



# Justice or Revenge?

Aeschylus for the 21<sup>st</sup> Century

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Susan Neiman, Einstein Forum, Potsdam

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## **Justice or Revenge?**

### Aeschylus for the 21st Century

Aeschylus' *The Eumenides*, the final play in the *Oresteia* trilogy, has been described as the foundation stone of Western metropolitan civilization. It confronts the question: what does a community do with violent, shattering crimes? Can cool and rational legality tame vengeful passions? Is revenge ever reasonable? What kinds of crimes force us to reconsider our legal systems? These and other questions will be explored by writers, historians, classicists, philosophers, and other members of the Einstein Forum's board of advisors.

**Lorraine Daston, Berlin**

## *Unnatural Crimes and Artificial Justice*

The cycles of violence and revenge that convulse the House of Atreus differ from other tit-for-tat feuds of the Hatfields-versus-McCoys sort by taking place all within one family. What would be heinous crimes no matter who committed them against whom (murder, cannibalism) become abominations when committed against close family members: what Roman law would classify as unnatural crimes because they violate the bonds among close kin allegedly observed even by animals. Parricide surpasses homicide. This is not the only intra-family dispute at the heart of *The Eumenides*: the Erinyes, themselves the product of the titan Cronos's castration of his father Uranus, clash with the gods Apollo and Athena, respectively their great-nephew and -niece, as older generation squares off against younger generation of deities. Athena proposes to put an end to both cycles of intra-family hatred and violence by the artificial mechanism of enlisting the Athenians as both jurors in the case of Orestes and new hosts for the Erinyes. Paradoxically, the *Dea ex machina* turns over divine authority to oversee justice, even among the immortals, to human beings. Will it work? Should it work?

**Lorraine Daston**, emeritus Director of the Max Planck Institute for the History of Science in Berlin and Visiting Professor at the Committee on Social Thought at the University of Chicago. In 2018 she was awarded the Dan David Prize in the History of Science. She has published on a wide range of topics in the history of science, including probability and statistics, evidence, wonder and curiosity, the moral authority of nature, anthropomorphism, and scientific images. Recent books include: *Objectivity* (with Peter Galison, 2007); *Histories of Scientific Observation* (co-edited with Elizabeth Lunbeck, 2011); and *How Reason Almost Lost Its Mind: The Strange Career of Cold War Rationality* (with Paul Erikson et al., 2014). Recent books include *Science in the Archives* (2017) as well as *Gegen die Natur* (2018; English edition *Against Nature*, 2019).

**Wendy Doniger, Chicago**

## *Cutting the Red Cord of Vengeance*

### *The Oresteia and the Mahabharata*

In a production of the *Oresteia* for the Court Theatre at the University of Chicago in 1984, a production directed by Nick Rudall, for which David Grene and I provided a new translation, the chain of revenge was expressed in a literal red thread, beginning as a long narrow piece of red cloth that flowed from Iphigeneia's fatal wound in the style of the Noh theatre, then becoming the purple carpet of *hubris* that Clytemnestra lures Agamemnon into stepping upon, then the cloth soaked with Agamemnon's blood, and so forth. In contemplating this imagery and this chain, I was struck by the contrast with the meditation on the chain of revenge that occurs at the end of the great Sanskrit Epic, the *Mahabharata*, closer to Homer than to Aeschylus, but part of the same world. The *Mahabharata* invents a way to put an end to the endless killings, when the gods do not intervene to stop the war on earth (on the contrary: they constantly intervene to keep it going) but, in the aftermath in heaven, offer a revolutionary challenge to the warrior ethic on which the entire text is based: a call to the warriors in heaven to abandon their *manyu*, an untranslatable word that encompasses the concepts of bravado, machismo, pride, arrogance, hot temper, aristocratic arrogance, aggressive volatility, warrior pride, and vengeful anger.

**Wendy Doniger**, emeritus professor at the University of Chicago, is the author of over forty books on Hinduism and mythology. Her work on mythology addresses themes in cross-cultural expanses, such as death, dreams, evil, horses, sex, and women; while her publications on Hinduism cover a broad spectrum that, in addition to mythology, considers literature, law, gender, and zoology. Doniger has written hundreds of articles in journals, magazines and newspapers. She edited (together with Jack Miles) the volume *Hinduism* for the *Norton Anthology of World Religions* (2014).

**Konstanty Gebert, Warsaw**

## *Can Furies Retire? Do Furies Die?*

A fury is created only to harass its victim. Once the victim dies, so does the reason for the fury's existence; it can then either die itself, or attach itself to another being in need of punishment—one way or the other, it disappears from the story being told. But what happens if a fury decides it has done its part of harassing? Can it reinvent itself and retire, or does it need to die then too? And if it cannot retire, does it not become just a footnote to the victim, the way it has made the victim a footnote to his/her fate?

