., Blundell 1989: Chapter 5; Burnett 1998: Chapters 4, 5 and 9; Foley 2001: Chapter 5; McHardy 2004: 108–10, 2008: 108–9). However less attention has been given to Pylades

¹ I would like to thank Mike Edwards and Richard Seaford for their comments on drafts of this chapter.

who is shown as a steadfast supporter of Orestes helping him to achieve revenge in all the surviving tragic versions. In this chapter I examine when and how those outside the nuclear family become involved in blood revenge starting with the involvement of Pylades in Orestes' revenge as it is depicted in Greek literary sources. Analysis of the different versions of the story reveals contemporary expectations regarding the relationship of Pylades to Orestes which can be seen to be driven by expectations of classical Athenians regarding who was involved in the pursuit of revenge and what actions they took. This analysis is used to shed further light on the scholarly debate over the nature of the role that the extended family, including distant agnates, cognates, and affines, played in taking revenge for homicide through the law courts at Athens.² I suggest that extended kin did not stand back while the nuclear family pursued revenge for murder, but that they played a pivotal role in supporting their kin and could take an active role in achieving revenge side-by-side with close agnates.

Pylades and Orestes

The story of Orestes' return from exile to kill his mother Clytemnestra and her lover Aegisthus, who have seized the throne after killing her husband Agamemnon, features in extant plays by all three of the major tragedians. In the

² See esp. Phillips (2008: 23–4) for prosecution of homicide as revenge. Cf. Burnett 1998: xvii; Cohen 1995); Gagarin 1986: 115; Kurihara 2003: 466; McHardy 2008: 2–3.

three plays which focus on the matricide (*A. Choe.*, *S. El.*, and *E. El.*) as well as two others which discuss subsequent events, (*E. IT* and *Or.*) Orestes is accompanied by Pylades with whom he was brought up in exile. The tragedians depict the support offered by Pylades as crucial in encouraging Orestes to achieve revenge by killing his mother. In Aeschylus' version, as has often been noted by scholars, Pylades' only lines create a strong dramatic effect and it is Pylades' words that drive on Orestes to achieve revenge for his father at a point when he doubts he can go through with the act (*A. Choe.* 900–2; see Knox 1972; Nisetich 1986: 53). But what is seldom noted is that it is to Pylades whom Orestes turns to ask for help at this crucial moment (899). Earlier in the play, in a speech in which Orestes discusses how he will achieve his revenge by trickery (556–9), Pylades is also made a central part of Orestes' plans to achieve entry into the house unrecognized (560–4). In Sophocles' version Pylades is mute throughout, but Orestes' and Electra's words suggest that Pylades takes an active part both in the supplication of Agamemnon and in the killing of Clytemnestra (*S. El.* 1372–6; 1398–1401). In Euripides' version too Orestes includes a silent Pylades in his plans for revenge (*E. El.* 107–11) and Pylades is rewarded by a jubilant Electra for sharing an equal part in the contest with Orestes (886–9). He is also said to defend Orestes following the killing of Aegisthus (844–7). In Euripides' *Orestes* it is said that Pylades devised the revenge against Aegisthus as well as supporting Orestes

in taking revenge (1159–60; cf. *E. Or.* 33; 460).³ In this play he is portrayed not only supporting Orestes, but taking the lead in devising and enacting revenge against their perceived enemy Menelaus (*E. Or.* 1105; 1150; 1555; 1563; 1566. Cf. Nisetich 1986: 51; Burnett 1998: 254). He further suggests that he will undertake revenge on Orestes' behalf (σοί γε τιμωρούμενος) without any dread of death (1117). As Griffith (1995: 94) has noted in discussing the *Choephoroe*: “Pylades is indispensable to Orestes. His support must be recognized as being not only moral, psychological, and religious (as modern critics have made it), but also military, material, and political.” The same point can also be made of Pylades' role in his other tragic incarnations where he is shown actively involved in planning and exacting revenge alongside Orestes.

In all three playwrights it is clear that Orestes has a close bond with Pylades and relies on him for support in achieving revenge. However, Pylades' relationship to Orestes is not consistently represented. It is clear in all the versions that Orestes was raised together with Pylades from childhood (See also Apollod. *Epit.* 6.24–5; Pind. *P.* 11.34; Hyg. *Fab.* 117). Agamemnon is said to be a guest-friend of Pylades' father Strophius and scholars have suggested that the choice of abode for Orestes was selected based upon the obligation of *xenoi* to care for each other's children in times of need (Belfiore 2000: 7; Golden 1990: 144; Herman 1997: 22). Orestes and Pylades inherit this guest-friendship from their fathers and Pylades is

³ Pylades' role in planning the revenge against Clytemnestra and Aegisthus and his active part in exacting it are also emphasized by Hyginus (*Fab.* 119).

