

Athens, Kylon, and the Dipolieia

Dimitri Nakassis

THE ATHENIAN FESTIVAL known as the Dipolieia or Bouphonia has been central to studies of Greek sacrifice for the past century, yet there remains little consensus on its interpretation.¹ For some, the festival exposes the anxieties inherent in all Greek sacrificial practice, and by overcoming them, constitutes the strongest possible justification for sacrifice.² Others argue that Greeks felt little anxiety about animal sacrifice, and that the Bouphonia made “a distinct symbolic statement” related to the slaughter of a particular victim, the plow ox, in a particular city, Athens, where killing this animal was formally prohibited by an annual curse.³ Contemporary criticism of the festival has reached an impasse, as both approaches pose difficulties. The universalist view of the Dipol-

¹ R. Parker, *Polytheism and Society at Athens* (Oxford 2005) 187–191, provides a lucid discussion of what is known about the festival and the current state of debate.

² W. Burkert, *Homo Necans* (Berkeley 1983) 136–143, *Greek Religion* (Cambridge [Mass.] 1985) 230–231; J.-L. Durand, *Sacrifice et labour en Grèce ancienne: essai d'anthropologie religieuse* (Paris 1986); J.-P. Vernant, *Mortals and Immortals: Collected Essays* (Princeton 1991) 290–302; M. Katz, “Buphonia and Goring Ox: Homicide, Animal Sacrifice, and Judicial Process,” in R. M. Rosen and J. Farrell (eds.), *Nomodeiktes: Greek Studies in Honor of Martin Ostwald* (Ann Arbor 1993) 155–178.

³ M. Jameson, “Sacrifice and Animal Husbandry in Classical Greece,” in C. R. Whittaker (ed.), *Pastoral Economies in Classical Antiquity* (Cambridge 1988) 87–119, at 87; D. Obbink, “The Origins of Greek Sacrifice: Theophrastus on Religion and Cultural History,” in W. Fortenbaugh and R. Sharples (eds.), *Theophrastean Studies* (New Brunswick 1988) 272–295; J. Bremmer, *Greek Religion* (Oxford 1994) 41–43; R. Parker, *On Greek Religion* (Ithaca 2011) 127–130, 206.

lieia as a general defense of sacrifice may ignore the historical and geographical specificity of the festival in Archaic-Classical Athens.⁴ The particularist view, on the other hand, may find it difficult to explain the especially complex form of the ritual—particularly the amplification of guilt over the ox-killing and the equally elaborate defense—if its significance is so narrowly defined.⁵

The central problem is that although the sources for the festival are extremely vivid, the broader setting of the ritual they describe is absolutely obscure.⁶ This paper argues that this predicament may be resolved by focusing on the topographical and historical context of the Dipolieia in Athens.⁷ I argue that the ritual was assimilated to oral traditions associated with the topography and sanctuaries on and around the Athenian Acropolis. Specifically, I call attention to a number of correspondences between the Dipolieia and the historical traditions about the Kylonian conspiracy.⁸ The similarities between the

⁴ Burkert (*Homo Necans* 141–143, *Greek Religion* 231), recognizing the need for attention to the local context of the festival, suggests that its distinctive character could be explained in part by its date (14 Skirophorion), towards the conclusion of the Athenian year, and concludes that it dramatized the dissolution of the social order associated with the end of the year. Nevertheless, this explanation principally explains the ritual's "strange and eccentric character" (*Homo Necans* 141) rather than the specific form that it takes.

⁵ Parker, *Polytheism* 190–191. Other rituals involving the sacrifice of the plow ox at Lindos (Apollod. 2.5.11.8; Callim. *Aet.* fr.22–23; Philostr. *Imag.* 2.24) and Thebes (Paus. 9.12.1) are not nearly as elaborate as the Dipolieia. On the translation of Bouphonia as ox-killing rather than ox-murder, see A. Henrichs, "Gott, Mensch, Tier: Antike Daseinsstruktur und religiöses Verhalten im Denken Karl Meulis," in F. Graf (ed.), *Klassische Antike und neue Wege der Kulturwissenschaften. Symposium Karl Meuli* (Basel 1992) 129–167, at 153–160.

⁶ Parker, *Polytheism* 191. The sources are also famously problematic; see Parker 187–191.

⁷ Cf. R. Parker, *Athenian Religion: A History* (Oxford 1996) 2, who points out that Greek festivals are often studied in isolation from their wider social context.

⁸ On Kylon see S. Hornblower, *A Commentary on Thucydides I* (Oxford

two are, I claim, too specific to be explained as generic. Consequently I conclude that the ritual and the historical narrative have been assimilated to each other in a reciprocal and dynamic process.