**Konstanty Gebert** is an author, journalist, lecturer, and political activist based in Poland. In 1976 he graduated from the Department of Psychology at the University of Warsaw. He was a prominent figure in the democratic opposition in the 1970s and 1980s, cofounder of the unofficial Jewish Flying University (1979), the Polish Council of Christians and Jews (1980), and a trade union of the employees in academia, technology, and education that merged with *Solidarność* (1980). After the government imposed martial law, he wrote articles for various underground publications under the pseudonym Dawid Warszawski. Konstanty Gebert also served as a war correspondent in Bosnia for *Gazeta Wyborcza*. His articles have appeared in a variety of national periodicals and foreign media. He has written numerous books, including a first-hand account of the Polish Round Table negotiations of 1989 as well as books on French policy toward Poland, on the Yugoslav wars, the wars of Israel, Torah commentary, and postwar Polish Jewry. He is the founder of *Midrasz*, the first Polish-language Jewish periodical in postcommunist Poland, and regularly lectures in Poland, Great Britain, France, Italy, Japan, and the U.S.

**Carey Harrison, New York**

## *From the Shield of Achilles to the Hill of Mars*

Is *law*, backed up by courts whose Ur-model the Areopagus is, a sufficient solution to the Wild West of pre-Classical Greece? Maybe; probably not (any more than law today tames the Wild West of our modern souls); but it's an improvement on *no law*, as in Homeric Greece. This is a moment at which to address lawlessness in contemporary America, from the top down! Do we really have law today or not?

The *Eumenides* also provides an opportunity to contemplate helmeted, grey-eyed Athena as goddess of wisdom (those eyes!) *and* of war (that helmet!)? What's that about?! Because of her parthenogenetic birth does it mean the brain of Zeus was full of war and wisdom...? So she *had* to represent both? How best to understand what this might mean for us?

The other inexhaustible topic is that the *Eumenides* means “the kindly ones.” How in heck do we read that?—especially if we trust the accounts that tell us that pregnant women gave birth at the entry of the Furies into the Theater of Dionysus, at the first performance.

**Carey Harrison** was born in London during the Blitz, the Luftwaffe's bombing onslaught, and as soon as the war ended he was taken to America, where he has lived, on and off, for the past 74 years. The off periods have coincided with his British education, at Harrow School and Cambridge, and a teaching post at Essex University. He has subsequently taught Comparative Literature at Cornell, at the University of California in San Diego, at the University of Texas in Austin, at the Florida Institute of Technology, and for the past 20 years at the City University of New York. He is the author of 16 novels and over 200 plays and scripts for TV, theatre, radio, and film. His work has been shown in 37 countries, and translated into 13 languages. His novels won him a Fellowship at the Wissenschaftskolleg zu Berlin in 2016/17.

**Stephen Holmes**, New York

## *Justice, Identity, Revenge*

The idea that civic justice is dispassionate, cerebral, cool-headed, impartial, and rule-governed while archaic vengeance is passionate, visceral, obsessive, hot-headed, partisan, and wild is challenged by the observation that all attention to injustice, even in the most *modern* societies, is selective. The principle of selection is seldom the degree of injustice, moreover, but usually something much more emotionally searing, namely the distinction between them and us. The inevitable selectivity of all attention to injustice, even in purportedly *civilized* societies, raises the Eumenides question: can justice transcend revenge?

**Stephen Holmes** is Walter E. Meyer Professor of Law at the NYU School of Law. He previously taught at Harvard, Princeton, and the University of Chicago. His fields of specialization include the history of liberalism, the disappointments of democratization after communism, and the difficulty of combating terrorism within the limits of liberal constitutionalism. He is the author of *Benjamin Constant and the Making of Modern Liberalism* (1984), *The Anatomy of Antiliberalism* (1993), *Passions and Constraint: On the Theory of Liberal Democracy* (1995), and *The Matador's Cape: America's Reckless Response to Terror* (2007). He is co-author (with Cass Sunstein) of *The Cost of Rights: Why Liberty Depends on Taxes* (1999) and (with Moshe Halbertal) of *The Beginning of Politics: Power in the Biblical Book of Samuel* (2017) as well as *The Light That Failed: A Reckoning* (with Ivan Krastev, 2019).



**Daniel Kehlmann, Berlin**

## *Einsteinian Interlude*

Daniel Kehlmann will read Act 4 of the English translation of his play, *Ghosts in Princeton*, in which Einstein tries to explain distinctions between logic and the real world to logician Kurt Gödel.

**Daniel Kehlmann** is a German-language novelist and playwright. His novel *Die Vermessung der Welt* (translated into English by Carol Brown Janeway as *Measuring the World*, 2006) is one of the best selling books in the German language. Since 2015, Kehlmann has held the Eberhard Berent Chair at New York University. He is a member of the Deutsche Akademie für Sprache und Dichtung. 2016–2017 he was a fellow at the New York Public Library's Cullman Center for Writers and Scholars. The novel *Tyll* was shortlisted for the International Booker Prize.

**Glenn Most, Florence**

## *Just How Just is Aeschylus' Justice?*

Aeschylus' *Oresteia* trilogy is often celebrated as a progressive account of the replacement of blood vengeance at the level of the family by legal procedures at the level of the city; and there is something to be said for this view. But examined more closely, the way in which Aeschylus shows that Orestes is acquitted at his trial in the *Eumenides* seems to emphasize a number of aspects, especially in the behavior of Athena, which can make the justice of its outcome seem at least questionable. So just how just is Aeschylus' justice?