described as Orestes' *xenos* by all three playwrights (e.g., ξένος τε καὶ δορύξενος δόμων – A. *Choe.* 562; σὺ φίλτατε ξένων – S. *El.* 15; φίλον ξένον τ' ἐμοί – E. *El.* 83). At the same time, the young men are dear companions to one another and express the closeness of their bond through use of the word *philos* and its superlative *philtatos* when addressing one another.⁴ The close nature of their companionship is particularly well evoked by Orestes in Euripides' *IT*, where he refers to Pylades as “dearest of dear ones” (φίλτατόν ... φίλων – 708–10) and recalls that the pair grew up together, hunted together, and shared misfortunes. The bond formed by these shared experiences in youth is kin-like in its nature in that the pair lived together and shared common adolescent experiences, such as hunting, in the way that brothers do. The formal relationship of *xenia*, which is already presumed to be kin-like even between men living in foreign lands,⁵ has created an even stronger bond between the two young men because they have shared an upbringing.

The idea that boys who are raised together will form a close kin-like bond is a familiar one in Greek literature. In particular, the relationship of Achilles and

⁴ On the breadth of the term *philos* covering kin and friends see esp. Belfiore (2000: 20) who rejects the arguments of Konstan (1996) for a limit on the meaning of the noun *philos*. See also Blundell 1989: 40; Millet 1991: 109–26; Perdicoyianni 1996; Phillips 2008: 26.

⁵ A *xenos* is like a brother (*Od.* 8.546–7). Cf. Aristotle *NE* 8.12. See Donlan 1985: 300; Herman 1987: 16–29.

Patroclus is in many ways analogous to the one between Orestes and Pylades in that the pair were raised together and formed a particularly strong bond which is in many ways depicted as kin-like in the *Iliad*.⁶ As Donlan (1985: 300) notes: “Such slurred distinctions between ‘friends,’ ‘companions,’ and kin are frequent in the epic. To cite only the most famous example: the emotional attachments between Achilles and Patroclus (*Il.* 17. 411, 655 – πολὺ φίλτατος ἑταῖρος) in life and Achilles’ obligations to Patroclus dead (funeral rites, burial, blood vengeance) were precisely those due and expected between close blood relatives.”⁷ In addition to this conceptual link, Glotz (1904: 85–93) also made the linguistic link between *etes* and *hetairos* in Homer making the companions of heroes their paternal kinsmen (cf. Miller 1953: 47). Certainly it is made clear that extended kin such as cousins could be living together when Phoenix says that he had many cousins and relatives living in his father’s house who begged him not to leave home (*Il.* 9.464–5) suggesting that extended kin were thought to congregate together and to defend one another.

I have argued elsewhere that there is an expectation that families will select kin when sending a child into exile during difficult times or following a homicide. This idea manifests itself in certain mythic variants. While there is no explicit

⁶ Shay (1994: xxi) sees Patroclus as a “foster-brother”.

⁷ On the depiction of Achilles’ revenge for Patroclus and their relationship, see McHardy (2008: 29–34).

reference to any kinship between Achilles and Patroclus in the *Iliad*, elsewhere Patroclus is depicted as Achilles' cousin. In Hesiod, Peleus father of Achilles and Menoetius father of Patroclus are said to be brothers (Eustathius *Hom.* 112.44ff; *Catalogue of Women* fr. 212a M–W) making their sons first cousins. Alternatively, Achilles' great-grandmother Aegina is said to be Patroclus' grandmother (P. O. 9.69–70) making them first cousins once removed. For some ancients it appeared logical that Menoetius would take his young son to a kinsman for protection after he killed a boy. In his explanation of the myth of Atreus, Thucydides makes clear that Atreus chose a kinsman, in this case his sister's son Eurystheus, to shelter him from his father's wrath after he murdered Chrysippus (Thuc. 1.9.2). In Euripides' *Hecuba*, Polydorus, the youngest son of Priam and Hecuba is said to have been given for safe-keeping into the family of Polymestor a *xenos* of his father (1–9). In other versions of the myth the *xenos* Polymestor is married to Priam's daughter Iliona and so Polydorus is sent to live with his sister (Hyg. *Fab.* 109).⁸ Just so Orestes is sent to the home of Strophius, his father's *xenos*, and in some versions, Strophius is married to Agamemnon's sister (E. *IT*

⁸ This theme could well have featured in an Attic tragedy as it does in Pacuvius' *Iliona* (frs 199–201 Warmington). See McHardy (2005: 149). The theme is absent from the *Iliad* where Polydorus fights at Troy and dies in battle (20.407–18).