Both the Kylonian affair and the Dipolieia begin with acts of impiety in a sanctuary precinct on the Acropolis. Kylon and his men not only seize the Acropolis in an attempt to overthrow the state, but also do so during a festival to Zeus.⁹ In the Dipolieia, the only festival of Zeus to take place on the Acropolis, an ox eats from the altar the vegetarian sacrifices intended for the god.¹⁰ The responses to each of these impieties are acts of violence in a sanctuary: Athenian officials murder the Kylonian suppliants at the altars of the *Semnai*,¹¹ while in the Dipolieia a religious official kills the ox at the altar of Zeus Polieus and flees the scene.¹²

While the accounts of Thucydides and Plutarch focus on the altars of the *Semnai* as the locus where the Kylonians were killed, their murder was primarily a violation against Athena, at whose shrine they were suppliants. This is corroborated by Thucydides' explicit statement that the murderers were sinners against the goddess (1.126.11), and by Pausanias' report that a statue of Kylon stood on the Acropolis (1.28.1), presumably an

1991) 202–210; F. Jacoby, *Atthis: The Local Chronicles of Ancient Athens* (Oxford 1949), 186–188; M. Lang, “Kylonian Conspiracy,” *CP* 62 (1967) 243–249; P. J. Rhodes, *A Commentary on the Aristotelian Athenaion Politeia* (Oxford 1981) 79–84; R. Thomas, *Oral Tradition and Written Record in Classical Athens* (Cambridge 1989) 272–281.

⁹ Thuc. 1.126.4–6. Cf. M. Jameson, “Notes on the Sacrificial Calendar from Erchia,” *BCH* 89 (1965) 154–172, at 168, on the possibility that Kylon seized the Acropolis during the Diasia in the tradition transmitted by Herodotus and criticized by Thucydides.

¹⁰ Paus. 1.24.4; Porph. *Abst.* 2.30.4.

¹¹ Thuc. 1.126.11; Plut. *Sol.* 12.1. Hdt. 5.71 asserts that the officials responsible were the *prytaneis* of the *naukraroi* rather than the archons (corrected by Thuc. 1.126.8) and his abbreviated account omits any reference to where the slaughter occurred.

¹² Paus. 1.24.4; cf. Paus. 1.28.10, Porph. *Abst.* 2.29.2.

expiatory offering for Kylon's death. The closest parallel is provided by the statues of Pausanias son of Kleombrotos that the Lakedaimonians were required to set up in the precinct of Athena Khalkioikos/Polioukhos on the Spartan acropolis.¹³ The existence of a statue of Kylon, if expiatory, would contradict Thucydides' account in which Kylon escapes, but agrees with the implication in Herodotus that he dies.¹⁴

In both the Dipolieia and the Kylon narrative, a trial ensues to determine who is guilty of the murders in the sanctuary, in order to identify the source of pollution.¹⁵ The judgment, which purifies the city, involves the expulsion of a guilty party: in the Dipolieia the sacrificial knife was cast out of the city and into the purifying waters of the sea,¹⁶ while in the Kylonian conspiracy the Alkmaionidai were sent into exile and the bones of their ancestors were cast out of the city.¹⁷ In the Dipolieia, the guilt that arises from the communal act of sacrifice is projected onto the knife. Likewise, in the Kylon story, the siege of the conspirators and even their murder is consistently portrayed as an official act of the *polis*, carried out by the legitimate officers of the state; yet in the trial, it seems that only the Alk-

¹³ Thuc. 1.134.4; Paus. 3.17.7.

¹⁴ Jameson, *BCH* 89 (1965) 168.

¹⁵ *Ath. Pol.* 1.1; Plu. *Sol.* 12.2–4. See Rhodes, *Commentary* 83–84. Because the trial is attested in the Aristotelian *Athenaion Politeia*, it cannot be an invention of Plutarch, as implied by F. S. Naiden, *Ancient Supplication* (Oxford 2006) 194–195.

¹⁶ Porph. *Abst.* 2.30.5; cf. Ael. *VH* 8.3. Pausanias (1.28.10) records that the sacrificial axe is acquitted: ὁ δὲ πέλεκυς παραντίκα ἀφείθη κριθείς. This clause has been interpreted to indicate that the axe was expelled: Durand, *Sacrifice* 85–86; Katz, in *Nomodeiktes* 171; P. Stengel, *Opferbräuche der Griechen* (Leipzig 1910) 205–206. But ἀφίημι in a legal sense means 'acquit' (LSJ s.v. II.1.b), and is used in that sense by Pausanias in the previous sentence with reference to the *aition* of the Delphinion court. See A. B. Cook, *Zeus* III (Cambridge 1940) 583–584 n.5; L. Deubner, *Attische Feste* (Berlin 1932) 159–160; J. R. Porter, "Tiptoeing through the Corpses: Euripides' *Electra*, Apollonius, and the *Bouphonia*," *GRBS* 31 (1990) 255–280, at 276 n.60.

¹⁷ *Ath. Pol.* 1.1; Plut. *Sol.* 12.4.

maionidai were singled out as accursed.¹⁸

Yet another connection between the festival and the historical narrative, albeit an indirect one, is Epimenides, who purifies Athens after the expulsion of the Alkmaionidai.¹⁹ Epimenides is identified with Bouzyges,²⁰ the inventor of the plow and the ancestor of the Bouzygai, the *genos* which curses the murderer of the plow ox, the sacrificial victim in the Dipolieia.²¹ Epimenides came from Crete to purify Athens, just as, in the Dipolieia's *aition*, the return of the original ox-killer from self-imposed exile in Crete ended the famine in Athens.²²

These homologies highlight a number of salient features of the ritual and the historical narrative, such as the *pars pro toto* assignment of guilt for a crime committed by the wider community, and the threat of the city's destruction averted by a court trial. It seems clear, in sum, that the account of the Kylonian conspiracy, commonly considered the earliest certain event in Athenian history,²³ reads like a mythical or ritual account. This need not impinge on the actual historicity of the event, however, as oral traditions that relate historical events routinely make use of such tropes to structure their narratives.²⁴

The connections, it must be admitted, hardly provide conclusive proof that the Dipolieia and the tradition about Kylon are specifically related to each other. Even if they share a number of significant features, one could argue that these features are simply the consequence of a typological commonality be-

¹⁸ Jacoby, *Atthis* 366–367 n.77; R. Seaford, *Reciprocity and Ritual: Homer and Tragedy in the Developing City-state* (Oxford 1994) 94.

