The "Rough Stones" of Aegina

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The "Rough Stones" of Aegina: Pindar, Pausanias, and the Topography of Aeginetan Justice

This paper considers Pindar's diverse appropriations of elements of the sacred topography of Aegina for different purposes in epinikia composed for Aeginetan victors. It focuses on poems likely performed in the vicinity of the Aiakeion for their different mobilizations of a monument that we know from Pausanias stood beside the Aiakeion—the tomb of Phokos, an earth mound topped with the "rough stone" that killed him (N.5, N.8, O.8). The more speculative final part of the paper suggests that it may also be possible to track a coherent ideology attached to the island's sacred topography across several Aeginetan odes, thereby detecting a broader structural unity that accompanies and frames the different individual appropriations of different poems. This part starts from Pausanias' mythic narrative of the exemplary justice of Aiakos banishing his own son Telamon as the aetiology for a distinctive Aeginetan justice system inscribed in a whole set of man-made monuments that ring the island with concentric circles of rough stones.

I am interested in Pindar's engagements with the sacred topography of Aegina—or more specifically, his multiple, diverse appropriations thereof for different purposes in different epinikia composed for Aeginetan victors. In fact, Pindar wrote more odes for athletic victors from Aegina than from any other single polis—eleven in all, or twelve, counting the fragmentary Isthmian 9 (so nearly a quarter of the preserved

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epinikia).[1] And scholars have devoted quite a lot of attention recently to this cluster of odes and to different sacred sites on the island as probable performance venues for them, focusing particularly on the temple of Aphaia (many of whose magnificent pedimental sculptures survive); the Thearion attached to the Temple of Apollo; and the Aiakeion.[2] I will limit my consideration here to those odes that seem closely connected to this last monument—the *temenos* of Aiakos in Aegina town—and therefore potentially performed at the Aiakeion.[3]

In considering the interaction of Pindar's odes with the built environment in which they were imaginably performed, I want to follow the lead of Maria Pavlou. In a recent article on Pindar's engagement with the statues and monuments that were likely part of the performance setting of Nemean 5, Pavlou argues that Pindar does not simply reflect or mirror those ambient monuments in his song so much as he reinterprets, narrativizes, and appropriates them for his own purposes.[4] After laying out what we can reconstruct about Aeginetan topography from Pausanias and other sources (Part I), I want to extend Pavlou's insight to consider how Pindar can be seen to calque or re-write the same sacred monuments of Aegina in multiple different ways in different Aeginetan odes in Part II. I will then in the more speculative third part of the paper suggest that it may also be possible to track a single coherent Aeginetan ideology or value system significantly attached to the island's sacred topography across several of these poems, thereby detecting a broader structural unity, as it were, that accompanies and frames the different individual appropriations of different poems.[5] This broader ideology will center on legends of Aiakos as the foundation for elements of an Aeginetan justice

1. O.8, P.8, N.3, N.4, N.5, N.6, N.7, N.8, I.5, I.6, I.8, I.9. Additional Aeginetan commissions: Paian 15 (probably a prosodion for Aiakos); a "song for Aphaia" mentioned at Paus. 2.30.3 (of which nothing is preserved); and the third triad of Paian 6, which is identified in the papyrus by a second, marginal title as "a prosodion, for the Aeginetans to Aiakos." For the marginal title and the status of the third triad as a separate poem, see D'Alessio 1997: 48–59, Rutherford 1997, 2001: 306–307, 329–38, Kurke 2005. For the text of Pindar, I cite Snell-Maehler 1997, Maehler 2001; unless otherwise indicated, translations are my own.

2. For recent discussions of the Aeginetan odes as a cluster, see Mann 2001: 192–235, Hornblower 2004: 207–35, 2007, Burnett 2005, and essays in Fearn 2011. For these poems specifically in relation to the sacred topography of Aegina: (1) Temple of Aphaia (O.8, I.6): Burnett 2005, Athanassaki 2011, Indergaard 2011; (2) Thearion (N.3, N.7): Currie 2005: 333–39, Rutherford 2011; (3) Aiakeion (O.8, N.3, N.5, N.8, Bacch. 13): Fearn 2007: 115–20, 2011a: 181–94, Pavlou 2010, Athanassaki 2011.

3. But cf. Athanassaki 2011 for the productive idea that Pindar's Aeginetan odes often triangulate among several different sacred sites on the island (Temple of Apollo, Aiakeion, Aphaia temple, and shrine of Zeus Hellanios), wherever specifically they may have been performed. This is a salutary corrective to an over-literal, positivist attempt to link each ode to a single location, since all of these sites seem to have been connected in any case by shared iconography and cult practice.

4. Pavlou 2010: 10–15: "Even though [Pindar] clearly draws on communal knowledge, he implicitly challenges part of this knowledge by re-interpreting the well-known events of the story. Accordingly, through his song Pindar invests the idle monuments surrounding the place of performance with new meaning" (quote from p. 11).

5. For a similar play of individuation and coherence within the set of Aeginetan odes, cf. Athanassaki 2011: 283; for the more ambitious project of tracing out the functioning system of Greek polytheism within the local context of Aegina, see Polinskaya 2013.

system inscribed in a whole set of man-made monuments that ring the island with concentric circles of rough stones. Ultimately, this configuration of legal apparatus and island topography may have significant implications not only for fifth-century Aegina, but also for her arch-rival in the struggle for naval supremacy, Athens (as I will discuss in the Appendix).

I. PAUSANIAS ON AEGINETAN TOPOGRAPHY

Our main source for the Aeginetan Aiakeion, its location, and iconography is Pausanias' brief account of Aegina in his *Description of Greece* (composed in the mid-second century CE):

> Aegina is the most difficult of access (ἀπορωτάτη) of the Greek islands to sail to; for submerged rocks and reefs stand all around it. And they say that Aiakos contrived these things deliberately out of fear of brigands from the sea, and in order that it be dangerous for foes. And near the harbor where the most ships put in is a temple of Aphrodite, and in the most conspicuous place in the city what is called the Aiakeion, a quadrangular enclosure [made] of white stone (ἐν ἐπιφανεστάτῳ δὲ τῆς πόλεως τὸ Αἰάκειον καλούμενον, περίβολος τετράγωνος λευκοῦ λίθου). And there are worked upon it at the entrance those who were once dispatched by the Hellenes to Aiakos; and all the rest [of the Greeks] agree with the Aeginetans as to the cause. A drought was oppressing Greece for [a long] time and the god was sending rain neither to the territory outside the Isthmus nor to the Peloponnesians, until they sent to Delphi to ask what the cause was and at the same time to seek release from the evil. To these the Pythia said to propitiate Zeus, but that it was necessary, if indeed he would heed them, that Aiakos be the one who supplicated [him]. And so they dispatched men from each city to ask this of Aiakos; and he, having sacrificed to Zeus Panhellenios and having prayed, caused it to rain [throughout] the Greek land, and the Aeginetans had made for themselves these images of the men who came to him. And within the peribolos grow ancient olive trees and there is an altar that does not project much from the ground. But it is told in a secret account that this altar is also the tomb (μνῆμα) of Aiakos. And beside the Aiakeion the tomb of Phokos is a mound of heaped earth encircled by a circular stone foundation course, and upon it is laid a rough stone (παρὰ δὲ τὸ Αἰάκειον Φώκου τάφος χῶμά ἐστι περιεχόμενον κύκλῳ κρηπῖδι, ἐπίκειται δέ οἱ λίθος τραχύς). And when Telamon and Peleus challenged Phokos to the competition of the pentathlon and it came around to Peleus to cast the stone—for they were using this in place of a discus—he deliberately hit Phokos [with it]. And they were doing these things to gratify their mother, for these [Telamon and Peleus] had been born from

> the daughter of Skiron, while Phokos was not from the same [mother], but from a sister of Thetis (if indeed the stories of the Greeks are true).
>
> Paus. 2.29.6–9

As is often the case, we are forced *faute de mieux* to rely on Pausanias' account for the reconstruction of the topography and monuments of archaic and classical Greek sites.[6] But in the case of Aegina, we have other early evidence that tends to support various aspects of Pausanias' account, underscoring the central importance of Aiakos and the Aiakidai on Aegina, and corroborating the myths Pausanias tells and the general structure of the Aiakeion as he describes it. I will first review other literary, archaeological, and epigraphic evidence that supports Pausanias' account in this section before turning to the corroborative evidence and creative appropriations of Pindar in the next section.

First, on two occasions Herodotus tells us that the Aeginetans "send" or "fetch the Aiakidai" as a source of numinous or talismanic support in war (Hdt. 5.79–80, 8.64.2, 83.2, 84.2). Thus, the Aeginetans send them to the Thebans who have requested the islanders' help for their struggle against the Athenians ca. 506 BCE (Hdt. 5.79–80), and (most famously) the Greeks dispatch a ship from Salamis to "fetch the Aiakidai" immediately before the battle of Salamis:

> And day came and together with the sun rising there was an earthquake on land and sea. And it seemed best to them to pray to the gods and to summon the Aiakidai as allies. And since they were so resolved, they also set about doing these things; for, having prayed to all the gods, they were summoning Ajax and Telamon from there, from Salamis, but for Aiakos and the other Aiakidai, they dispatched a ship to Aegina.
>
> Hdt. 8.63

> And they [the other Greeks at Salamis] were embarking on their ships, and there came the trireme from Aegina, the one that was away fetching the Aiakidai.
>
> Hdt. 8.83

6. Pausanias gives us our only eyewitness account of the topography of Aegina, and Aegina is in fact the only island city he describes in any detail in the whole of his ten-book *Description of Greece*. For the general accuracy of Pausanias' accounts and his particular interest in archaic and classical monuments, see Habicht 1985: 28–117, Arafat 1996: 43–79. More recent scholarship on Pausanias has usefully emphasized his Roman imperial context (thus, in addition to Arafat, Alcock 1993, 2002, Elsner 1995: 125–55, Alcock, Cherry, and Elsner 2001), but even here, Alcock 2002 on "social memory" offers a different way of conceptualizing the reliability of Pausanias' testimony for much earlier periods of Greek history. For Alcock's model suggests the deliberate, active preservation of their past by different Greek communities, with social memory often linked to enduring monuments. In the case of the Aeginetans specifically, we might imagine that their history of disruption and return (being driven off their island by the Athenians in 431 BCE, then their diasporic remnants restored by Lysander at the end of the Peloponnesian War, and having their island sold to Attalos I in the late third century BCE) would motivate the active preservation of monuments and local traditions from their "glory days" in the sixth and first half of the fifth centuries BCE.