918–19; Hyg. *Fab.* 117; Paus. 2.29.4), making Pylades and Orestes first cousins.⁹ Plutarch suggested that the term *doryxenos* (which is applied to Strophius in Aeschylus' play) referred to a former enemy who was now a friend (Plut. *Quaest. Graec.* 17; see Rocchi 2005; cf. Herman 1987, 11 n. 3, 57). Marriage alliances are a way that former enemies can indicate the end of their hostility and their newly formed truce (Hdt. 1.60–1; 5.18–21; Isoc. 7.12, 17.11; McHardy 2008: 20–1). Alternatively, the decision to marry out your daughter to a friendly family abroad with a view to mutual protection is conceived of as a sensible decision (E. *Ion* 293–6; Thuc. 2.29.3; see Herman 1987: 36; Gallant 1991: 155). Such views as these could explain why some conceptualized Strophius as Agamemnon's brother-in-law as well as his *xenos*.

The notion of raising cousins together when circumstances were difficult was a familiar one at Athens and potentially had an effect on the presentation of Orestes and Pylades in Euripides' plays. Charmides was said to have been brought up from a young age in the home of his cousin Andocides (Andoc. 1.48), while the speaker of Lysias 3 *Against Simon* refers to the fact that he has taken in his sister and her children after the death of her husband and they are living at his house (3.6). Likewise, Aristarchus mentions to Socrates that he has taken in female

⁹ Jebb (1894) suggests that Hesiod knew of their kinship since he mentions that Anaxibia was the sister of Menelaus and Agamemnon (Tzetzes, *Exeg. in Iliad.*: 68, 20).

relatives from outside the *oikos* during a time of crisis (Xen. *Mem.* 2.7.2). A similar situation is represented in Menander's *Aspis* where female cousins are brought up together because the brother of one of the girls has gone abroad to fight, leaving his sister in the care of her uncle (122–9). In Euripides' *Orestes* Hermione is said to have been brought by her father to live with her aunt and cousins after her mother departed for Troy (E. *Or.* 63–6). These plays appear to reflect the same kinds of situations regarding reliance on extended kin in times of need as are alluded to in the other contemporary works. It appears that at least during the period in which most of these works were written towards the end of the fifth century and first part of the fourth century BCE, extended kin at Athens were expected to play an important role in a crisis offering moral and material support to their kin, especially to vulnerable relatives such as minors and females (cf. Gallant 1991: 153; Cox 1998: 34; Roy 1999: 1).

In addition, since inheritance was partible at Athens brothers would have divided an estate meaning that frequently cousins would also have been neighbors (Humphreys 1986: 59). Such cousins would surely play together and be raised together forming the kind of bond described for Orestes and Pylades discussed above (E. *IT* 708–10).¹⁰ Daughters typically married away from home, although some writers suggest that it was prudent for a man to marry his daughters nearby

¹⁰ Aristotle notes the similarity of cousins and brothers (*NE* 1161b35–1162a4).

so that his marriage kin could be of use to him in times of need (Thuc. 2.29.3).¹¹

However some men chose kin for their daughters, typically an uncle or cousin, meaning that daughters sometimes lived in close proximity to their natal kin if they married their father's brother or his son.

Euripides portrays Pylades and Orestes as marrying their cousins Electra and Hermione in his plays (*Or.* 1658–9; cf. also *E. El.* 1284–5, 1340–1). In the case of Hermione, she is cousin to Orestes on both sides in that their fathers are brothers and their mothers are sisters. In Euripides' *Andromache* Orestes acts as the protector of his cousin Hermione and rescues her from difficulty both because of the kinship between the pair and because of his desire to marry her. Indeed, Orestes emphasizes that it is preferable for him to take a bride who is kin as she will accept his current misfortune (974–5) and “in difficult times, there is nothing better than a friend who is kin” (985–6 – ἔν τε τοῖς κακοῖς / οὐκ ἔστιν οὐδὲν κρεῖσσον οἰκείου φίλου). This example shows clearly the possibility for interconnectedness of types of kinship and how this overlap could be seen as advantageous. Again the depiction of endogamy and its advantages in these plays seems to have been influenced by contemporary attitudes towards relationships between extended kin at Athens. As Cox (1998: 212) has pointed out, the *oikos*

¹¹ Hesiod (*Op.* 700) says that distant in-laws take too long to arrive and help. See Cox (1998: Chapter 1) on patterns of location in marriage alliances. Cf. Glotz (1904: 80); Gallant (1991: 158) on the usefulness of neighbors in a crisis.

relied upon extended kin to protect itself through marriage, guardianship, and adoption. Examples of endogamy (usually between cousins) are not infrequent in our texts and in the case of inheritance by an *epikleros*, kin marriage is prescribed by law.¹² Demosthenes (27.5) informs us that there was an expectation that the bond of kinship became even stronger when combined with the bond of marriage.¹³ Similarly Euripides suggests that the layers of relationship between Pylades and Orestes strengthen their bond when he makes Pylades address Orestes as “dearest to me of my age mates, friends, and relatives. For you are all these things to me” (φίλταθ’ ἡλικίων ἐμοὶ / καὶ φίλων καὶ συγγενείας; πάντα γὰρ τάδ’ εἶ σύ μοι – *Or.* 732–3).