*Glenn W. Most* retired in November 2020 as Professor of Greek Philology at the Scuola Normale Superiore di Pisa, and remains a regular Visiting Professor on the Committee on Social Thought at the University of Chicago and an External Scientific Member of the Max Planck Institute for the History of Science in Berlin. He has published books on Classics, on ancient philosophy, on the history and methodology of Classical studies, on comparative literature, cultural studies, and the history of religion, on literary theory and on the history of art, and has published numerous articles, reviews, and translations in these fields and also on such other ones as modern philosophy and literature. Most recently he has published the second, revised edition of Hesiod in two volumes in the Loeb series, a co-edited comprehensive Loeb edition of the early Greek philosophers in nine volumes, co-edited volumes on imagination and on scholarly methods in a variety of canonical written traditions, a co-edited volume of essays on a sentence of Kafka, a collection of his essays in Italian on ancient and modern psychology, and articles and reviews on a number of different subjects. He is currently working on various projects involving both ancient Greek philology and the comparison of philological practices in different periods and cultures throughout the world.

**Susan Neiman, Potsdam**

## *Crime, Memory, and Justice*

Towards the beginning of the *Orestaeia*, Cassandra says: there is no god of healing in this story. At the end, it looks as if Athena proves her wrong. What the goddess of wisdom offers is neither revenge nor, strictly speaking, justice, but a resolution meant to heal. But can a community heal such wounds? I will briefly discuss recent debates over history and memory in Germany and the United States to ask how they further, and prevent healing.

**Susan Neiman** is director of the Einstein Forum. She studied philosophy at Harvard University and the Freie Universität Berlin and was professor of philosophy at Yale University and Tel Aviv University before coming to the Einstein Forum in 2000. Her works, translated into many languages, include *The Unity of Reason: Rereading Kant* (1994); *Evil in Modern Thought* (2002); *Moral Clarity: A Guide for Grown-up Idealists* (2008); *Why Grow Up? Subversive Thoughts for an Infantile Age* (2014) and *Learning from the Germans* (2019). She is a member of the Berlin-Brandenburgische Akademie der Wissenschaften and the American Philosophical Society and most recently winner of the August Bebel Preis (2021).

**David Shulman, Jerusalem**

## *Alternatives to Revenge*

I want to speak about remorse and the absence of remorse, and about going beyond revenge. I'll focus on a single incident in which an activist friend of mine, Rabbi Arik Ascherman, was very nearly killed by a young settler with a knife, and what happened after the settler was brought to trial. Arik asked the court not to send the boy to jail. An unexpected theory of forgiveness in the absence of remorse comes to light when we think through this story.

**David Shulman** is Professor Emeritus of Indology and Comparative Religious Studies at The Hebrew University of Jerusalem. He received his Ph.D. from the School of Oriental and African Studies, University of London. His many publications on Tamil and Sanskrit literature and mythology include *The Wisdom of Poets: Studies in Tamil, Telugu, and Sanskrit* (2001); *Spring, Heat, Rains: A South Indian Diary* (2008); *More Than Real. A History of the Imagination in South India* (2012); *Tamil: A Biography* (2016) and *Freedom and Despair: Notes from the South Hebron Hills* (2018); as co-author and co-editor: *Self and Self-Transformation in the History of Religions* (2002); *Siva in the Forest of Pines: An Essay on Sorcery and Self-Knowledge* (2004); *God on the Hill. Telugu Songs by Annamayya* (2005) and *The Demon's Daughter: A Love Story from South India* (2006). Shulman is also a long-time dedicated peace activist, and has published two book-length accounts, entitled *Dark Hope: Working for Peace in Israel and Palestine* (2007), and *Freedom and Despair: Notes from the South Hebron Hills* (2018) of his years working, and often clashing, with police and settlers, to deliver food and medical supplies to Palestinian villages.

## Program

### Thursday, July 1

- 7:00 pm  
Susan Neiman (Potsdam)  
*Welcome*
- 7:10 pm  
Daniel Kehlmann (Berlin)  
*Einsteinian Interlude*
- 8:00 pm  
Carey Harrison (New York)  
*From the Shield of Achilles to the Hill of Mars*

### Friday, July 2

- 2:00 pm  
Glenn Most (Florence)  
*Just How Just is Aeschylus' Justice?*
- 3:00 pm  
Stephen Holmes (New York)  
*Justice, Identity, Revenge*
- 4:00 pm  
Lorraine Daston (Berlin)  
*Unnatural Crimes and Artificial Justice*
- 5:00 pm  
Wendy Doniger (Chicago)  
*Cutting the Red Cord of Vengeance  
The Oresteia and the Mahabharata*

- 6:15 pm  
Konstanty Gebert (Warsaw)  
*Can Furies Retire? Do Furies Die?*
- 7:15 pm  
Susan Neiman (Potsdam)  
*Crime, Memory, and Justice*
- 8:15 pm  
David Shulman (Jerusalem)  
*Alternatives to Revenge*