Herodotus also records the Aeginetan claim that it was this ship bearing the Aiakidai that first engaged the Persian fleet at Salamis, when the other Greek ships were still apprehensively backing water (Hdt. 8.84.2). Unfortunately, Herodotus never explains exactly what the Aiakidai were, and scholars have suggested ancient idols or totems fashioned of wood or clay, or perhaps actual bones believed to be those of the cult hero Aiakos.[7] In any case, it is assumed that these talismans of "Aiakos and the other Aiakidai"—whatever exactly they were—were generally kept by the Aeginetans in the Aiakeion.[8]

Several other sources also corroborate Pausanias' aetiological account of a legendary drought throughout Greece, the successful intercession of Aiakos with his divine father, and his subsequent foundation of an altar to Zeus Hellanios (or Panhellenios) on the heights of Aegina's Mt. Oros. While Pausanias offers the fullest version of this story, Isocrates, Diodorus Siculus, Apollodorus, and others provide very similar accounts of the terrible drought afflicting all Greece, the oracles delivered, and the final effective appeal of Aiakos to his father Zeus.[9] And, although the text is very fragmentary, it seems likely that Pindar's sixth Paian had already linked the myth of Aiakos' supplication with the Delphic Theoxeny for which the poem was composed.[10]

7. For the former (images), see Macan 1895.1: 226 (ad 5.80), How and Wells 1928.2: 45 (ad 5.80), Rutherford 1992: 65–67, 2001: 413–17, Walter 1993: 56, Polinskaya 2013: 135; for the latter (bones), perhaps accompanied by Aeginetan aristocrats who traced their descent from Aiakos, see Nagy 1990: 177–78. Nagy 2011: 77–78 adds the proposal that the Aiakidai were actual Aeginetan aristocrats who struck "stylized choral poses," but (as Burnett 2005: 27n.73 objects to the earlier version of this argument), surely this theory makes nonsense of Herodotus' opposition at 5.79–80 between "the Aiakidai" and "(real) men" (ἄνδρες) in the Thebans' rueful response to the Aeginetans.

8. For the assumption that these images/talismans of the Aiakidai were most likely housed in the Aiakeion, see Zunker 1988: 71–72, Stroud 1998: 88, Polinskaya 2013: 128–36. For the continued significance and centrality of the cult of Aiakos and Aiakeion on Aegina, see *IG* iv^2.2 747, with Allen 1971, 1983: 147, 208–209, Figueira 1991: 396–97. Allen 1971 identifies this inscription as Aeginetan (not Attic), and dates it to the third century BCE, specifically to the period of Attalos I's acquisition of the island of Aegina by purchase. Although the inscription is very fragmentary, with Allen's suggested supplements, it makes Attalos I σύνναος and σύμβωμος with Aiakos (line 11), based on the "kinship" (συγγένεια) of Herakles and Aiakos (line 17). Polinskaya 2013: 130–31 expresses skepticism that Attalos is linked with Aiakos in this inscription, since Aiakos had no *naos*; she suggests instead a link with Zeus.

9. Cf. Isocrates *Evagoras* 14–15, D.S. 4.61.1–2, Paus. 1.44.9, Apoll. *Bibl*. 3.12.6, Clement of Alexandria *Strom*. 6.3.28–29 (p. 753), Schol. N.5.17b (3: 91–92 Drachmann), Schol. Ar. *Knights* 1253a, b Mervyn Jones. The main difference among these accounts is the mythic murder said to be the cause of the drought: for Diodorus, it is the murder of the Cretan Androgeos by the Athenians; for Apollodorus, that of Stymphalos by Pelops. Cf. Kowalzig 2007: 182, noting how uniform and consistent all the different preserved versions are. Kowalzig 2007: 181–88, 201–23 argues that these myths must go back at least to the fifth century BCE, reflecting a period of competition between Athens and Aegina over different versions of Panhellenism. Of our literary sources, Pausanias alone gives Zeus the epithet Panhellenios; for discussion of this as a Roman-era development, see Polinskaya 2013: 336–37.

10. For the probable connection of the Aeginetan drought myth with a Delphic famine myth in the aetiology of the Delphic Theoxeny celebrated in Paian 6, see Radt 1958: 88–90, 132–34, 174–75, Zunker 1988: 69, Currie 2005: 332–33, Kurke 2005, Kowalzig 2007: 201–23. This connection is based on the fragmentary lines 62–75 of Paian 6; on a scholion to line 62 that mentions εὐετηρία; and on the

Finally, Ronald S. Stroud has recently identified a large quadrangular structure on the SW edge of the classical Athenian Agora as the Aiakeion that Herodotus tells us the Athenians built to contest the Aeginetans' claim to the hero (Hdt. 5.89.2).[11] Stroud makes this identification in the context of providing the *editio princeps* of an Athenian grain law of 374/3 BCE, discovered in the Agora excavations of 1986. This law, proposed by one Agyrrhios, decrees that tax farmers, collecting tax in the form of grain from the islands of Lemnos, Imbros, and Skyros, should transport the grain to Athens and should store it in the Aiakeion, which "the city will furnish in watertight condition and provided with a door" (στέγον δὲ καὶ τεθυρωμένον παρέ̣[ξ]ει τὸ Αἰάκειον ἡ πόλις, Stroud 1998: 4 = *SEG* xlviii 96, lines 15–16).[12] Setting out to identify the Aiakeion specified in this fourth-century grain law, Stroud first surveys all preserved literary and epigraphic references to the monument, starting with the earliest reference in Herodotus. According to Herodotus, in the context of hostilities with Aegina some time between 506 and 499 BCE, the Athenians set up their own *temenos* to Aiakos in response to a Delphic oracle, "this one which is now established on the agora" (τῷ μὲν Αἰακῷ τέμενος ἀπέδεξαν τοῦτο τὸ νῦν ἐπὶ τῆς ἀγορῆς ἵδρυται, Hdt. 5.89.3).[13] As Emily Kearns and others have noted, the purpose of this Athenian dedication of a shrine to Aiakos was to lure the hero away from Aegina, where he served as guardian and protector of the city.[14]

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invocation of Zeus Hellanios and foregrounding of myths of Aiakos and the Aiakids in the poem's third triad. Rutherford 2001: 331–32 and Polinskaya 2013: 248–49 (with n.454) express skepticism about this connection.

11. Stroud 1998: 85–102.

12. Text and translation follow Stroud 1998: 4, 9. For the text of the inscription, see also Rhodes and Osborne 2003: 118–29 (no. 26), although Rhodes and Osborne mistakenly list it as *SEG* xlvii 96.

13. Hdt. 5.89.1–3: the Delphic oracle tells the Athenians that they should wait 30 years before starting a war with Aegina, and then in the thirty-first, "having set up a temenos for Aiakos," they should initiate the war and "it would go as they wanted," whereas if they started the war immediately, they would subdue Aegina in the end, but only after much suffering. Herodotus says explicitly that the Athenians were unwilling to wait and immediately set up the Aiakeion, only to be prevented from taking vengeance on the Aeginetans by the Spartans' attempt to reinstate the Peisistratidai. Stroud 1998: 85–86 insists that we should accept Herodotus' chronology of events and so date the construction of the Athenian Aiakeion between 506 and the Ionian Revolt (499 BCE).

14. Kearns 1989: 47; cf. Williams 1987: 672–74, Figueira 1991: 104, 1993: 93, 211, 277, 279, 296–97, 404; Parker 1996: 157. Based on a careful reading of the Herodotean passage, Polinskaya 2013: 473–79 argues that the Athenians dedicated or "showed forth" (ἀπέδεξαν) a temenos for Aiakos, but never actually instituted cult. On her reading, the temenos was waiting to receive Aiakos once the Athenians had defeated their Aeginetan foes, but the postponing of the war with Aegina at this point meant that the cult was never instituted at all. This is an intriguing argument, but I am not entirely persuaded. The fact that one of Polinskaya's own parallel passages for the four-part sequence of "showing forth" a temenos, leading in a god or hero, setting them up, and propitiating them includes only two of the four technical terms (Hdt. 5.83; Aeginetans' institution of cult for Damia and Auxesia) shows that Herodotus could use some subset of these terms metonymically for the whole process. I therefore concur with the opinion of most scholars, that Aiakos would have received cult in Athens from the late sixth century.

Besides this reference in Herodotus, the Aiakeion may be referred to in a fragmentary portion of the "Attic Stelai" of 414 BCE (*IG* i^3 426, lines 5–8),[15] and is again mentioned in a second-century CE papyrus fragment of what appears to be a lexicon providing glosses on rare words and phrases drawn from classical prose authors (*POxy* 2087, lines 16–18).[16] From this lexicon, we learn that "on [or at] the Aiakeion, *dikai* are posted" ([ἐν δ(ὲ)] τ̣ῷ̣ Αἰακ̣ί̣ῳ δίκ(αι) ἀ(να)γράφον/ται̣).[17] Stroud also suggests that the Athenian Aiakeion would have been modeled on the Aeginetan *temenos* as described by Pausanias (Paus. 2.29.6–8, quoted above).

Based on the information provided by all these sources and the physical requirements of a structure large enough to house the collected people's grain, Stroud argues that the only viable candidate for the Aiakeion is a large nearly square peribolos which once stood on the SW edge of the classical Athenian Agora, a structure that had intermittently been identified as the Heliaia court in older archaeological publications. The original construction of this edifice has a *terminus post quem* of the second quarter of the sixth century based on associated pottery finds, while the building also shows evidence of substantial damage and repair (presumably from the Persian destruction of 480/79 BCE) and of a series of modifications (including potentially the addition of a roof) in the fourth and third centuries BCE.[18] Remarkably also, the original excavation report on this structure by Homer Thompson and R. E. Wycherley indicates that it was built of "squared blocks of Aeginetan limestone"; as Stroud notes, this use of Aeginetan stone would seem to be a key element in the Athenians' echoing of the parent shrine and attempt to woo Aiakos away from his original island home.[19] If we can accept Stroud's identification of the Athenian Aiakeion, this structure would presuppose the existence of its Aeginetan prototype before ca. 506 BCE.[20] Thus we can derive corroboration for Pausanias' account of the built environment of Aegina for the archaic and classical periods from the testimony of Herodotus on the Aiakidai,

15. With supplement by Pritchett 1953: 275–76, challenged by Lewis 1955: 16 and Wycherley 1957: 49, but reaffirmed by Stroud 1998: 89–90.

16. Stroud 1994, 1998: 90–91, following Hunt 1927: 110–13. Cf. also Hesychius *Lexicon* A 1658 (Latte 1953), which seems to derive from the same source as the gloss in *POxy* 2087, lines 16–18.

17. For text and interpretation, see Stroud 1994, 1998: 91, 102–104, decisively refuting the theory of Oikonomides 1990 based on these lines.

18. Stroud 1998: 94–102, following the detailed study of the monument and dating offered by Camp in Boegehold 1995: 99–103.