This doubling of relationships where a man is both the cousin and the brother-in-law to his wife’s brother in addition to having other possible connections such as friendship, being a foster brother, or being a *xenos* (as in the case of Orestes and Pylades in Euripides’ plays) demonstrates the potential for great complexity in concepts of kinship at Athens (see esp. *E. Or.* 732–3; cf. Cox 1998). The level of interconnectedness of kin relationships can clearly be seen in Humphreys’ analysis of kin support in Attic court cases since the same examples recur through her different kin categories. However, which of these relationships or which

¹² See Thompson (1967: 279–81) on motives for cousin marriage. Cf. Lacey 1968: 106; Littman 1979: 20–4; Cox 1988; Hunter 1993: 115; Hunter 1994: 14.

¹³ Although this expectation is not met in this particular case.

combination of these relationships should be conceived of as being the primary driving force in motivating a man to take revenge is less clear. Humphreys (1986: 67, 76, 88) argues that the incidence of affines in the evidence can be explained by the influence that a man's close female kin such as sisters and daughters had in persuading their husbands to act on their behalf in support of their natal kin. Significantly, though, Humphreys tends to omit the impact of endogamy from her discussion meaning that it is far from conclusive that a man acts because of the desire of his wife, as she suggests, rather than because of feelings of kinship on his own part.¹⁴ Similarly some scholars suggest that *philia* can be seen as concentric circles of kin ("ripples on a pond") with nuclear family at the center then grandparents, uncles, and cousins, then second cousins, relatives by marriage, and finally unrelated friends on the outside (Blundell 1989: 39–46; Phillips 2008: 27). However, the doubling of relationships where two individuals might be related in different degrees by blood and by marriage indicates that this model might not have been what Athenians conceived of when thinking of family relationships.¹⁵ At the same time circumstances such as being raised as neighbors or in the same household could have influenced the way that a bond between relatives was perceived.

¹⁴ Gallant (1991: Chapter 2); Hunter (1993: 101) criticize Humphreys for downplaying extended kin.

¹⁵ Phillips (2008: 27 n. 45) concedes this point.

To return to the case of Pylades, it would be difficult to make the case that he supports Orestes and takes an active part in the revenge act mainly because of Electra's desire for revenge. While she is consistently characterized as eager for revenge and while Euripides says that the pair marry after the revenge has taken place, it is clear from the analysis of the relationship between Pylades and Orestes above that the affinal link between the pair is only part of a complex web of ideas which can explain the construction of their relationship in Euripides' plays. That Pylades is supportive of Orestes as a *xenos* is clear from Aeschylus' play. Griffith (1995: 90) has argued that in Aeschylus' play the institution of *xenia* is central to Orestes' success in regaining his father's throne and it is only through the aristocratic network of *xenia* that he can achieve his revenge. However, the notion that they are in fact cousins may have rung true for Athenians based on the choice of abode for the child Orestes, the intimacy of the men's relationship and Pylades' active involvement in the revenge (cf. McHardy 2008: 30). It is my contention that Euripides' presentation of the relationship between Pylades and Orestes reflected thoughts and feelings regarding taking revenge at the time of composition towards the end of the fifth century BCE and as a consequence the example can throw light on the considerable debate regarding the role of extended kin in exacting revenge at this time at Athens.

Vengeance for kin at Athens

My focus in this section is on the role of kin in prosecutions of homicide – the legal parallel of the blood revenge act depicted by the playwrights discussed above. While there is a scholarly consensus that close male agnates were the most likely to prosecute in cases of homicide, there is a lack of agreement concerning when and how extended kin became involved, and concerning whether anyone other than relatives could prosecute in homicide cases. Of utmost significance in the discussion is the part of the law of homicide referring to the prosecution of the killer which has survived in Ps.-Demosthenes 43 (*Against Macartatus*):

“Proclamation is to be made to the killer in the Agora by relatives as far as cousinhood and cousin; the prosecution is to be shared by cousins, sons of cousins, sons-in-law, fathers-in-law, and members of the phratry” (προειπεῖν τῷ κτείναντι ἐν ἀγορᾷ ἐντὸς ἀνεψιότητος καὶ ἀνεψιοῦ, συνδιώκειν δὲ καὶ ἀνεψιοὺς καὶ ἀνεψιῶν παῖδας καὶ γαμβροὺς καὶ πενθεροὺς καὶ φράτερας – Dem. 43. 57 = IG I³ 104.20–23; trans. MacDowell 1989: 18–19).