¹⁹ *Ath. Pol.* 1.1; *Plu. Sol.* 12.7; *FGrHist* 457 T 1–2, 4. M. L. West, *The Orphic Poems* (Oxford 1983) 45–46.

²⁰ Arist. fr.386 Rose.

²¹ Ael. *VH* 5.14; schol. *Soph. Ant.* 255; Varro *RR* 2.5.3–4; cf. schol. *Hom. Od.* 12.353.

²² Porph. *Abst.* 2.29.2–5.

²³ Jameson, *BCH* 89 (1965) 167.

²⁴ J. Vansina, *Oral Tradition as History* (Madison 1985) 19–21.

tween the story and the festival. That is, they might be part of a generalized pattern rather than representing a particular association of two distinct traditions. To test this possibility, I compare the Kylon tradition and the Dipolieia to a literary narrative and a festival, both of which share many of the same features: the *Oresteia* and the cult of Artemis Orthia in Sparta.

The central role of the trial in ending a cycle of violence can be compared to Aeschylus' *aition* of the Areopagos court, created by Athena to try Orestes when the latter was pursued by the Furies for matricide despite his performance of religious purifications.²⁵ The court ultimately acquits Orestes and subordinates the Furies to the judicial process, establishing in the process the shrine of the *Semnai*. It is therefore possible to see the trial in the Dipolieia as part of a broad pattern in which the court symbolizes the communal, political, and even democratic solution to transgressive violence, expressed as ritual pollution.²⁶ Indeed, the *Eumenides* and the Dipolieia both associate the establishment of a court with the institution of a ritual. Like Orestes,²⁷ the Kylonians supplicate Athena and are offered a trial, and both stories involve the *Semnai*: the slaughter of the Kylonians took place at their altars as they were being led to the Areopagos for their promised trial.²⁸ In the Dipolieia and

²⁵ Aesch. *Eum.* 451–452. Cf. Seaford, *Reciprocity* 92–105.

²⁶ Cf. Katz, in *Nomodeiktes* 175.

²⁷ Aesch. *Eum.* 79–80, 235–243.

²⁸ Schol. Ar. *Eq.* 445. Herodotus (5.71.2) also implies a trial with the phrase ὑπεγγύους πλὴν θανάτου. Cf. Seaford, *Reciprocity* 94 n.102; Naiden, *Supplication* 194. D. Harris-Cline, "Archaic Athens and the Topography of the Kylon Affair," *BSA* 94 (1999) 309–320 argues, following R. W. Wallace, *The Areopagos Council* (Baltimore 1989) 22–28, that the Kylonian conspirators were headed to the Prytaneion and not the Areopagos. While this topographical connection would be quite helpful to my argument, I remain unconvinced. Wallace (24) argues that the Kylonians could not have passed the shrine to the *Semnai* because it is too close to the Areopagos. Regardless of whether the Areopagos court convened on the hill itself or below at the current site of the church of St. Dionysios the Areopagite (Wallace 215–218), the shrine of the *Semnai* is located on the way from the Acropolis to the

the *Oresteia*, the pollution is ultimately removed with a combination of court trial and religious purification. It seems clear, therefore, that the *Oresteia* shares with the Dipolieia and the Kylon tradition the pattern of violence-pollution-trial-purification, although in the Dipolieia the trial precedes purification, whereas in the *Oresteia* the sequence is reversed.

The Dipolieia can also be compared to narratives that explain ritual practices as the result of unregulated and unsanctioned activity within the sacred precinct, more often than not consisting of violence. Pausanias tells us (3.16.9–11) that when a fight broke out at the sanctuary of Artemis Orthia among the inhabitants of the four villages that made up the core of settlement in Sparta (Limnai, Kynosoura, Mesoa, and Pitane) and human blood was spilled on Artemis' altar, there followed a plague which was only allayed when the goddess demanded the repetition of bloodshed. While initially the Spartans allegedly

Areopagos (Wallace 217, map 2). This error is pointed out by Seaford, *Reciprocity* 95 n.105, who also notes that the story of the string breaking (Plut. *Sol.* 12.1) logically assumes that the Areopagos is the site of the trial, since the Kylonians were almost at their destination when their connection to the goddess was severed. Harris-Cline argues that the Kylonians descended from the Acropolis via the Mycenaean postern gate on the northeastern slope of the citadel. This passage was blocked up before the end of the thirteenth century B.C., however: O. Broneer, "What Happened at Athens," *AJA* 52 (1948) 111–114, at 112; S. E. Iakovides, *The Mycenaean Acropolis of Athens* (Athens 2006) 69–70, 79–83, 105–107, 150–157, 227. Immediately after the blockage of the northeastern gate, structures were built across the passage below the Acropolis. Broneer found walls blocking the ascent associated with LH IIIB2–IIIC1 pottery which he identified as the exiguous remains of houses: O. Broneer, "Excavations on the North Slope of the Acropolis in Athens, 1931–1932," *Hesperia* 2 (1933) 329–417; "Excavations on the North Slope of the Acropolis in Athens, 1933–1934," *Hesperia* 4 (1935) 109–188; Iakovides 223–234, 227, 231. These walls clearly show that this entrance was no longer in use. Broneer, *Hesperia* 2 (1933) 351, convincingly argued that this passage was not functional in any post-Mycenaean period, since the Mycenaean steps were covered over by a deposit of Mycenaean date and by large boulders that had presumably rolled down from the Mycenaean fortification wall.