19. Stroud 1998: 95, 101, citing Thompson and Wycherley 1972: 62–65.

20. There is a danger of circular reasoning here, since Stroud uses Pausanias' description of the Aeginetan Aiakeion to help him identify the Athenian one. But note that this is by no means Stroud's only ancient evidence: there is also Hdt. 5.89.3; the fourth-century grain law he's editing; *IG* i^3 426, lines 5–8; *POxy* 2087, lines 16–18; and the *dikai*(?) written in red paint that appear to derive from the stuccoed front wall of the building (on which, see Stroud 1998: 99–101). Thus Stroud is in fact able to marshal a great deal of converging evidence of different sorts, of which Pausanias' account of the Aeginetan Aiakeion is just one piece.

widespread mythic traditions of Aiakos' intercession to end the drought, and especially from the identification of a sixth-century Athenian Aiakeion that seems to imitate the Aeginetan temenos in both form and building material.

As for the exact location of the Aiakeion on Aegina: the monument has not been identified archaeologically, but there are two main theories for its location proposed by different archaeologists who have excavated at Aegina:

(1) Gabriel Welter, who excavated Kolonna Hill and other sites throughout Aegina in the first half of the twentieth century, identified the tomb of Phokos with a circular foundation-course of stones that he took to be the remains of a Mycenaean tomb west of the temple of Apollo on Kolonna Hill; he therefore located the Aiakeion as well on Kolonna in the neighborhood of the temple of Apollo.[21] This identification depended on taking Pausanias' reference to the Aiakeion being in "the most conspicuous place in the city" (ἐν ἐπιφανεστάτῳ δὲ τῆς πόλεως) as an unambiguous reference to Kolonna Hill, and seemed to be supported by a first-century BCE honorary inscription set up for one Diodorus, an Agoranomos, which specified that the stele itself should be set up εἰς τὸν ἐπιφανείστατον τόπον τᾶς πόλιος παρὰ τὸ Ἀπολλώνιον ("in the most conspicuous place of the city beside the Apollonion").[22] The reading of this line of the inscription, however, has been corrected to read τὸν ἐπιφανείστατον τόπον/ τᾶς πόλιος παρὰ τὸ ἀγορα[ν]όμι̣[ον ("in the most conspicuous place of the city beside the *agoranomion*") in the new edition of the inscriptions of Aegina, so that this inscription no longer provides confirmation that Pausanias' phrase refers to Kolonna Hill.[23]

But even without such epigraphic confirmation, Florens Felten, the excavator of Kolonna in the early 2000s, has tentatively suggested that the site of the Aiakeion might be connected with a unique Protogeometric burial of an adult male, in a massive stone-built cist grave sunk into a monumental Middle Helladic building on Kolonna Hill, somewhat west of the temple of Apollo. For Felten, this burial suggests the conscious re-use by Iron Age settlers of the remains of a heroic, Bronze Age past discovered in their own substantial rebuilding of Kolonna Hill.[24] Felten's tentative identification of this burial and an adjacent Hellenistic altar with the Aiakeion has been supported more recently by Veronika Jarosch-Reinholdt in her publication of the Geometric pottery from

21. Welter 1938: 50–52, 1954: 43.

22. *IG* iv, 2, lines 36–37; for summary of the argument, see Felten 2001: 129, Polinskaya 2013: 129–30, 208–10.

23. *IG* iv^2, 750, lines 36–37; see Polinskaya 2013: 130, 208–209. But note that the new reading of the inscription does not prove that Pausanias' phrase does not refer to Kolonna Hill, since in the inscription τὸν ἐπιφανείστατον τόπον τᾶς πόλιος is limited and qualified by παρὰ τὸ ἀγορα[ν]όμι̣[ον ("beside the *agoranomion*"). Thus, this is at best a *non liquet*.

24. Felten 2007: 23–30.

Kolonna Hill. Jarosch-Reinholdt notes that Pausanias' "rough stone" atop the tomb of Phokos might correspond to the placing of large unworked stones on Protogeometric and early Geometric tombs; several such stones have been found by excavators on Kolonna, carefully preserved within the sixth-century BCE level of an elaborate mortuary complex on the western tip of Kolonna.[25]

(2) Against Welter's location of the Aiakeion and related monuments on Kolonna Hill, Hans Walter, who excavated on Aegina in the 1970s and 1980s, argued that Pausanias' account should represent in spatial sequence the sites he encountered once he had disembarked at Aegina's southern harbor ("the harbor where the most ships put in"), culminating in his mention of the temple of Apollo on Kolonna Hill at the end of his account (Paus. 2.30.1). Thus, for Walter, the temple of Aphrodite Pausanias mentions first must be near the southern, commercial harbor and the Aiakeion between that southern harbor and the theater and stadium (still unidentified, but which Walter located NE of the "Secret Harbor," the northern military harbor). Walter therefore proposed that the Aiakeion and tomb of Phokos were located within the ancient town of Aegina on a rise directly east of the Secret Harbor, along a "Sacred Way" that lies more or less directly under the modern paved road (see Figure 1, nos. 7 and 8).[26] Walter's siting of the Aiakeion has the virtue that it respects the order of monuments mentioned by Pausanias, but at the same time, the location of the modern town and its main thoroughfare preclude archaeological confirmation. Following several other recent treatments of Aeginetan topography, I will mainly accept Walter's location for the Aiakeion and related monuments east of the Secret Harbor;[27] and yet, I do not think that we can entirely rule out the Welter-Felten siting of the Aiakeion on Kolonna Hill.

Whichever siting we accept, scholars have generally assumed that the imposing *temenos* of Aiakos Pausanias describes here must have been a construction of

25. Jarosch-Reinholdt 2009: 65–66; for two such unworked stones carefully preserved in sixth-century levels and associated with ongoing mortuary cult in the *Westkomplex* of Kolonna, see Felten et al. 2006: 14–20. Polinskaya 2013: 132–33 rejects Jarosch-Reinholdt's tentative association of such rough unworked stones with Pausanias' account, arguing, "It is too hazardous to propose such specific archaeological interpretations on the basis of ancient textual descriptions, which cannot be expected to be technically precise and especially when they mention such surface remains as rough stones. A stone, being a portable object, could have rolled down or been pushed out of the way in the process of some construction on the site in an earlier period. Having landed on a small rocky outcropping covered with earth, it could have later inspired an association with a story of Phokos's death. In other words, the monument may have never been a grave of any period. An aetion usually appears to explain something that already exists and may have nothing to do with the original nature or purpose of the object or matter it explains. Thus, an idea of a specifically Protogeometric grave underlying what was known as a grave of Phokos in the 2nd century CE is unfortunately nothing but fanciful." But note that Polinskaya's supposedly naturalistic explanation is just as, if not more, speculative and "fanciful" than Jarosch-Reinholdt's, so that it does not really constitute a refutation of Jarosch-Reinholdt's suggestion.

26. Walter in Wurster 1974: 6, Walter 1993: 54–56.

27. Walter's proposed location is accepted by Walter-Karydi 1994: 131–32, 2006: 3–6, Currie 2005: 334, Polinskaya 2013: 129–30.

the archaic period (and as we shall see in the next section, the evidence of Pindar's odes seems to bear out that assumption).[28]

II. PINDARIC APPROPRIATIONS: NEMEAN 5, NEMEAN 8, OLYMPIAN 8

And yet, when scholars use Pausanias to reconstruct the landscape and sacred topography of Aegina as a backdrop for the performance of Pindar's odes, they have tended to be oddly selective in what they draw from Pausanias' account. Thus scholars have long recognized the Aiakeion and its sculptural frieze as significant material intertexts for such poems as Nemean 5 and Nemean 8, but only recently has Maria Pavlou insisted that we must integrate the whole complex of monuments Pausanias describes—chief among them the neighboring tomb of Phokos—into our consideration of "Pindar and the monuments."[29] Next to the large and imposing Aiakeion, with its peribolos of white stone, carved at the entrance with massed emissaries from all over Greece come to seek the help of Aiakos, we must imagine the tomb of his son Phokos, heaped earth (χῶμα) above a circular foundation-course of stones, itself surmounted by the single "rough stone" (λίθος τραχύς) that killed him. I would like to extend Pavlou's insistence that we take account of this whole complex of monuments beyond her reading of Nemean 5 to other odes, considering in each case Pindar's significant references to and differing appropriations of this sacred topography. I will therefore briefly review the evidence from three different Aeginetan odes—Nemean 5, Nemean 8, and Olympian 8—that would seem to link them to the Aiakeion and the adjacent tomb of Phokos.

One significant complication in the treatment of Pindar's Aeginetan odes is that only two of them (Olympian 8, Pythian 8) are securely dated by the scholia based on the ancient Olympic and Pythian victor lists. Because Aeginetans seem mainly to have competed and won at the less prestigious Isthmian and Nemean games, for which reliable victor lists did not exist in antiquity, most of Pindar's odes for these victors are undated. Modern scholars have engaged in a great deal of speculation based on imagined references to the political history of Aegina and Athens, or on the "hopeful" or "despairing" tone detected in various odes, but it is safest simply to concede our ignorance. In the case of Nemean 5, because it forms the first of three poems Pindar composed for the sons of Lampon (Nemean 5, Isthmian 6, Isthmian 5),

28. Walter-Karydi 1987: 82–83, 126, 28 (with Taf. 43 no. 57), 2006: 44–45 (with fig. 24) has identified a sculptural fragment of two overlapping figures in chariots found on Kolonna Hill as part of the frieze from the Aiakeion peribolos wall (Aegina museum, inv. no. 752). If this is correct, the date is ca. 490 BCE, and the temenos wall would have been at least two meters high. Walter-Karydi's identification is followed tentatively by Athanassaki 2011: 279n.67, Fearn 2011a: 185n.13; Polinskaya 2013: 132 is skeptical, arguing that figures in chariots would be more appropriate in an athletic context than a scene of supplication.