Scholars have noted that this law is one in which the *anchisteia* is shown to have a legal function.¹⁶ The law indicates that a range of relatives including close agnates, extended kin and men with a more distant kin connection (phratry members) are to be involved in the prosecution, however a smaller group of men

¹⁶ Its other key function is in cases of inheritance. See Harrison 1968: 143; Lacey 1968: 22–3; Davies 1977/8: 108; Gould 1980, 44; Roy 1999: 3; Lape 2002–3: 124.

up to the degree of sons of cousins is said to make a proclamation naming the killer in the *agora*. MacDowell (1963: 18) suggests that the closer set of kin who make the proclamation are responsible for initiating legal action, while the larger group only give support to the closer group of kin when required (cf. Gagarin 1981: 55; Hunter 1993: 102 n. 1). Roy (1999: 3) suggests that the revenge fell to the *anchisteia* only if a man had no direct descendants, a view which seems to draw heavily on the maxim regarding the desirability of a son to exact revenge used in reference to Orestes in the *Odyssey* (3.196–8). Hunter (1993: 102) argues that the priority fell first to close agnates and only afterwards to other kin. However, Phillips (2008: 54–6) has made the case that the law of homicide is composed in such a way as to require solidarity among family members within specified degrees both when they issue the proclamation that they intend to pursue the killer with legal action and when they decide to pardon a killer (IG I³ 104.13–16). He hypothesizes that solidarity is required at these points to demonstrate that no family member is still set on taking revenge into his own hands (cf. Davies 1977/8: 108).¹⁷ Rubinstein (2000: 87) further postulates that the law seeks joint prosecution by relatives in cases of homicide. Support for this view can be found in Antiphon 5 (*On the Murder of Herodes*) where Euxitheus argues that since he is being prosecuted unjustly by Herodes' family (τῶν ἐκείνου ἀναγκαίων) and the prosecution are attempting to put him to death, the prosecution might more justly

¹⁷ This concept of solidarity among kin in revenge, including through the courts in Athens, was argued for early in the twentieth century by Glotz (1904: 68).

be prosecuted by his own family (τῶν ἐμοὶ προσηκόντων) for his murder (5.59). This statement demonstrates an expectation of prosecution for homicide by a family collectively, although it is also clear that there is a lead prosecutor on the opposing side. Indeed throughout the speech the prosecution team is referred to as “they” (οὗτοι) and family solidarity in the pursuit of a murderer is suggested even though the normal procedures for homicide cases are not being followed, but the defendant is instead being tried for malefaction (5.9).

Other surviving speeches concerning homicide indicate that groups of relatives were routinely involved in prosecuting for homicide at Athens. In Antiphon 6 (*On the Chorister*), another defense speech, a key prosecutor is named as Philocrates the brother of the victim (Ant. 6.21), but throughout the speech the prosecution team is referred to in the plural (e.g., 6.16 διωμόσαντο δὲ οὗτοι μὲν ἀποκτεῖναι με Διόδοτον – “they swore that I killed Diodotus”; 6.34 παρεσκευάζοντο αἰτιᾶσθαι καὶ προαγορεύειν εἶργεσθαι τῶν νομίμων – “they began to prepare to charge me and make a proclamation for me to avoid legal things”). Similarly in Lysias 1 (*On the Murder of Eratosthenes*) a team of prosecutors is mentioned (1.27), presumably members of Eratosthenes’ family, although it is not made clear which ones. An exception to this expectation is the prosecution speech Antiphon 1 (*On the Poisoning by the Stepmother*) where a young man apparently acts alone in prosecuting his stepmother. In this case, though, family is pitted against family as he makes clear. His opponents are his half-brothers who defend their mother (1.1). This case depicts a fight within the family and the problem that the very kin who

would be involved together in the prosecution of homicide normally are fighting for the defense is highlighted early in the speech (1.2). It appears that other kin were not inclined to become involved in this dispute.

In another instance of a prosecution speech, this time following the use of the *apagoge* procedure, we can see how kin collaborated to prosecute. The speaker of Lysias 13 (*Against Agoratus*) tells how Dionysodorus, imprisoned and put to death under the Thirty, instructed his kin to avenge his death.¹⁸ When visited by his wife in jail, he tells her that Agoratus was responsible and charges the speaker (his wife's brother who is also his cousin), his brother, and other relatives to avenge him (cf. also Antiph. 1.29–30). He also instructs her to tell their as yet unborn child (if male) to avenge his father (Lys. 13.41–2).¹⁹ In this speech the emphasis is placed on the significance of the appeal of a man about to die to ensure that vengeance is exacted. However at the same time the speaker suggests that Dionysodorus asked for revenge from an extensive range of relatives including nuclear family (his son and brother), extended kin (his cousin / brother-in-law), and other relatives, not that he requested extended kin to act only if closer kin did not or could not. It is clear that the case is brought by a combination of extended kin and nuclear family. Dionysius the victim's brother requested the

¹⁸ See Phillips (2008: Chapter 7) for detailed discussion of this case.

¹⁹ See McHardy (2004) on this case.

arrest (13.86) and possibly spoke after his cousin.²⁰ The speaker of the surviving speech is both cousin and brother-in-law to the victim, because Dionysodorus was married to a cousin, the speaker's sister. In addition other friends are alluded to as taking part in the prosecution to achieve revenge (13.90). Further the speaker argues that the dying injunctions of the executed men to avenge their murders extend to the jurors too as their friends, not only to their blood relatives (13.92, 94).