fulfilled this requirement with human sacrifice, eventually this gave way to rituals of ephebic flagellation instituted by Lykourgos.²⁹ Pausanias relates this *aition* in order to substantiate the Lakedaimonian claim that the *xoanon* of Artemis came from the land of the Taurians, and he seems to attribute both the initial outburst of violence and its ritual solution to the statue's Tauric origins and its resulting inclination for human blood. Certainly the foreign origin of the statue helps to explain the strangeness of the ritual, as Graf has shown through an analysis of the sanctuaries that claimed to possess the Tauric cult image.³⁰ The logic of the *aition* hardly requires this particular statue, however, since the pattern of transgression within a sanctuary followed by a plague and an expiatory ritual is all too common, especially in the *aitia* of initiation rituals.³¹ In some cases these myths claim that the god initially required the performance of human sacrifice, as in the *aition* of Artemis Triklaria at Patrai.³²

It is also striking that some sources report the theft of cheese from the altars of Artemis Orthia, since this would parallel the ox's violation of the sacrificial cakes in the Dipolieia. Xenophon describes a cheese-stealing ritual at the sanctuary of Artemis Orthia, in which one group of ephebes attempted to steal cheese from the altars while other ephebes whipped them.³³

²⁹ Human sacrifice is also attested in one tradition of the expiation of the Kylonian pollution (Diog. Laert. 1.110). Cf. Seaford, *Reciprocity* 93 n.95–96.

³⁰ F. Graf, "Das Götterbild aus dem Taurerland," *AntW* 10 (1979) 33–41.

³¹ A. Brelich, "Symbol of a Symbol," in J. M. Kitagawa and C. H. Long (eds.), *Myths and Symbols: Studies in Honor of Mircea Eliade* (Chicago 1969) 195–207; P. Bonnechere, *Le sacrifice humain en Grèce ancienne* (Athens 1994); F. Graf, "The Locrian Maidens," in R. Buxton (ed.), *Oxford Readings in Greek Religion* (Oxford 2000) 250–270, at 263.

³² Paus. 7.19.1–7.20.2.

³³ Xen. *Lac.* 2.9. It is clear that whipping (*μαστιγοῦν*) is involved in Xenophon's description, *contra* F. Graf, *Greek Mythology: An Introduction* (Baltimore 1993) 115. This sentence describing the ritual has been doubted by editors on the grounds that cheese is nowhere else mentioned in the testimonia for the Orthia ritual, but as V. J. Gray points out, *Xenophon on Government* (Cambridge 2007) 155–156, the example fits the context in Xen-

This ritual is consistent with an *aition* reported by Plutarch (*Arist.* 17.10) that the whipping of the ephebes was celebrated in memory of an episode from the battle of Plataia in 479 B.C., in which Lydians attacked the Lakedaimonians, disrupting the sacrifice of Pausanias by snatching and scattering the sacrificial offerings and implements. The theft of cheese from Orthia is not explicitly attested in other sources, which emphasize the brutal thrashing of ephebes and their silence for the duration of the ritual.³⁴ It has therefore been argued that the ritual changed over time: the earlier ritual attested in Classical sources involved whipping ephebes who attempted to steal cheese from the altar, while in the post-Classical ritual the ephebes were simply whipped.³⁵ Plutarch, however, clearly associates theft with the Orthia ritual: he uses the deaths of ephebes at the altar of Orthia, along with the story of a Spartan boy who died when a fox he had stolen and hidden under his cloak tore at his stomach, as proof of the punishment that Spartan boys were willing to suffer for stealing.³⁶ This proves that Plutarch, who claims to have seen the ritual firsthand, considered the whipping in the Orthia cult a punishment for stealing, presumably of the cheese mentioned by Xenophon. Indeed, in the Pausanian *aition* the mythological fight between

ophon's narrative perfectly, since it provides an example of beating boys after encouraging them to steal. The next sentence, *δηλοῦται δὲ ἐν τούτῳ ὅτι καὶ ὅπου τάχους δεῖ ὁ βλακεύων ἐλάχιστα μὲν ὠφελεῖται, πλείστα δὲ πράγματα λαμβάνει* ("it is clear in this that where speed is required the sluggard profits the least but gets the most troubles"), makes little sense without the reference to the cheese-stealing ritual, which requires the ephebes to move quickly to avoid the lash.

³⁴ The testimonia are collected by N. M. Kennell, *The Gymnasium of Virtue: Education and Culture in Ancient Sparta* (Chapel Hill 1995) 149–161.