29. For discussion of the Aiakeion in relation to N.5 and/or N.8, see Bury 1890: 146, Wilamowitz 1922: 169–70, 406, Farnell 1932: 280, 304, Mullen 1982: 75–76, 152, Zunker 1988: 69–70, Fearn 2007: 89, 115, 119, 2011a: 184–89, Pavlou 2010, Athanassaki 2011: 280, Polinskaya 2013: 142–43 and see extended discussion in text below.

the third of which explicitly references the battle of Salamis as a recent event, scholars have been able to work backwards based on the cycling of different games to assign Nemean 5 a date of 485 or 483 BCE.[30] With such a date, it may well be Pindar's very first Aeginetan commission.[31]

So let me begin with Nemean 5. The closing lines of this ode refer to the bearing of crowns "at the front doors of Aiakos" (προθύροισιν δ' Αἰακοῦ, 53) and so presuppose the existence of the monument in some form.[32] More allusively, Pindar echoes Aiakos' significant mythological intervention in the tableau with which he initiates the poem's myth:

> Αἰακίδας ἐγέραιρεν ματρόπολίν τε, φίλαν ξένων ἄρουραν·
> τάν ποτ' εὔανδρόν τε καὶ ναυσικλυτάν
> θέσσαντο, πὰρ βωμὸν πατέρος Ἑλλανίου
> στάντες πίτναν τ' ἐς αἰθέρα χεῖρας ἁμᾶ
> Ἐνδαΐδος ἀριγνῶτες υἱοί
> καὶ βία Φώκου κρέοντος,
>
> ὁ τᾶς θεοῦ, ὃν Ψαμάθεια τίκτ' ἐπὶ ῥηγμῖνι πόντου.
> N.5.8–13
>
> [The victor] honored the Aiakidai and his mother city, land dear to strangers, which once they prayed [would be] a land of brave men and famed for its ships, as they stood beside the altar of father Hellanios and stretched out their hands toward the sky all together, the far-conspicuous sons of Endais and the strength of lord Phokos, son of a goddess, whom Psamatheia bore on the shore of the sea.

This scene of Aiakos' three sons standing in prayer at the altar of Zeus Hellanios strikingly evokes or reenacts their father's earlier prayer to Zeus that ended the Panhellenic drought.[33] It thereby calls our attention to the embassy scene carved on the Aiakeion entrance frieze, itself the prequel to Aiakos' supplication of his father Zeus.

But immediately after this scene of the brothers united in prayer, Pindar shifts the topic with abrupt asyndeton:

> αἰδέομαι μέγα εἰπεῖν ἐν δίκᾳ τε μὴ κεκινδυνευμένον,
> πῶς δὴ λίπον εὐκλέα νᾶσον, καὶ τίς ἄνδρας ἀλκίμους
> δαίμων ἀπ' Οἰνώνας ἔλασεν. στάσομαι· οὔ τοι ἅπασα κερδίων
> φαίνοισα πρόσωπον ἀλάθει' ἀτρεκής·
> N.5.14–17

30. For the dating, see Race 1997.2: 44 (485 or 483), Snell-Maehler 1997 (483?), Pfeijffer 1999: 59 (487–85), and Fearn 2007: 342–50 (with summary of earlier scholars' dating of this cluster of odes, including Bacch. 13). See also Cole 1992: 33–50 (proposing 481) and Hornblower 2004: 223–24 (challenging Cole's dating).

31. As suggested by Mullen 1982: 148, Burnett 2005: 61.

32. Thus already Wilamowitz 1922: 169–70, 406, Zunker 1988: 69–70.

33. See Burnett 2005: 65, Kowalzig 2007: 182, 2011: 148 for the echo between these two mythic scenes.

> I am ashamed to speak of a great [deed], if it was not risked in justice: how indeed they left the glorious island, and what divinity drove brave men from Oinona. I will stop, for not every exact truth is more profitable for showing its face.

Here, under the guise of shame or embarrassment, the poet elaborately refuses to mention the killing of Phokos at the hands of his half-brothers Peleus and Telamon as the cause for their subsequent exile. This obtrusively veiled reference to the murder of Phokos has long been an interpretive crux for scholars' readings of Nemean 5. Explanations range from older biographical fantasies that refer the allusion to Pindar or his patron, to the necessary chiaroscuro of the "vicissitude theme" in myth, to more recent historical readings of the scene as an allegorical reference to *stasis* on Aegina.[34] But Farnell had already recognized that this extensive *praeteritio* must allude to the physical tomb of Phokos, even if he was not prepared to mobilize that connection for interpretive purposes:

> We gather from Pausanias that hard by the Aiakeion in Aigina was a stone [sic] mound called the grave of Phokos. If the ode was recited by a procession of singers marching to the Aiakeion they would pass it, and Pindar would feel instigated to mention Phokos, especially as he was evidently a popular hero in the island.[35]

In contrast, Pavlou suggests that Pindar, against the backdrop of these monuments, invests them with new meaning by presenting the murder of Phokos as "part of a divine plan"—specifically, the fulfillment of the brothers' prayer (immediately preceding) that Aegina should become a land "of brave men and famed for its ships" (εὔανδρόν τε καὶ ναυσικλυτάν, 9).[36] In this, she follows Emmet Robbins, who notes "The diaspora was providential, for the Aeacids could not have been great had they remained on Aegina."[37] And what is true for the Aiakids in myth also applies to the

34. Thus Dissen (cited in Bury/Farnell) (admonition to sons of Lampon to stop fighting); Wilamowitz 1922: 171 (Pindar's demonstration to the Aeginetans that he can handle awkward mythological material with sensitivity in the wake of the Paian 6/N.7 fiasco); Stern 1971: 169–73, Segal 1974: 400 (dark foil within the myth); Pfeijffer 1999: 65–67 (veiled reference to *stasis* on Aegina). Cf. Rutherford 1992: 63n.18, 2001: 411n.1, suggesting that the myth provides an aetiology for the pentathlon at the Aiakeia festival.

35. Farnell 1932: 275–76. This non-explanation masquerading as an explanation essentially amounts to "because it was there."

36. Pavlou 2010: 10–11, 15 (quote from p. 11).

37. Robbins 1987: 32 (= 2013c: 236), quoted in Pavlou 2010: 11. Cf. Carnes 1996a: 36–40: "As far as the poet is concerned, the murder of Phokos, far from being a true source of shame, instead furthers his narrative and thematic goals—there is a wound to be healed, a foil for later triumphs, and a necessary mechanism for the export of Aiginetan glory" (p. 36); "there is a strong suggestion that the murder is at least as important for Aigina's success as the prayer, and is in some sense the fulfillment of the prayer: Aiginetan glory cannot remain at home and the heroes' exile is the necessary impetus for the Aiginetans to become 'renowned for ships.' Without the *kindunos* of the murder, no *kleos* can accrue" (p. 40).

Aeginetans of the sixth and fifth centuries: what makes Aegina "famed for its ships" is its connectivity throughout the Mediterranean via maritime trade, exchange, and *xenia*.[38] Thus this Aiakid diaspora functions as a kind of internal colonization narrative, that like many tales of colonial founders starts with murder and exile.[39] There is much of value in this interpretation, but Pavlou perhaps goes too far with her *felix culpa* reading. We need to give full weight to Pindar's characterization of the deed he will not name: it is ἐν δίκᾳ τε μὴ κεκινδυνευμένον, "not risked in justice."[40]

I will return in the more speculative final section of the paper to the question of why Pindar should give such extraordinary prominence by *praeteritio* to the tomb of Phokos, the narrative of fraternal violence attached to it, and the issue of "justice." But for now, I want simply to call attention to one further possible allusion in Pindar's ode to the monument and its attendant mythology. Charles Segal long ago noted Pindar's artful oscillation between images of "arrest" and "motion" throughout Nemean 5.[41] So here, right after the poet's emphatic στάσομαι (16) and invocation of a static and silent statue at the end of the ode's first epode (16–18),[42] the second triad begins with images of vigorous movement:

εἰ δ' ὄλβον ἢ χειρῶν βίαν ἢ σιδαρίταν ἐπαινῆ-
σαι πόλεμον δεδόκηται, μακρά μοι
αὐτόθεν ἅλμαθ' ὑποσκά-
πτοι τις· ἔχω γονάτων ὁρμὰν ἐλαφράν·
καὶ πέραν πόντοιο πάλλοντ' αἰετοί.

N.5.19–21

38. See Figueira 1981: 230–350, Mann 2001: 208, 227–28, Kowalzig 2007: 181–223, 2011 and further discussion in Part III below.

39. Cf. Dougherty 1993: 31–44, 120–35, 1998; this analogy to colonization narratives is noted by Robbins 2013c: 236n.28, Carnes 1996a: 36n.64. Cf. also Figueira 1981: 192–202, 250–86 on Aegina's non-participation in the major Greek colonization movements and the significance thereof. Note that in contrast to the usual designation of the victor's homeland as πάτρα or πατρίς in the epinikia, Aegina is here designated as ματρόπολιν (N.5.8)—i.e., "mother-city" of colonies (cf. P.4.20).

40. So vs. Pavlou, better are the qualifications of Robbins (2013c: 236–37) and the arguments of Carnes (1996a: 35–52) about the ambivalences of the myth read from a psychoanalytic perspective. On the interpretation of the phrase ἐν δίκᾳ τε μὴ κεκινδυνευμένον and the syntax of μή within it, I follow Pfeijffer 1999: 117–18, who offers a very full discussion of μή + participle, concluding that it is conditional: "Shame prevents me from speaking out something big *if it was not ventured according to* δίκα." In my judgment, Pfeijffer's discussion effectively refutes the interpretation of Bury, that the use of μή signifies uncertainty on Pindar's part about the morality of the brothers' killing. Bury's interpretation is followed by Slater 1969: 333 s.v. μή 3c ("*and which was perhaps unjustly undertaken*"), and further extended by Burnett 2005: 59, 66–68 with n.26. Burnett translates "I scruple to tell the great deed, both just and unjust, that was risked and done" (59) and again, "a heroic risk that cannot be measured according to justice or injustice" (68). In these translations, in addition to following Bury, Burnett has apparently misinterpreted τε as joining ἐν δίκᾳ and μὴ [ἐν δίκᾳ] rather than linking the whole phrase ἐν δίκᾳ τε μὴ κεκινδυνευμένον and μέγα, as Nicholson points out in his review of Burnett (2007: 212n.11).

41. Segal 1974.

42. For association with a statue, note πρόσωπον (17), and see the discussions of Mullen 1982: 155–57, Steiner 2001: 141, 263–64, Pavlou 2010: 15n.56.

> If it is decided to praise prosperity or strength of hands or iron-clad war, let someone dig out long jumping [places] for me from there: I have a light spring in my knees and eagles leap beyond the sea.

The image of eagles leaping beyond the sea has been much admired and debated, but I would like to focus here on the previous image, wherein the poet casts himself as a long-jumper eager for someone to "dig out" the course for him. It is a bit odd that in a poem for a pankration victor Pindar uses the image of the long jump (although this misfit in events has gone unremarked by scholars). The long jump of course did not exist for the Greeks as a separate event in competition, but (like the discus-throw) only as part of the pentathlon. Immediately after Pindar's elaborate refusal to narrate the killing of Phokos by one or the other of his half-brothers with a discus, we might find this conjuring of another pentathlon event somewhat disconcerting. But that Pindar is not averse to this kind of playful allusion to a mythic tale he has himself disavowed we know from his extraordinary use of καταπέψαι for Tantalos "unable to *digest* his great good fortune" at O.1.55–56.