When analyzing this case to understand the implications for the role of extended kin in exacting revenge, scholars have come to opposing conclusions. Phillips (2008: 201) argues that the speaker's connection by marriage is less significant than his connection by blood since the blood connection better fits Athenian expectations concerning revenge for homicide. This argument fits his theory of "concentric circles" of kin in which male agnates would act first, followed by in-laws and then by those more distantly related. Humphreys, on the other hand, suggests (1986: 77, 79) that the speaker acts on behalf of his sister because she would have been unable to avenge her husband herself. This theory fits her idea that a nuclear family member (i.e., a sister) is most likely to act in such cases. However as Rubinstein (2000: 131–2) has pointed out the speaker makes clear that he is acting as someone who has been personally affected right at the beginning of his speech (13.1) where he spells out the dual nature of his

²⁰ Humphreys (1986: 73) suggests Dionysius made a speech after the present one.

relationship to Dionysodorus. He does not state that he is doing a favor either for Dionysius or for his sister. Rubinstein argues: “The tie of solidarity uniting the relatives and friends of the murdered Dionysodorus is emphasized throughout the speech, and the obligation placed on the relatives of Dionysodorus to bring his murderer to justice is represented as the main reason for our speaker’s appearance in court (13.41–2, 92).” This view fits her theory, for which the evidence has been set out above, that prosecutions for homicide would usually have been brought by a group of kinsmen expressing their solidarity to their dead relative. Here though, unlike in most of the other cases, we have evidence of the identity of two of the participants in the trial and it is clear that the men support one another in attempting to achieve revenge for their dead relative although one is a member of the nuclear family and one is an extended kinsman. Like Orestes and Pylades in Euripides’ plays the speaker and Dionysius are cousins. It is possible that they have grown up in close proximity as suggested above. Certainly, there have been cousin marriages within the family suggesting an even closer bond between family members. Instead of attempting to extricate which was the key motivating factor in the speaker’s desire to prosecute and avenge his kinsman, it is better to notice the layers of kinship between the men involved in this case and reflect on the possibility that Athenians conceptualized blood revenge as a task for a group of kin, related by different degrees, rather than a solitary avenger.

In the cases discussed so far it appears that prosecutions are pursued by kinsmen of the victims, although in some examples it is unclear which relatives were

involved. Speakers also appeal to jury members to act as friends of the victim and ensure revenge for him (Antiph. 1.3; Lys 13.92, 94). However, it remains unclear what would happen in cases where kin lacked close relatives or enfranchised relatives who could act on their behalf. Evidence suggests that those in this position would most likely be left unavenged (Davies 1977/8: 108; Gagarin 1986: 15). In Demosthenes 47 (*Against Evergus and Mnesibulus*), a case which is much cited as evidence on the possibility of prosecution by non-relatives for murder, a man is told that he should not attempt to prosecute those responsible for the death of his old nurse, because she is neither a relative nor a slave of his (47.70). Instead, he is advised to avenge himself in some other way (ἄλλη δὲ εἴ πη βούλει, τιμωροῦ) which he proceeds to do by prosecuting two of those involved for false witnesses. The advice given by the *exegetai* as related by the speaker in this case is far from clear and does not readily provide answers about whether non-kin could prosecute for homicide. There has been considerable debate among scholars on this issue, and concerning the question of whether a *graphe phonou* or an *apagoge phonou*, allowing anyone to prosecute, existed (MacDowell 1963: 17–19, 133–4, 1978: 111; Gagarin 1979; Todd 1993: 272–3; Hansen 1981; cf. Burnett 1998: 53 n.61; Tulin 1996). Panagiotou (1974: 430) argues against the idea that only relatives could prosecute as pollution was in the interest of all Athenians. The use of *apagoge* to arrest a killer who frequented the holy places and the market place (Dem. 23.80), was open to all, but in these cases, too, kin might have been expected to prosecute. Certainly, we do not have evidence of non-kin prosecuting in trials for homicide, although other options were open as is clear

from Demosthenes 47 where the speaker suggests that he pursued revenge by prosecuting the aggressors in a different type of trial. It is made clear that the dead woman acted as nurse to the speaker, so he had been raised with her as a child. The closeness of their relationship can be inferred from his decision to take her back into his house after her husband died (47.55–6). It is suggested that the bonds that had grown through shared residence in this example led to a desire for revenge by this speaker, although he was not related to his nurse by blood (47.72). It is possible that the expectation of such feelings generated by shared residence underlies the central role of this story in a case about a completely different matter and would have been expected to find sympathy from jury members.