³⁵ Burkert, *Greek Religion* 152; Graf, *Greek Mythology* 114–115; Bonnechere, *Sacrifice* 52–55; Kennell, *Gymnasium* 79; M. Lipka, *Xenophon's Spartan Constitution* (Berlin 2002) 255–257.

³⁶ Plut. *Lyc.* 18.1. It is possible that Plato also refers to the Orthia ritual when he reports that ephebes are whipped *ἐν ἀρπαγαῖς τισιν* (*Leg.* 633B with schol.).

the residents of different Spartan villages seems to correspond to the fact that in the ritual described by Xenophon one group of ephebes thrashed another group who attempted to steal the cheese.³⁷ It therefore seems that the contrast between the Classical and post-Classical ritual is overdrawn in modern scholarship. We may conclude in any case that the ephebes in the Orthia cult and the ox in the Dipolieia festival are both guilty of “stealing” offerings to the god and thereby initiate a ritual in which the blood of the thief is spilled on the altar.

In both Athenian and Spartan *aitia*, then, the pollution created by unregulated violence in the sanctuary results in famine or plague, which is resolved by the divine sanction of—or rather, demand for—institutionalized, ritually controlled bloodshed. Both rituals involve theft from the altar of the god, which is atoned for by spilling blood on the altar. There is also a political component to the Orthia festival. The fight at the altar of Artemis in Pausanias’ *aition* broke out between the residents of the four central villages of Sparta, perhaps over ritual privileges. The institution of the festival therefore marks a shift from division among the four villages to social cohesion through ritual practice, in this case the brutal thrashing of the ephebes.³⁸ In the Dipolieia festival, the awful death of the plow ox likewise acts to unite the sacrificial community and leads to a trial that Pausanias associates with the foundation of the Prytaneion court.³⁹

³⁷ Pace Bonnechere, *Sacrifice* 54, who asserts that the Pausanian *aition* can only refer to the hypothetical post-Classical ritual in which ephebes were simply thrashed. The connection between a deadly fight within a sanctuary in myth and the theft of sacrificial goods in ritual perhaps finds a parallel in the Theoxenia at Delphi: see G. Nagy, *The Best of the Achaeans* (Baltimore 1979) 123–127.

³⁸ F. de Polignac, *Cults, Territory, and the Origins of the Greek City-state* (Chicago 1995) 68.

³⁹ Porph. *Abst.* 2.29.4; Paus. 1.28.10. Cf. S. G. Cole, *Landscapes, Gender, and Ritual Space: The Ancient Greek Experience* (Berkeley 2004) 88–91. The Prytaneion seems to have been associated with the synoikism of Attica by

This comparison highlights a number of features specific to the Dipolieia and the Kylonian conspiracy. The Orthia *aition* shares with the Dipolieia the emphasis on unregulated violence within a ritual setting in which the entire community participates. The Athenian ritual goes further than its Spartan counterpart, however. Divine sanction is not enough, it seems, to allay Athenian anxieties about ritual pollution. Not only does the god demand the repetition of the sacrifice, as in the Orthia *aition*, but the ox is ritually reconstituted as if it were still alive (its hide stuffed with straw and yoked to a plow, Porph. *Abst.* 2.30.2), and a trial is held at the Prytaneion to convict and expel the guilty knife. The centrality of the court trial therefore differentiates the Dipolieia from Artemis Orthia; indeed, the court is important in all three Athenian narratives (Kylon, Dipolieia, *Oresteia*) and would seem to be a particularly Athenian feature. Unlike the *Oresteia*, however, the trials in the Dipolieia and Kylon narrative result in a *guilty* verdict which serves to deflect the ritual pollution resulting from violence away from the community through banishment of a single object or family.

This analysis highlights the similarities between the Dipolieia and the Kylon narrative which are not shared by other traditions. Both preserve the same basic ‘plot’: a festival is interrupted, inciting uncontrolled violence in the sanctuary, producing pollution, and creating the need for a court trial in which a scapegoat is identified and expelled. These plots are also manipulated in similar ways. First, both enhance the horror of the uncontrolled violence: in the case of the Dipolieia, the victim is a plow ox, whose sacrifice is formally forbidden, killed abruptly by a priest who then flees the scene, and in the Kylon narrative, the victims are suppliants slaughtered in violation of the sanctuaries of Athena and the *Semnai Theai*. Second, both present a twofold solution for the pollution: in the

Theseus (Thuc. 2.15.1–2, Plut. *Thes.* 24.3), which may parallel the political unification of the four Spartan villages implied by the Orthia *aition*.

Dipolieia not only is the ox reconstituted as if it had never been killed, but the guilty implement is also expelled from the city; in the Kylon narrative, not only are the Alkmaionidai and their ancestors' bones removed from Attica, but Epimenides purifies the city. Although the sources are late and sometimes problematic, these correspondences cumulatively create a strong structural and thematic association between the festival and historical narratives. This link is also reinforced by several specific connections: both begin with the interruption of a festival of Zeus, involve the figure of Epimenides/Bouzyges, and, most importantly, both are centered on the Athenian Acropolis. It is therefore worth considering the possibility that the Dipolieia and the Kylon narrative are directly related to each other.