I turn next to Nemean 8, which has no secure date but may have been composed and performed after Nemean 5.[43] Scholars have long associated the description of Aiakos in the opening triad of this ode with the sculptured frieze of the Aiakeion and therefore suggested that it was performed in the vicinity of this monument:[44]

> οἷοι καὶ Διὸς Αἰγίνας τε λέκτρον ποιμένες ἀμφεπόλησαν
> Κυπρίας δώρων· ἔβλαστεν δ' υἱὸς Οἰνώνας βασιλεύς
> χειρὶ καὶ βουλαῖς ἄριστος. πολλά νιν πολλοὶ λιτάνευον ἰδεῖν·
> ἀβοατὶ γὰρ ἡρώων ἄωτοι περιναιεταόντων
> ἤθελον κείνου γε πείθεσθ' ἀναξίαις ἑκόντες,
>
> οἵ τε κραναᾶς ἐν Ἀθάναισιν ἅρμοζον στρατόν,
> οἵ τ' ἀνὰ Σπάρταν Πελοπιάδαι.
> ἱκέτας Αἰακοῦ σεμνῶν γονάτων πόλιός θ' ὑπὲρ φίλας
> ἀστῶν θ' ὑπὲρ τῶνδ' ἅπτομαι φέρων
> Λυδίαν μίτραν καναχηδὰ πεποικιλμέναν
> Δείνιος δισσῶν σταδίων καὶ πατρὸς Μέγα Νεμεαῖον ἄγαλμα.
> N.8.6–16

> [. . .The better loves], like the ones that also attended the bed of Zeus and Aegina as shepherds of the gifts of the Kyprian. And he sprouted, a son, king of Oinona, best in hands and counsels. Many times many men were begging to see him; for unsummoned, the peak of the heroes who dwelt around were

43. All dates proposed for N.8 are based on problematic historicizing or subjective readings of "maturity of tone," and range wildly from the beginning to the end of Pindar's career. Thus Bury 1890: 145 followed Mezger in dating the poem to 491, taking it as an allegorical defense of the Aeginetans for Medizing, while Wilamowitz 1922: 410–11 places it between 459 and 447 based on Pindar's supplication on behalf of the Aeginetans in lines 13–14. Snell-Maehler 1997: 126 offer "(459?)."

44. So already Bury 1890: 146, Wilamowitz 1922: 406–407, Farnell 1932: 304–305; cf. Zunker 1988: 69–70, Carey 2007: 202, Fearn 2011a: 184–86.

> willing voluntarily to obey the royal commands of that one, both those who used to order the throng in rocky Athens and those in Sparta, descendants of Pelops. As a suppliant on behalf of [his/my?] dear city and these citizens here, I fasten onto the revered knees of Aiakos bearing a sounding, variegated Lydian headband, Nemean ornament of the double stade races of Deinias and his father Megas.

In support of the association of Pindar's scene with the sculptural program of the Aiakeion, we might note first the emphatic vegetal imagery here and throughout the ode; in Pindar's rendering, Aiakos "sprouted" (ἔβλαστε, 7) like a plant as "king of Vineland" (Oinona).[45] This imagery of flourishing vegetal growth is perhaps meant to remind us of Aiakos' efficacious prayer to Zeus Hellanios to end the drought, the outcome for which the heroes represented on the frieze have come to supplicate.[46] Second, there is ἀβοατί, one of three terms in lines 9–10 that underscore the willing submission of the heroes to Aiakos' "commands" (ἀβοατί, ἤθελον, ἑκόντες). ἀβοατί is a *hapax*, and scholars debate its meaning: either "without needing to be called, unsummoned" or "without battle."[47] Whatever exactly we take the adverb to mean, given the extreme redundancy of these lines, we might also read it as Pindar's punning reference to the muteness of the carved stone figures that formed the backdrop for the poem's performance—they are literally "without voice" or "without a shout."[48] Finally, there is the image of the *ego* of poet/chorus supplicating Aiakos and thereby repeating the gesture of the heroes carved on the frieze.[49]

And yet, as a few more careful readers have noted, Pindar's account of the flower of Greece submitting willingly to Aiakos does not quite conform to the consistent mythological traditions of the drought supplication we know from other sources. There is no explicit mention of drought or oracle; instead the heroes come "often" to "entreat" (πολλά νιν πολλοὶ λιτάνευον ἰδεῖν, 8) and to submit to Aiakos' *political* authority (ἀναξίαις, 10). As Chris Carey observes:

> Pindar is thinking especially of the famous drought, but the addition of πολλά, "often," blurs the picture both to glorify Aeacus and Aegina and to present an impression of supreme merit supremely recognized. Greek myth is essentially malleable, and Pindar like other Greek poets moulds it to suit his own designs. . . . The same vagueness is found in ἀναξίαις (10) as in πολλά. Aeacus' only act of *Panhellenic* authority, the prayer

45. Cf. N.8.17, 18, 40–42.

46. The pervasive vegetal imagery is noted by Bury 1890: 146, Norwood 1945: 152, Carey 1976: 30, 35, 38, Carnes 1995: 10–11, 15–16, although none of these scholars connects the imagery of fertility to the mythic theme of drought. Thanks to Virginia Lewis for this connection (made in a Pindar seminar at Berkeley in Spring 2013).

47. For the former, see LSJ s.v. ἀβοατί, Bury 1890: 152, Slater 1969 s.v. ἀβοατί, Race 1997.2: 87; for the latter, Carey 1976: 29 following schol. N.8.14a (3: 141 Drachmann) who calque it as ἀμαχητί.

48. I owe this point to Boris Maslov (made in a Pindar seminar at Berkeley in Spring 2003).

49. Cf. Carnes 1995: 20 and Rutherford 2001: 415n.12, suggesting an echo between the *ego*'s supplication and the figures represented on the Aiakeion frieze.

> to Zeus during the drought, is here magnified, with careful loss of focus, to a virtual elective monarchy over the whole of Hellas.[50]

And of course, as many have noted, Pindar's specification that the heroes came from Athens and Sparta (11–12) transforms the myth to focus on the two great powers of Pindar's own day, here willingly submitting to the moral leadership of Aegina in a kind of wish-fulfillment fantasy.[51] In all this, Pindar subtly reinterprets and re-narrativizes the mute monuments in much the same way Pavlou has described for Nemean 5.

Thus there is broad scholarly recognition that the first triad of Nemean 8 contains an extensive system of allusions to the Aiakeion and its iconography, making it likely that the poem was performed in the vicinity of this monument. But what has gone completely unnoticed is that the last triad of Nemean 8 seems also to allude to and appropriate the neighboring tomb of Phokos for its own purposes. After the extended myth of Ajax that fills much of the second triad, the *ego* returns at the beginning of the poem's third triad to articulate a set of moderate values within the polis that apply equally to the poet, the chorus, and the family of the victor (35–39),[52] and then to a string of gnomes about the flourishing of ἀρετά through the nourishment and support of "the wise and the just," and the uses of φίλοι in toil and success. From the idea of the value of having *philoi* present to witness one's successes, the poet turns finally to address Megas, the father of the victor:

> ὦ Μέγα, τὸ δ' αὖτις τεὰν ψυχὰν κομίξαι
>
> οὔ μοι δυνατόν· κενεᾶν δ' ἐλπίδων χαῦνον τέλος·
> σεῦ δὲ πάτρᾳ Χαριάδαις τε λάβρον
> ὑπερεῖσαι λίθον Μοισαῖον ἕκατι ποδῶν εὐωνύμων
> δὶς δὴ δυοῖν. χαίρω δὲ πρόσφορον
> ἐν μὲν ἔργῳ κόμπον ἰείς, ἐπαοιδαῖς δ' ἀνήρ
> νώδυμον καί τις κάματον θῆκεν·
>
> N.8.44–50

> O Megas, to convey your soul back again [from Hades] is not possible for me; and the end of empty hopes is vain. But [I can] set up a sounding stone of the Muses for your fatherland and for the Chariadai, thanks to the feet of two, twice glorious. And I gladly cast a suitable boast upon your deed, but by healing songs, a man also renders toil painless.

As in several other epinikia, the end of the poem is devoted to the commemoration of dead relatives of the victor, in a way that enfolds them into their kinsman's

50. Carey 1976: 28–29; cf. Zunker 1988: 67–69, Carnes 1995: 17–26, Mann 2001: 209–10.

51. See Carey 1976: 29 (although he wants to deny any specific political implications to this move), Zunker 1988: 68, Carnes 1995: 44–48, Mann 2001: 209–10, Kowalzig 2007: 182, 209, 2011: 147–48, Fearn 2011a: 185–86.

52. Thus Carey 1976: 33–34; cf. D'Alessio 1994: 128–29.

victory celebration.[53] So here, the dead father Megas becomes the center of attention; since Pindar cannot "convey [his] soul back again [from Hades]," the poet instead "sets up a loud-sounding stone of the Muses for [Megas'] fatherland and for the Chariadai [his clan], thanks to the feet of two, twice glorious."

Pindar here essentially appropriates the tomb of Phokos, transforming it into a funeral monument for the victor's dead father Megas.[54] Bury had already noted the way in which the imagery of the poem morphs from the statue of Aiakos and dedicated ἄγαλμα of the first triad to a veritable "sepulchral stele" set up for Megas in the last triad,[55] although he was also forced to concede that λίθος is a highly unusual word to designate a gravestone.[56] In fact λίθος is precisely the word Pausanias uses for the "rough stone" set atop the heaped grave mound of Phokos. We might also note that immediately after his "setting up of the Muses' stone," the poet speaks of "casting (ἰείς) a suitable boast on the deed," using the verb ἵημι, one term of art for "casting" a discus.[57] There is finally the adjective applied to the stone itself—λάβρος. Because λάβρος generally designates a loud rushing or roaring sound—as of wind, rain, or rivers in spate in Homer—many scholars consider the word inappropriate here, so that the manuscripts' τε λάβρον is regularly emended to τ᾽ ἐλαφρόν ("it is easy for me to set up a stone of the Muses. . ."). [58] I would retain the manuscripts' λάβρον, reading it instead as a characteristic Pindaric play on verbal vs. visual media: the poet's metaphorical monument surpasses real, mute works of stone in that it also sounds or speaks.[59] But it may also be relevant that a discus or quoit makes a roaring or humming sound when propelled through the air. For this, consider the description of Odysseus' superlative throw among the Phaiakians in Book 8 of the *Odyssey*:

> τόν ῥα περιστρέψας ἧκε στιβαρῆς ἀπὸ χειρός·
> βόμβησεν δὲ λίθος·
>
> *Od*. 8.189–90

53. Cf. O.8, O.14, P.5, N.4, I.8; on this pattern, see Segal 1985, Nash 1990: 82–103.

54. I owe this point to Richard Neer (Chicago seminar, Spring 2013).

55. Bury 1890: 148, 152–53; cf. schol. N.8.79a, b: τῇ δὲ σῇ πατρίδι καὶ τοῖς Χαριάδαις ἀναστηρίξαι καὶ ἱδρῦσαι εὔτονον μουσικὴν στήλην βούλομαι (3: 148 Drachmann). Thus also Race 1997.2: 93n.2: "Pindar compares his poem to a commemorative stele."