Conclusion

[The evidence presented in this chapter suggests certain expectations regarding the role of kin in taking revenge for homicide in Classical Athens. While it is clear that close agnates such as sons, brothers, and fathers were expected to desire revenge for their kin, revenge is not conceptualized as the sole duty of the nuclear family, but close agnates work together with more distant kin including more distant agnates, cognates, and affines to prosecute homicide at Athens. In both myth as presented on stage and legal evidence, revenge is portrayed as a collective action in which men act together and seek help and support from others to ensure vengeance for their dead kinsmen. The mythical renditions of Orestes' revenge show him relying on the support of Pylades who is depicted by Euripides as being closely related to Orestes through blood, marriage, *xenia*, and through their shared

experiences in adolescence, all factors which motivate Pylades to help Orestes achieve revenge. In Euripides' plays too, Pylades is shown actively planning and pursuing revenge as well as supporting Orestes. Similarly, in *Against Agoratus*, members of nuclear family and extended family depict themselves as acting together to get revenge for their kinsman and they seek support in achieving revenge from other friends and the members of the jury to help them achieve their aim. It is my contention that the evidence presented in this chapter provides support for the notion that Athenians expected extended kinsmen to act in solidarity when seeking revenge for the death of a relative rather than expecting the nuclear family to act in isolation. At the same time, it is my belief that these expectations regarding the role of relatives in revenge have seeped into Euripides' portrayal of Orestes' revenge, making him show Pylades as a blood relative and future affinal kinsman of Orestes, reflecting contemporary ideas concerning how extended kin participated in blood revenge through the courts at Athens, supporting and actively aiding their kin.

References

- Apostolakis, K. 2007. "Tragic patterns in forensic speeches: Antiphon 1 *Against the stepmother*." *Classica et Mediaevalia* 58: 179–92.
- Belfiore, E. 2000. *Murder among Friends*. Oxford: Oxford University Press.
- Blundell, M. W. 1989. *Helping Friends and Harming Enemies. A Study in Sophocles and Greek Ethics*. Cambridge: Cambridge University Press.
- Bremmer, J. 1983. "The Importance of the maternal uncle and grandmother in archaic and classical Greece and early Byzantium." *Zeitschrift für Papyrologie und Epigraphik* 50: 173–86.
- Burnett, A. P. 1998. *Revenge in Attic and Later Tragedy*. Berkeley, CA: University of California Press.
- Cohen, D. 1995. *Law, Violence and Community in Classical Athens*. Cambridge: Cambridge University Press
- Cox, C A. 1988. "Sisters, daughters and the deme of marriage. A note," *Journal of Hellenic Studies* 108: 185–8. DOI: 10.2307/632640
- Cox, C. A. 1998. *Household Interests: Property, Marriage Strategies and Family Dynamics in Ancient Athens*. Princeton, NJ: Princeton University Press.
- Davies, J. K. 1977/8. "Athenian citizenship: the descent group and the alternatives." *Classical Journal* 73: 105–21.
- Donlan, W. 1985. "The social groups of Dark Age Greece," *Classical Philology* 80: 293–308. DOI: 10.1086/366938
- Foley, H. P. 2001. *Female Acts in Greek Tragedy*. Princeton, NJ: Princeton University Press.

Gagarin, M. 1979. "The prosecution of homicide in Athens," *Greek, Roman and Byzantine Studies* 20: 301–23.

Gagarin, M. 1981. *Drakon and Early Athenian Homicide Law*. New Haven, CT: Yale University Press.

Gagarin, M. 1986. *Early Greek Law*. Berkeley, CA: University of California Press.

Gallant, T. W. 1991. *Risk and Survival*. Stanford, CA: Stanford University Press.

Glottz, G. 1904. *La solidarité de la famille dans le droit criminel en Grèce*. Paris: A. Fontemoing.

Golden, M. 1990. *Children and Childhood in Classical Athens*. Baltimore, MD: John Hopkins University Press.

Gould, J. 1980. "Law, custom and myth: aspects of the social position of women in classical Athens," *Journal of Hellenic Studies* 100: 38–59. DOI: 10.2307/630731

Griffith, M. 1995. "Brilliant dynasts: power and politics in the *Oresteia*," *Classical Antiquity* 14: 62–129. DOI: 10.2307/25000143

Hansen, M. H. 1981. "The prosecution of homicide in Athens," *Greek, Roman and Byzantine Studies* 22: 11–30.

Harrison, A. R. W. 1968. *The Law of Athens. The Family and Property*. Oxford: Oxford University Press.

Herman, G. 1987. *Ritualised Friendship*. Cambridge: Cambridge University Press.