If the similarities are specific rather than generic, an historical process is needed to explain this relationship. Rosalind Thomas argues that stories about Kylon were preserved in popular oral traditions rather than those of particular families like the Alkmaionidai, and she suggests that stories might have been particularly remembered at the shrine of the *Semnai*, where many Kylonians were murdered.⁴⁰ The spatial overlap between the Kylon narrative and the Dipolieia may allow us to take this suggestion further. Not only could oral traditions have been preserved in the sanctuaries themselves by the groups who maintained them, but the topography of the Athenian Acropolis and its sanctuaries could have acted as physical markers of memory. In the annual performance of the Dipolieia, the participants would have passed a series of places imbued with memories and traditions surrounding not only the festival itself but also the slaughter of the Kylonians. These monuments thus may have served as a shared "commemorative framework" which structured both traditions over time.⁴¹ As the participants in the Dipolieia exited the precinct of Zeus

⁴⁰ Thomas, *Oral Tradition* 274–277.

⁴¹ A phrase of S. E. Alcock, *Archaeologies of the Greek Past: Landscape, Monuments, and Memories* (Cambridge 2002) 183. In the terminology of Vansina, *Oral Tradition* 45–46, these monuments would be "mnemotechnic devices."

Polieus on their way to the Prytaneion for the trial, they would have followed the same path that the Kylonians took as they withdrew from the Acropolis for their own promised trial at the Areopagos.⁴² As they descended the western ramp through the Propylaia, the Areopagos would have been clearly visible. At this point, the festival participants probably turned to the south and approached the Prytaneion, now known to be located to the east of the Acropolis near the monument of Lysikrates, by taking the processional way (*peripatos*) along the south slope of the Acropolis.⁴³

The most important locus for the assimilation of the Kylonian narrative and the Dipolieia is, however, the Acropolis itself. Pausanias saw a statue of Kylon on the Acropolis, which was presumably located near the precinct of Athena Polias, since Kylon had sought refuge at her statue or her altar.⁴⁴ Kylon's statue may have even been located near the altar of Athena Polias, since the statues of Pausanias son of Kleombrotos on the Spartan acropolis were placed next to the altar of Athena, although Pausanias died outside of the temple precinct.⁴⁵ The worshippers at the Dipolieia would have passed this statue of Kylon on their way to and from the precinct of Zeus Polieus, which was located to the east of Athena's altar. The basic similarity between the two traditions could have en-

⁴² See n.28 above.

⁴³ N. Robertson, "The City Center of Archaic Athens," *Hesperia* 67 (1998) 283–302, at 291–292; G. C. R. Schmalz, "The Athenian Prytaneion Discovered?" *Hesperia* 75 (2006) 33–81.

⁴⁴ Paus. 1.28.1, Hdt. 5.71 (statue), Thuc. 1.126.10 (altar). This location is consistent with Pausanias' narrative; he mentions the statue of Kylon immediately after his discussion of images in and around the temple of Athena Polias (1.27.1–10). The statue of Athena in the seventh century B.C. would have been located in a small temple located just south of the (fifth-century) Erechtheion; the altar would have been located to the east, in the same spot as the Classical altar. On the Acropolis in the seventh century see J. M. Hurwit, *The Athenian Acropolis* (Cambridge 1999) 94–98.

⁴⁵ Thuc. 1.134.3–4, Paus. 3.17.7.

couraged a conceptual link between them, which would have then been further strengthened by the spatial associations that they share.

This historical force linking the Kylon narrative and the Dipolieia would have remained active so long as the pollution of the Alkmaionidai was politically relevant, which it certainly was through the fifth century.⁴⁶ It is striking, then, that historical testimony for both the Dipolieia and the Alkmaionidai trails off at the end of the fourth century. The Dipolieia is not attested outside of antiquarian contexts after 300 B.C.⁴⁷ The last known male Alkmaionid, Hegesias son of Hippokrates, is mentioned in an inscription dating to the second half of the fourth century.⁴⁸ After 300 B.C., we know of no Alkmaionid for nearly half a millennium; then, between A.D. 100 and 250, three women claim descent from Perikles, and so would qualify as Alkmaionidai.⁴⁹ This admittedly circumstantial evidence may suggest that after the economic and political importance of the Alkmaionidai waned, the Dipolieia lost an important source of its socio-political significance in Athens.

A consideration of the relationship between two practices, one historical and the other ritual, naturally raises the question of priority. Many would argue that the festival predates Kylon's seventh-century coup, primarily on the basis of the evidence

⁴⁶ Hdt 5.70, Thuc. 1.127.1. On the political use of the miasma of the Alkmaionidai see R. Parker, *Miasma* (Oxford 1983) 16–17.

⁴⁷ Parker, *Athenian Religion* 270. While Parker notes that a number of Attic festivals disappear after 300 B.C., he adds that “only in regard to *Synoikia* and *Dipolieia* does the argument from silence have much weight.”

⁴⁸ *IG II²* 1927.162–163; J. K. Davies, *Athenian Propertied Families* (Oxford 1971) 382. One Perikles Kholargeus, probably the grandson of Perikles (son of Perikles and Aspasia), was trierach ca. 350; J. L. Shear, “Fragments of Naval Inventories from the Athenian Agora,” *Hesperia* 64 (1995) 179–224, at 214–215 [*SEG XLV* 147.38].