56. Thus Bury 1890: 157: "If Pindar had meant *primarily* a gravestone he would not have used λίθος, which is extremely rare in this sense; the only case quoted in Liddell and Scott is ἡ λίθος in an epigram of Callimachus." Bury emphasizes the anomaly of λίθος because he wants to connect the image to the "pebbles" or "counters" (ψάφοις, 26) used in the vote on the arms of Achilles in the second triad, but the point holds even if we do not accept Bury's theory of elaborate internal correspondences within the ode.

57. Cf. *Il*. 2.774, 23.432 (ἀφίημι), *Od*. 4.626, 8.129, 189, 203, 17.168.

58. Carey 1976: 41n.53 argues for the emendation, insisting that λάβρος "elsewhere in Pindar has a pejorative value" (cf. O.2.86, O.8.36, P.2.87, P.3.40, P.4.244). Against this claim, see the discussion of Bury 1890: 157–58, who surveys all the Pindaric uses and argues that they all refer to sound or noise (rather than meaning "greedy" or "raging"). Snell-Maehler read Sandys' emendation τ᾽ ἐλαφρόν; Turyn and Race retain τε λάβρον.

59. Thanks to Richard Neer for this point (in Chicago seminar, Spring 2013). Cf. 429 *CEG* as a parallel, with discussion of Ford 2002: 103–104 and Kurke 2016: 4–7 (citing further Pindaric parallels). λάβρον thus echoes καναχηδά (15) and contrasts with ἀβοατί (9).

> And then having spun [the stone] around, he sent it forth from his ponderous hand; and the stone hummed [through the air].

The vivid verb βόμβησεν here corresponds to Pindar's λάβρος.

Thus several verbal cues in our text encourage us to read Pindar's poetic monument with and against the tomb of Phokos that likely formed the visible backdrop for the ode's performance. But what are we to make of this inscription of the dead father into the sacred topography of Aegina? It matters, I think, for this appropriation that the victor Deinias and his father Megas have been largely invisible for much of the ode; Deinias is named only once (together with his father) at line 16 and Megas only reappears in lines 44–48, without even a second naming of the victor.[60] Even after the poet transitions back from the myth of Ajax, the entire strophe and antistrophe of the last triad are framed in strikingly general terms, starting from a lengthy "generalized first person" statement that characterizes poet, chorus, and victor alike as good, respectful, moderate citizens.[61] I have suggested elsewhere that we might understand this noticeable lack of specific praise of the victor and his family in the context of an epinikion that was performed with state sanction as part of a public festival (the Aiakeia?)—or at the very least, at a public civic venue—within an oligarchic state.[62] Thus until this moment of appropriation, the victor and his family—who presumably paid for the poem and its performance—have almost disappeared into the larger mass of idealized citizenry, perhaps in deference to the public (festival?) context of performance.

Even at the moment of grafting or superimposing Megas onto the visible tomb of Phokos, the poet finesses this appropriation through the theme of *philia* and carefully sutures together family and city through this affective bond.[63] We can see this most clearly if we juxtapose the two mentions of victory, both linked to metaphorical objects or monuments, in the first and last epodes:

> ἱκέτας Αἰακοῦ σεμνῶν γονάτων πόλιός θ' ὑπὲρ φίλας
> ἀστῶν θ' ὑπὲρ τῶνδ' ἅπτομαι φέρων
> Λυδίαν μίτραν καναχηδὰ πεποικιλμέναν
> Δείνιος δισσῶν σταδίων καὶ πατρὸς Μέγα Νεμεαῖον ἄγαλμα.
> N.8.13–16

> χρεῖαι δὲ παντοῖαι φίλων ἀνδρῶν· τὰ μὲν ἀμφὶ πόνοις
> ὑπερώτατα, μαστεύει δὲ καὶ τέρψις ἐν ὄμμασι θέσθαι
> πιστόν. ὦ Μέγα, τὸ δ' αὖτις τεὰν ψυχὰν κομίξαι

60. Just δὶς δὴ δυοῖν. For the very minimal mention of the victor and his father in the poem, see Bury 1890: 146, Farnell 1932: 304. Cf. Mann 2001: 196–200, who notes that extensive city praise combined with minimal elaboration of the victor's athletic achievements and those of his family characterize all of Pindar's Aeginetan odes. But even by the standards of other Aeginetan odes, N.8 seems extreme in its bare references to the victor and his father.

61. For the concept of the "generalized first person" in Pindar, see Young 1968: 12–17, discussing P.11.50–58 (an excellent parallel for the sentiments in N.8.35–39).

62. Kurke 2013: 161–63, building on Carey 2007: 202.

63. For the importance of *philia* for the thematics of N.8, see Carey 1976: 37–38.

οὔ μοι δυνατόν· κενεᾶν δ' ἐλπίδων χαῦνον τέλος·
σεῦ δὲ πάτρᾳ Χαριάδαις τε λάβρον
ὑπερεῖσαι λίθον Μοισαῖον ἕκατι ποδῶν εὐωνύμων
δὶς δὴ δυοῖν.

N.8.42–48

As a suppliant on behalf of [his/my?] dear city and these citizens here, I fasten onto the revered knees of Aiakos bearing a sounding, variegated Lydian headband, Nemean ornament of the double stade races of Deinias and his father Megas.

And there are all sorts of needs of friends. While [help] amidst toils is the greatest, pleasure also seeks to establish a trusty pledge for itself in the eyes [of φίλοι]. But, o Megas, to convey your soul back again [from Hades] is not possible for me; and the end of empty hopes is vain. But [I can] set up a sounding stone of the Muses for your fatherland and for the Chariadai, thanks to the feet of two, twice glorious.

In the *ego*'s initial supplication, the Nemean victories of father and son—the metaphorical ἄγαλμα dedicated at the Aiakeion—provide the occasion for the speaker to pray on behalf of "[this] dear city and these citizens"; thus the athletic victory is merged or blended with the wished-for well-being of the entire polis, while the adjective φίλας defines the scope of that affective bond as civic.[64] In like manner in the last triad, the gnome "There are all sorts of needs for friends" (φίλων ἀνδρῶν, 42), which initiates the sequence that leads to the direct address to Megas and the poet's setting up of a metaphorical "sounding stone," implicitly expands the circuit of *philoi* to all those who want to consider (or at least represent) themselves as moderate citizens (35–39), "the wise and the just" (41).

And we should finally notice that the poet's "loud-sounding stone" is set up not specifically for Megas himself, but "for [his] fatherland" and his clan, here intimately connected and both reaping the commemorative benefits of "two sets of feet twice glorious." It is admittedly almost irresistible to take the "loud-sounding stone" as a funeral monument for Megas, largely (I think) because Pindar has primed us for that by mention of death, burial, and the inheritance of fame one leaves to children in the last triad. The generic, free-floating θανών (36) and ἀστοῖς ἀδὼν καὶ χθονὶ γυῖα καλύψαι (38) of the strophe inevitably attach themselves to the dead father Megas when the poet turns the spotlight on him at the end of the antistrophe. And yet, by a deft sleight of hand, the poet diverts our expectations, expanding the scope of the monument in front of us from commemoration of a single individual to that of the larger communities of city and clan. So yes, we may read this as an appropriation of a public monument (the tomb of Phokos) by a single aristocratic clan (the Chariadai), but we need to recognize the exquisite finesse and reciprocal respect with which this gesture is made.

64. Cf. Mann 2001: 204.

Part of the effectiveness of this gesture is the way in which the poet wards off in advance any suggestion of envy or resentment that might be provoked by such appropriation of Phokos' tomb. And here it is worth recalling that the traditional motivation attributed to Peleus and Telamon for the murder of Phokos in most of the ancient sources that preserve the tale is jealousy or envy. Thus Apollodorus tells us that his two half-brothers plotted against and killed Phokos because he "excelled at athletic contests" (διαφέροντος δὲ ἐν τοῖς ἀγῶσι Φώκου, Apoll. *Bibl*. 3.12.6), while Pausanias (as we have seen) says that "they did these things to gratify their mother" Endais (ταῦτα δὲ ἐχαρίζοντο τῇ μητρί, Paus. 2.29.9).[65] As if in implicit response to this tradition, Pindar frames both the Aiakeion and the tomb of Phokos within circuits of *philia* and *peitho* in the first and third triads, while ostentatiously displacing all the negative affect of *phthonos* onto the somber myth of Ajax that fills much of the second triad. The myth of (their own Aiakid) Ajax unfairly deprived of the arms of Achilles and therefore killed by *phthonos* powerfully co-opts the ode's Aeginetan audience to reject this negative emotion and instead to join the radiant circle of trusty *philoi* the poet conjures around the victor, his father, and his clan.[66] In this sense, the tomb that could be read as a veritable monument of *phthonos* is transformed by the poet's art into a material focus for the construction of civic harmony.[67]

Let me turn now to Olympian 8. This poem is one of only two Aeginetan odes securely dated by ancient victor lists; the scholia provide a date of 460 BCE for the Olympic wrestling victory of Alkimedon that the ode celebrates.[68] In the case of

65. Pavlou 2010: 10 notes this traditional story pattern, and also the way in which the theme of *phthonos* is entirely elided in N.5; her observation also applies to N.8. For other ancient sources that follow this tradition, cf. Plut. *Greek and Roman Parallel Stories* 311e (where the method of killing is different, but the motivation—hatred or resentment for Phokos—is the same), Ant. Lib. 38.1–2 (φθονήσαντες Φώκῳ). By contrast, only D.S. 4.72.6 makes the killing of Phokos an accident.

66. This interpretation of the myth of Ajax as a negative paradigm for audience reaction follows Köhnken 1971: 19–36, Carey 1976: 30–33. As for Ajax killed by *phthonos*, notice that Pindar never says that Ajax killed himself; instead, "that one [*phthonos*] bit him and rolled him around his sword" (N.8.23), and Ajax "wrestled with slaughter" (N.8.27); cf. Carey 1976: 31: "Ajax was murdered—murdered by envy."