- Humphreys, S. 1986. "Kinship patterns in the Athenian courts," *Greek, Roman and Byzantine Studies* 27: 57–91.
- Hunter, V. 1993. "Agnatic kinship in Athenian law and Athenian family practice: its implications for women." in B. Halpern and D. W. Hobson eds., *Law, Politics and Society in the Ancient Mediterranean World*. Sheffield: Sheffield Academic Press: 100–21.
- Hunter, V. 1994. *Policing Athens*. Princeton, NJ: Princeton University Press.
- Jebb, R. C. 1894. *Sophocles: The Plays and Fragments, Part VI: The Electra*. Cambridge: Cambridge University Press.
- Knox, B. M. W. 1972. "Aeschylus and the third actor," *American Journal of Philology* 93: 104–24. DOI: 10.2307/292905
- Konstan, D. 1996. "Greek friendship," *American Journal of Philology* 117: 71–94. DOI: 10.1353/ajp.1996.0014
- Kurihara, A. 2003. "Personal enmity as a motivation in forensic speeches," *Classical Quarterly* 53: 464–77. DOI: 10.1093/cq/53.2.464
- Lacey, W. K. 1968. *The Family in Classic Greece*. Ithaca, NY: Cornell University Press.
- Lape, S. 2002–3. "Solon and the institution of the 'democratic' family form," *Classical Journal* 98: 117–39.
- Littman, R. 1979. "Kinship in Athens," *Ancient Society* 10: 5–31.
- MacDowell, D. 1963. *Athenian Homicide Law in the Age of the Orators*. Manchester: Manchester University Press.

- MacDowell, D. 1978. *The Law in Classical Athens*. Ithaca, NY: Cornell University Press.
- MacDowell, D. 1989. "The oikos in Athenian law" *Classical Quarterly* 39: 10–21. DOI: 10.1017/S0009838800040453.
- McHardy, F. 2004. "Women's influence on revenge in ancient Greece," in F. McHardy and E. Marshall eds., *Women's Influence on Classical Civilization*. London and New York: Routledge: 92–114.
- McHardy, F. 2005. "From treacherous wives to murderous mothers: filicide in tragic fragments," in F. McHardy, J. Robson and D. Harvey eds., *Lost Dramas of Classical Athens*. Exeter: Exeter University Press: 129–50.
- McHardy, F. 2008. *Revenge in Athenian Culture*. London: Duckworth.
- Miller, M. 1953. "Greek kinship terminology," *Journal of Hellenic Studies* 73: 46–52. DOI: 10.2307/628235
- Millet, P. 1991. *Lending and Borrowing in Ancient Athens*. Cambridge: Cambridge University Press.
- Nisetich, F. 1986. "The silencing of Pylades (*Orestes* 1591–92)," *American Journal of Philology* 108: 46–54. DOI: 10.2307/294854
- Panagiotou, S. 1974. "Plato's *Euthyphro* and the Attic code on homicide," *Hermes* 102: 419–37.
- Perdicoyianni, H. 1996. "*Philos* chez Euripide," *Revue belge de philologie et d'histoire* 74: 5–26. DOI: 10.3406/rbph.1996.4092
- Phillips, D. D. 2008. *Avengers in Blood*, *Historia Einzelschriften* 202. Stuttgart: Franz Steiner Verlag.

Rocchi, G. D. 2005. "Prigioniero e ospite: forme e pratiche delle relazioni intercomunitarie in età classica," in M. G. Angeli Bertinelli and A. Donati eds., *Il cittadino, lo straniero, il barbaro, fra integrazione ed emarginazione nell'antichità*. Rome: Giorgio Bretschneider: 31–43.

Roy, J. 1999. "Polis and oikos in classical Athens," *Greece and Rome* 46: 1–18.

DOI: 10.1017/S0017383500026036

Rubinstein, L. 2000. *Litigation and Cooperation: Supporting Speakers in the Courts of Classical Athens*, *Historia: Einzelschriften* 147. Stuttgart: Franz Steiner Verlag.

Shay, J. 1994. *Achilles in Vietnam. Combat Trauma and the Undoing of Character*. New York: Athenaeum.

Thompson, W. E. 1967. "The marriage of first cousins in Athenian society," *Phoenix* 21: 273–82. DOI: 10.2307/1086216

Todd, S. 1993. *The Shape of Athenian Law*. Oxford: Oxford University Press.

Tulin, A. 1996. *Dike Phonou: The Right of Prosecution and Attic Homicide Procedure*. Stuttgart: B. G. Teubner

]ha[Further Reading

Christ, M. 1998. *The Litigious Athenian*. Baltimore, MD: John Hopkins University Press.

Dover, K. 1974. *Greek Popular Morality in the Time of Plato and Aristotle*. Oxford: Blackwell.

Lintott, A. 1982. *Violence, Civil Strife and Revolution in the Classical City 750–330 BC*. London, New York and Sydney: Croom Helm.

Perdicoyianni-Paleologou, H. 2002. “The vocabulary of kinship in Euripides.” *Rivista di cultura classica et medioevale* 44: 253–68.

Thompson, W. E. 1970. “Some Attic kinship terms,” *Glotta* 48: 75–81.

Thompson, W. E. 1971. “Attic kinship terminology,” *Journal of Hellenic Studies* 91: 110–13. DOI: 10.2307/631374

Visser, M. 1984. “Vengeance and pollution in classical Athens,” *Journal of the History of Ideas*. 45: 193–206. DOI: 10.2307/2709287