⁴⁹ *I.Eleusis* no. 433 (*IG II²* 3546) ca. A.D. 100; no. 648 (*IG II²* 3679) ca. 240; *SEG LIV* 307 ca. 225–230. See Davies, *APF* 460; Shear, *Hesperia* 64 (1995) 214; K. Clinton, “A Family of Eumolpidai and Kerykes Descended from Pericles,” *Hesperia* 73 (2004) 39–57, at 54–56.

from Aristophanes.⁵⁰ The earliest evidence for the Dipolieia, epigraphical and iconographical, belongs to the end of the sixth century.⁵¹ We cannot therefore be entirely certain whether the ritual is temporally prior to the historical Kylon. I would argue that the issue of priority is not very important, since both the Dipolieia and stories about Kylon had coexisted for at least one century by the time of Herodotus, our first informant. A one-way direction of influence is therefore improbable. Instead, it seems likely that the centuries-old traditions involving the Kylonian conspiracy, the ritual practices of the Dipolieia, and its *aition* reciprocally influenced each other and became assimilated to each other over time.

In fact, there are several features that may affirm this hypothesis. An important aspect of the Dipolieia is the initial impiety of the ox that eats the offerings to Zeus, as this triggers the angry response of the ox-killer. Some details in the preserved traditions about Kylon seem additions assimilated to this ritual logic of attributing to the victim an initial impiety.⁵² One source reports that the Kylonians ransacked the treasury of Athena (schol. Ar. *Eq.* 445). Thucydides informs us that Kylon was told by Delphi to seize the Acropolis during the greatest

⁵⁰ Ar. *Nub.* 984–985: ἀρχαῖά γε καὶ Διπολιώδη καὶ τεττίγων ἀνάμειστα / καὶ Κηκείδου καὶ Βουφονίων. Much has been made of this reference, which however need indicate no more than that the festival “was perhaps despised by the younger generation as overlaid with archaic ritual devoid of the athletic contests which made other festivals interesting”: K. Dover, *Clouds* (Oxford 1968) 218. C. Trümper, *Untersuchungen zu den altgriechischen Monatsnamen und Monatsfolgen* (Heidelberg 1997) 22–24, argues for the antiquity of the Bouphonia on the basis of month names, but we have no way of knowing the content of festivals with the same or similar names.

⁵¹ *IG* I³ 232 (510–480 B.C.); G. Bakalakis, “Das Zeusfest der Dipolieia auf einer Oinochoe in Saloniki,” *AntK* 12 (1969) 56–60. Cf. Durand, *Sacrifice* 95–103; E. Simon, *Festivals of Attica: An Archaeological Commentary* (Madison 1983) 8–12.

⁵² Jameson, *BCH* 89 (1965) 170–171, argues that this is a pattern that applies to tyrants or would-be tyrants, although the types of violent outrages committed in his other examples are not strictly comparable.

festival of Zeus, which he mistakenly took to be the Olympia, whereas he should have understood the local Athenian festival called the Diasia (1.126.4–6). Michael Jameson argued persuasively that Thucydides is correcting a tradition, perhaps the same tradition that Herodotus drew upon, in which Kylon did seize the Acropolis during the Diasia.⁵³ As Jameson points out, since the Diasia is a festival of Zeus Meilikhios, a deity of purification associated with inter-family strife, the violence of the Kylonians “could have been interpreted as putting them religiously in the wrong on that day of all days.”⁵⁴ At first glance, these details seem superfluous, since the real crime of the Kylonians is their attempt to establish a tyranny by force, not their interruption of a festival. Jameson argued that these traditions served to portray Kylon as hostile to the gods and therefore in the wrong when the Athenians acted against him.⁵⁵ This seems beside the point, however, since Kylon’s impiety in no way diminishes the pollution attached to the *polis* for the murder of his followers.⁵⁶ These aspects of the historical tradition may instead represent assimilation to the first step in the Dipolieia ritual, namely the impiety of the ox, which creates the potential for transgressive violence within the sanctuary.

There is also evidence that the historical narrative has influenced the festival. The court trial at the end of the Dipolieia has troubled a number of scholars, who see it as redundant;⁵⁷

⁵³ As Jameson notes, *BCH* 89 (1965) 167–172, Thucydides’ phrase *πανδημειὲς ἐκ τῶν ἀγρῶν* (1.126.7) betrays this tradition, for he himself says that the Diasia is celebrated *πανδημειί* (1.126.6), and the sacrificial calendar from Erchia (*SEG* XXI 541.40) locates this festival *ἐν Ἄγρᾳς*; that is, a district on the banks of the Ilissos called Agrai.

⁵⁴ Jameson, *BCH* 89 (1965) 169. On Zeus Meilikhios generally, see M. H. Jameson, D. R. Jordan, and R. D. Kotansky, *A Lex Sacra from Selinous* (*GRBM* 11 [1993]) 81–103.

⁵⁵ Jameson, *BCH* 89 (1965) 169–171.

⁵⁶ Cf. Parker, *Miasma* 183, on Pausanias son of Kleombrotos.

⁵⁷ Porter, *GRBS* 31 (1990) 276 n.60, with bibliography.