67. Dare I say it?—communitarian; vs. Fearn 2007: 145–60, 2011a. I have to admit that I cannot follow the arguments of Fearn 2011a for what he calls an "anti-communitarian" reading of Pindar's Aeginetan odes based simply on the fact that these odes tend to mention the victor's clan and a large number of other members of his family who have also won athletic victories. After all, no one has ever claimed that Pindar's odes represent bottom-up democratic assertion (which seems to be the position Fearn is arguing against), nor has anyone ever denied that Aegina was an oligarchic state, presumably controlled by a narrow group of great clans. I also cannot understand Fearn's assertion that the poems themselves contributed to hostility and violent factionalism within the Aeginetan elite. The ritualized competition of athletics and the public sung praise of victors and families seem to me to be substantially different forms of inter-elite jockeying from violent *stasis* in which elites kill each other, whereas Fearn seems to assume that the one leads inevitably to the other. Fearn's reading also ignores excellent points made by Mann 2001: 232–34 for evidence of significant inter-elite cooperation on Aegina (e.g. several different clans sharing the cost of the trainer Melesias). For a related critique of Fearn's argument from a religious/cult perspective, see Polinskaya 2013: 377–78.

68. Hornblower 2004: 41n.164, 230 admonishes caution, since the year 460 is not covered by the Olympic victor list *POxy* 222 (= *FGrH* 415); but against this, see Nicholson 2005: 248–49n.4.

Olympian 8, my treatment can be briefer, since the relation of the poem to Aeginetan cultic topography has recently received excellent, thorough discussion in an essay by Lucia Athanassaki (2011). Scholars have long debated the place of performance of Olympian 8, since deictics and other references in the first triad suggest performance at Olympia, whereas τάνδε. . .χώραν in the second triad and δεῦρο in the third seem to locate us instead on the island of Aegina.[69] Athanassaki argues that, like many other epinikia, Olympian 8 is "overloaded" with simultaneous references to different possible performance contexts—in this case, both Olympia and Aegina—and we can imagine the poem being performed or reperformed in both venues and addressing both local and Panhellenic audiences.[70]

Within its Aeginetan context, Athanassaki goes on to observe, the myth of the poem, said by the scholiasts to be Pindar's invention, links together three different cult sites on the island.[71] Pindar tells the story of Aiakos summoned as "helper" in the building of the walls of Troy by Apollo and Poseidon, and then, once they are built, the omen of three serpents sent by Zeus, which Apollo interprets to mean that the city will fall twice at the hands of Aiakos' own descendants.[72] According to Athanassaki, this myth thematically echoes and evokes the archaic temple of Apollo on the acropolis in Aegina town and the "nearby" Aiakeion, as well as the more distant temple of Aphaia whose two pediments vividly stage the two Aiakid captures of Troy. Thus Pindar's mythic narrative, with its powerful evocation of three prominent island cult sites, works in collaboration with the Aeginetan monuments to counter the recent attempt by the Athenians to appropriate Aiakos for themselves, with the claimed support of Apollo's Delphic oracle (cf. Hdt. 5.89, discussed above).[73]

Finally, Athanassaki tentatively suggests that the conclusion of the myth, describing Poseidon's transport of Aiakos back to Aegina, may encourage us to imagine performance in the vicinity of the Aiakeion:[74]

> Ὀρσοτρίαινα δ' ἐπ' Ἰσθμῷ ποντίᾳ
> ἅρμα θοὸν τάνυεν,
> ἀποπέμπων Αἰακόν

69. Cf. O.8.9–11 vs. O.8.25, 51.

70. Athanassaki 2011: 259–65, 288–90; Athanassaki is here following the lead of Nagy 1994–1995 (from whom she borrows the term "overloaded").

71. For the myth as Pindar's invention, see schol. O.8.41a (1: 247 Drachmann, citing Didymus), Hubbard 1987: 17–22, Athanassaki 2011: 266–70. Against this position, Zunker 1988: 82–83 and Carnes 1995: 23–26 would rather see this as local Aeginetan oral tradition. Although it makes no difference to my argument, I am inclined to follow the more cautious line of the latter two scholars.

72. This interpretation of Apollo's oracle within the myth follows Gildersleeve 1890: 196–97, Race 1990: 151–52. For a somewhat different interpretation, see Hubbard 1987: 17–22, Zunker 1988: 80–83, Robbins 2013b.

73. Athanassaki 2011: 275–76, 279–87. Polinskaya 2013: 130n.29 criticizes Athanassaki for following an out-of-date archaeological theory that the Aiakeion was located on Kolonna Hill, near the temple of Apollo. But (even if we do not accept the proposed location of Felten et al.) "nearby" is a relative term; in contrast to the distant temple of Aphaia, the Aiakeion *is* "nearby" to the temple of Apollo even if it lies southeast of Kolonna in Aegina town.

74. Athanassaki 2011: 279–80.

δεῦρ' ἀν' ἵπποις χρυσέαις
καὶ Κορίνθου δειράδ' ἐποψόμενος δαιτικλυτάν.
O.8.48–52

And the Trident-wielder drove his swift chariot to the Isthmus on the sea, escorting Aiakos back here with his golden horses, as he himself was going to visit the ridge of Corinth, famous for sacrificial feasts.

One reason to take the deictic δεῦρο here to refer not just to Aegina in general, but to the Aiakeion specifically is the striking overlap between this transition from the myth in Olympian 8 and a fragment of a Pindaric cult song entitled in the Hellenistic edition, "For the Aeginetans, to Aiakos" (Pai. 15 SM = S4 Rutherford):[75]

τῷδ' ἐν ἄματι τερπνῷ
ἵπποι μὲν ἀθάναται
Ποσειδᾶνος ἄγοντ' Αἰακ[
Νηρεὺς δ' ὁ γέρων ἕπεται[ι·
πατὴρ δὲ Κρονίων μολ[οῦσι
πρὸς ὄμμα βαλὼν χερὶ[
τράπεζαν θεῶν ἐπ' ἀμβ[ρο
ἵνα οἱ κέχυται πιεῖν ν.[
ἔρχεται δ' ἐνιαυτῷ
ὑπερτάταν [. .]ονα

On this pleasant day the immortal mares of Poseidon lead Aiakos [or lead x to Aiakos], and Nereus, the old man, follows. The Kronian father [Zeus] for those coming. . .casting his eye, with his hand. . .at the immortal table of the gods where(?) ambrosia(?) is poured out for him to drink. And there comes at the end of a year. . .the highest. . . .

Even in its fragmentary state, we have the "immortal horses" of Poseidon leading Aiakos (or leading someone to Aiakos) and hints of feasting at the table of Zeus. Ian Rutherford has suggested that this cult song might have attended the ritual transport of a statue of Aiakos to or from the Aiakeion, perhaps as part of the Aiakeia festival.[76]

75. Text follows Rutherford 2001, and I have relied heavily on his translation. Rutherford tentatively categorizes this fragment as a prosodion (2001: 417–18).

76. Rutherford 1992: 63–67, 2001: 411–18: "The Aiakeion was probably a focus, providing the starting-point or the terminus, and perhaps even both, if the cult statue was first taken from the shrine and then brought back" (quote from p. 415). Rutherford then canvasses what the other focal points of such a procession might have been, citing in this context O.8.48–52. Cf. Fearn 2011a: 181–83, although Fearn seems to me to go further than necessary in proposing that O.8 itself was also performed at the Aiakeia. See also Polinskaya 2013: 147–50, 355, insisting that the ritual was most likely to be a reenactment of the wedding of Peleus and Thetis because of the mention of Nereus. She thereby rejects all the other possible mythological moments Rutherford suggests for ritual reenactment, but does not address his objection to this scenario—that the wedding of Peleus and Thetis

I am in full agreement with Athanassaki's argument, and wish simply to add one more element to the constellation of Aeginetan monuments she suggests are conjured and mobilized by Pindar's song. Immediately after the transition from the myth that seems to locate us in the vicinity of the Aiakeion (O.8.48–52), Pindar shifts via a gnome to praise Alkimedon's trainer:

> τερπνὸν δ' ἐν ἀνθρώποις ἴσον ἔσσεται οὐδέν.
> εἰ δ' ἐγὼ Μελησία ἐξ ἀγενείων κῦδος ἀνέδραμον ὕμνῳ
> μὴ βαλέτω με λίθῳ τραχεῖ φθόνος·
>
> O.8.53–55

> And there will be no equal pleasure among mortals. But if in my hymn I have run up the glory of Melesias from beardless youths, let no envy strike me with a rough stone.

Scholarly attention to this passage has focused on whether Pindar's apprehension about envy here reflects genuine hostility among members of an Aeginetan audience toward the Athenian trainer Melesias, or is simply an artful elaboration of the "φθόνος motif."[77] What has gone entirely unremarked is the imagery of these lines; the poet's wish that *phthonos* "not strike [him] with a rough stone" (λίθῳ τραχεῖ) must surely resonate in this setting with the "rough stone" (λίθος τραχύς, Paus. 2.29.9) with which Peleus "struck" Phokos and which crowned the latter's grave mound beside the Aiakeion.[78]

So here in contrast to Nemean 8, Pindar mobilizes the visible monument specifically to recall the mythic tale of *phthonos* attached to it—the resentment or spite that led the two half-brothers Peleus and Telamon to plot and kill Phokos—in order to set that emotion entirely out of bounds and co-opt the audience's assent for his extended praise of the trainer. By echoing the story, Pindar boldly inscribes the trainer Melesias and the poet tasked to praise him into the center of this sacred site, aligning both with the tomb and "rough stone" before the audience's eyes. In so doing, Pindar can be said to "double down" in his

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was consistently set on Mt. Pelion (also in Pindar). In fact, a *hieros gamos* of Aiakos and Psamatheia (one possible myth Rutherford suggests) would also account for the presence of Nereus and might fit the setting and circumstances of the poem better. None of this matters for my argument, however, since Polinskaya 2013: 355 concedes that such a procession most likely involved the Aiakeion as starting point or endpoint, or both.

77. For the former: Gildersleeve 1890: 197–98, Wade-Gery 1958: 247–48, Bowra 1964: 151, Bulman 1992: 34–36; for the latter: Bundy 1986: 40–41, Race 1990: 154–56. In spite of Race's strenuous objections, it seems almost unimaginable that the fact that Melesias is an Athenian is not an issue here. On the prosopography, see Wade-Gery 1958: 244–46, Davies 1971: 231, Figueira 1993: 205–13; Melesias would have been approximately seventy years old in 460.