Burkert, for example, calls it an “epilogue.”⁵⁸ The trial, as Vernant has argued, serves to remove the sacrificial implements and therefore any vestiges of guilt,⁵⁹ but this is somewhat odd considering that the death of the ox is denied outright through its reconstitution, and the crime of its death is denied through the demand that the ritual be repeated. With these two actions, the Dipolieia has already gone further than the *aition* of Artemis Orthia, where divine sanction of bloodshed is apparently all that is required. The expulsion of the sacrificial knife also repeats the flight of the ox-killer, and so seems structurally unnecessary. The trial, then, and the expulsion of the guilty party with which it concludes, may reflect the influence of the historical narrative on the ritual.⁶⁰

Another problematic aspect of the Dipolieia festival is the fact that the sacrificial victim is the plow ox, whose sacrifice is prohibited.⁶¹ Given the presence of other rituals in the Greek world involving the problematic sacrifice of plow oxen, it seems likely that the Dipolieia always involved this particular victim.⁶² Yet the association of Kylon with the plow ox may help to answer the question posed recently by Parker, “why is the most morally dubious of all forms of sacrifice picked out for attention” in the Dipolieia?⁶³ The murder of Kylon, involving as it did the violation of two sanctuaries, was particularly horrifying. The affected cults were, moreover, far from minor: the *Semnai* were central to the Areopagos, the most important of the Athenian courts, and Athena Polias was the patron deity of the

⁵⁸ Burkert, *Homo Necans* 140.

⁵⁹ Vernant, *Mortals* 300.

⁶⁰ Presumably the trial in the Dipolieia was held at the Prytaneion because this was the appropriate court for such trials. As Boegehold stresses, there would have been a real need for formal verdicts on deaths caused by an unidentifiable hand: A. Boegehold, *The Lawcourts at Athens (Athenian Agora 28 [Princeton 1995])* 50.

⁶¹ Parker, *Polytheism* 190–191.

⁶² See n.5 above.

⁶³ Parker, *Polytheism* 191.

city and her cult was the most important in Athens. The singling out of a particularly anxiety-filled killing and an elaborate defense of its necessity are features shared by both the historical narrative and the ritual. I suggested above that the trial in the Prytaneion and the expulsion of the sacrificial knife in the Dipolieia reflect influence by the Kylonian narrative. It may be, then, that the anxiety surrounding the slaughter of the plow ox has been exaggerated through the process of reciprocal assimilation. If this is so, then the Dipolieia's uniqueness would be, to a large extent, a product of local and historical processes. This does not preclude interpretations of the Dipolieia which situate it within general theories of sacrifice, since the slaughter of the plow ox may have constituted a general defense of sacrifice in the Greek world. But it does suggest that it and other Greek festivals also need to be understood within an historical context.⁶⁴

One final result of this analysis is that the Alkmaionidai are functionally assimilated to the role of the sacrificial knife in the Dipolieia. Indeed, the flight of the priest and the expulsion of the knife can be interpreted as providing an alternative to human banishment. This alternative is explored in the *aition* given by Porphyry: the original ox-killer flees to Crete after he realizes what he has done, but his return allows the city to be purified and ends the famine. In the ritual, the banishment of the knife is complete and total. The return of the Alkmaionidai to Athens, although structurally parallel, can only result in pollution and presents a recurring problem for the city.⁶⁵ Indeed, as Rosalind Thomas argues, the Kylonian narrative is concerned with the purification of the *polis* itself.⁶⁶ This is also true

⁶⁴ Alternatively, such sacrifices may have justified this particular victim, whose slaughter was economically expedient but problematic because of its role in agricultural labor; see Bremmer, *Religion* 42; Parker, *Polytheism* 190–191; V. J. Rosivach, *The System of Public Sacrifice in Fourth-Century Athens* (Atlanta 1994) 162–163.

⁶⁵ Hdt. 5.70, Thuc. 1.126.

⁶⁶ Thomas, *Oral Tradition* 272–281.

of the *aitia* of the Dipolieia, which represent both sacrifice and the court as institutions which save and further integrate the *polis*.

The paradox of Kylon's murder is that it preserved the state, yet this very act polluted the city and required purification. The same rationale motivates the Dipolieia ritual: the slaughter of the plow ox at the altar of Zeus Polieus, while horrifying, is sanctioned by the gods, who demand that the sacrifice be repeated. The similarities with the Dipolieia therefore portray the Kylon affair as a kind of a ritual motivated by necessity, even one with divine authorization. Thus, the Athenians construct the community's impious act of killing Athena's suppliants as capable of purification through the political institution of the court. If Burkert is correct in his theory that "ritual creates situations of anxiety in order to overcome them,"⁶⁷ then the association of ritual and history in this case serves to maintain the city's purity in the face of the awful fact that the Athenians committed murder at the religious heart of their city.⁶⁸

April, 2011

Department of Classics
University of Toronto
Toronto, ON
Canada M5S 2C7
d.nakassis@utoronto.ca

⁶⁷ Burkert, *Religion* 264; cf. Vernant, *Mortals* 301.

⁶⁸ Earlier versions of this paper were presented at the annual meeting of the APA in 2003, the University of Texas at Austin, the Florida State University, and the ColPAH Work in Progress Seminar in Toronto. I thank the audiences at those talks; I am also grateful to Andreas Bendlin, Jonathan David, Kevin Glowacki, Chris Lovell, John Porter, Robert Parker, Allen Romano, Richard Seaford, John Traill, an anonymous *GRBS* reviewer, and especially Erwin Cook.