78. Note also the strange verb Pindar uses here—ἀνέδραμον, unusually given an accusative object (κῦδος). Scholars assume that this means something like "run up" or "recur to the glory of Melesias," but the usage is a bit odd. It's worth noting that this at least suggests "running" as a pentathlon event; a more literal reading might even imagine the poet "running up" or "ascending" Phokos' grave mound as if it were the material correlate of Melesias' *kudos*.

defense of the Athenian trainer: on the one hand, he conjures for him all the fair-minded Aeginetan justice for strangers so lavishly praised in the poem's second triad (O.8.21–27);[79] on the other hand, he implicitly makes him an insider, intimately connected to the Aiakid heroes whose monuments ground Aeginetan civic identity.[80] So the ultimate effect—in this very similar to Nemean 8—is an extension of civic cooperation that welcomes and integrates the trainer into the charmed circle of the Aeginetan cult community.[81]

III. FORTRESS AEGINA: THE TOPOGRAPHY OF AEGINETAN JUSTICE

And with the extended praise of Aeginetan justice to strangers in Olympian 8, I turn to the last, more speculative part of my argument—an attempt to excavate a coherent Aeginetan system of symbols or ideology that subtends the individualizing appropriations of different odes. For "justice to strangers" is a veritable leitmotif of civic praise that runs through the Aeginetan odes of Pindar and Bacchylides, which we find in its most elaborated form in Olympian 8:

> ἐξένεπε κρατέων πάλᾳ δολιχήρετμον Αἴγιναν πάτραν·
> ἔνθα σώτειρα Διὸς ξενίου
> πάρεδρος ἀσκεῖται Θέμις
>
> ἔξοχ' ἀνθρώπων. ὅ τι γὰρ πολὺ καὶ πολλᾷ ῥέπῃ,
> ὀρθᾷ διακρῖναι φρενὶ μὴ παρὰ καιρόν
> δυσπαλές· τεθμὸς δέ τις ἀθανάτων καὶ τάνδ' ἁλιερκέα χώραν
> παντοδαποῖσιν ὑπέστασε ξένοις
> κίονα δαιμονίαν—
> ὁ δ' ἐπαντέλλων χρόνος
> τοῦτο πράσσων μὴ κάμοι—
>
> Δωριεῖ λαῷ ταμιευομέναν ἐξ Αἰακοῦ·
>
> O.8.21–30

> And, winning in the wrestling, [the victor] proclaimed long-oared Aegina as his fatherland; there saving Themis, who sits beside Zeus Xenios, is

79. For this, see Athanassaki 2011: 292.

80. Note that if we accept the identification of Wade-Gery 1958, that Pindar's Melesias was the father of Thoukydides, the conservative Athenian politician and opponent of Pericles, this Melesias may well have married into the family of Miltiades and Kimon, Philaids who claimed descent from Ajax (on which see Hdt. 6.35.1). That is to say, Melesias had married into a family that claimed descent from Aiakos. For support of Wade-Gery's identification of Melesias, see Davies 1971: 231, Figueira 1993: 205–206, Mann 2001: 230–31.

81. For literary readings of O.8 that underscore the thematic importance of cooperation (including the trainer as a συνεργός of the victor), see Bulman 1992: 34–36, Robbins 2013b: 170–74; Nicholson 2005: 138–40. We might also note the similar observations of Figueira 1993: 208–10 on the ways in which the poet's rhetoric integrates the trainer Melesias into each victor's family or clan in O.8, N.4, and N.6; cf. Mann 2001: 233.

> cultivated exceptionally among men. For when much hangs in the balance with many ways to go, to judge [this] properly with upright mind is a thing difficult to wrestle with. But some ordinance of the immortals set up also this sea-fenced land as a divine column for all sorts of strangers—and may time as it comes up not tire of doing this—held in trust for a Dorian people from the time of Aiakos.

More briefly, Nemean 5 characterizes Aegina as "land dear to strangers" (φίλαν ξένων ἄρουραν, N.5.8),[82] while in Nemean 3, the Muse is invoked to come to "the hospitable Dorian island Aegina" (τὰν πολυξέναν. . .Δωρίδα νᾶσον Αἴγιναν, N.3.2–3). Similarly, the last triad of Pindar's sixth Paian, which we now know from a marginal title in the papyrus was performed separately as a "Prosodion for the Aeginetans to Aiakos" opens with lengthy and distinctive praise of the island's "justice to strangers":[83]

> ὀνομακλύτα γ' ἔνεσσι Δωριεῖ
> μ[ε]δέοισα [πό]ντῳ
> νᾶσος, [ὦ] Διὸς Ἑλ-
> λανίου φαεννὸν ἄστρον.
> οὕνεκεν οὔ σε παιηόνων
> ἄδορπον εὐνάξομεν, ἀλλ' ἀοιδᾶν
> ῥόθια δεκομένα κατερεῖς,
> πόθεν ἔλαβες ναυπρύτανιν
> δαίμονα καὶ τὰν θεμίξενον ἀρετ[άν.
>
> Pai. 6.124–31

> You are an island glorious in name, ruling in the Dorian sea, o shining star of Zeus Hellanios. Therefore we will not put you to bed without your dinner of paians, but receiving breaking waves of songs you will tell from where you got the fortune of ruling ships and virtue consisting of justice to strangers.

Thomas J. Figueira, collecting and analyzing these and several other similar passages in the Aeginetan odes of Pindar and Bacchylides, concludes:

> Thus, a complex of ideas was united for Pindar concerning Aegina: the Aeacids, the Dorian character of the Aeginetans, their hospitality, seafaring, and themis (dike). From this repertoire, material is drawn for each particular treatment of the island. Aegina is the only community in Pindar that is consistently and repeatedly characterized by hospitality. Otherwise, for Pindar, hospitality is primarily a virtue of individuals or of a family.[84]

82. Or even more forcefully, if we follow Pfeijffer 1999: 111, a "'land belonging to strangers,' i.e., a land that is so hospitable that strangers may get the impression that it is theirs" (with Homeric meaning of φίλαν).

83. For the marginal title, see Rutherford 1997, 2001: 306–307, 329–38, Kurke 2005.

84. Figueira 1981: 324–29 (quote from p. 328); Figueira himself acknowledges P.5.56–57 as one notable exception to the point that *xenia* outside the Aeginetan odes is a virtue predicated of

Based on this distinctive and characteristic form of civic praise and cluster of associations, Figueira suggests that Pindar is in fact alluding to a whole "Aeginetan legal apparatus" constituted to protect and adjudicate the rights of "strangers" on the island.[85]

In support of this proposal, Figueira elsewhere notes the oddness of Herodotus' characterization of Aeginetan dependence on Epidauros in the distant past (offered as part of the deep background of his account of the "ancient enmity" between Athens and Aegina, Hdt. 5.79–89). According to Herodotus, "Still at this time and before this, the Aeginetans were subject to the Epidaurians both in other respects and, crossing over to Epidauros, the Aeginetans used to have their cases against each other adjudicated" (τοῦτον δ' ἔτι τὸν χρόνον καὶ πρὸ τοῦ Αἰγινῆται Ἐπιδαυρίων ἤκουον τά τε ἄλλα καὶ δίκας διαβαίνοντες ἐς Ἐπίδαυρον ἐδίδοσάν τε καὶ ἐλάμβανον παρ' ἀλλήλων οἱ Αἰγινῆται, Hdt. 5.83.1). Why should Herodotus single out this particular feature of Aeginetan dependence? It is perhaps because the adjudication of other people's *dikai* was such a distinctive feature of the corporate identity of the independent Aegina of the sixth and fifth centuries, still familiar to Herodotus' audience.[86]

Barbara Kowalzig has recently taken up and elaborated Figueira's observations about the distinctive representation of Aeginetan civic *xenia* within epinikion, as well as the "legal apparatus" he tentatively proposes as an element thereof. Kowalzig focuses on a whole set of Aeginetan myths and rituals associated with the alleviation of drought and food shortage (*akarpia*). Among these, she argues that the myth of Aiakos praying to Zeus Hellanios in the context of a drought that afflicts all of Greece stands in for or represents more general issues of food supply, including the import of grain from the Black Sea region. For Kowalzig, this myth is all about Aiakos' *xenia*—his welcoming of strangers, which itself represents a ritualization of an Aeginetan ideology of maritime trade networks and maritime connectivity. That is to say that the fabled hospitality of Aiakos and the Aeginetans functions as a ritual or religious means of establishing trust and a system of stable connections within the precarious Mediterranean environment.[87] This network of *xenia* that supports and enables maritime connectivity starts local with the Saronic and the islands of the

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individuals or families, but not cities. In his broader discussion, Figueira also considers Pind. N.4.11–13, I.9.5; Bacch. Ode 12.4–7, Ode 13.95; and the name of the victor's father in P.8 (Xenarkes). Cf. Mann 2001: 196–97, adding to Figueira's collection of passages I.5.22 (the city of Aegina is *eunomos*) and P.8.22–24 (Aegina is ἁ δικαιόπολις. . .νᾶσος); see also Kowalzig 2011: 145–46, 150–51, Polinskaya 2013: 151–57, 351, 427, 530–31.

85. Figueira 1981: 327–28 and 330–32 (discussing Isocrates 19, the *Aiginetikos*, as evidence for a fourth-century Aeginetan legal system). Thus already Gildersleeve 1890: 194 (in his note to Διὸς ξενίου at O.8.21): "Owing to the active commerce of Aigina, many suits were brought by strangers before the courts, hence the special propriety of ξενίου. The probity of the Aiginetans was conspicuous."

86. Figueira 1993: 9, 33; cf. Kowalzig 2011: 154, Polinskaya 2013: 416–17.

87. Kowalzig 2011: 134–51, 158–71, following Horden and Purcell 2000; on the ritualization of the grain trade, see also Kowalzig 2007: 210–13.

Eastern Aegean, but expands to the broader Mediterranean (especially as Athens and Aegina contest different forms of Panhellenism in the early fifth century BCE).[88]

In general, I find Kowalzig's model of Aeginetan *xenia* as a ritualization of maritime connectivity compelling, and it serves as a neat and persuasive way of resolving the longstanding primitivist vs. modernist debate on the Aeginetan economy and elite participation in trade.[89] And indeed, Kowalzig's model drawn from Aeginetan myth seems to find additional support from the traditions of an Aiakid diaspora—what I referred to in Part II as a kind of "internal colonization" of different parts of the Greek world by the exiled Aiakids Telamon, Ajax, Teucer, Peleus, Achilles, and Neoptolemus.[90]

As part of this larger model, Kowalzig builds on Figueira's suggestion about a distinctive Aeginetan legal apparatus, hypothesizing that Aegina might have offered to merchants and traders something akin to the *dikai emporikai* of fourth-century Athens or the Sea Law of Byzantine Rhodes that eventually developed into the *Lex Mercatoria* (*Law Merchant*) of the Middle Ages:

> There are exceedingly few traces of any "legal apparatus" on Aegina; but what there is indicates that foreign merchants, or foreigners in general, may have had privileges that they did not have elsewhere. A conceivable hypothesis is that on Aegina a form of commercial jurisdiction was in place that, though it may or may not have been formally institutionalized, was practised between parties and was part of Aeginetan self-understanding.[91]

Kowalzig's hypothesis about Aeginetan commercial or maritime jurisdiction has recently been criticized by Irene Polinskaya, and yet Polinskaya's own counter-arguments may in a somewhat different way be taken to support the model of an

88. Kowalzig 2011: 134–35, 138–44; cf. Kowalzig 2007: 213–23.

89. For the two sides in this debate, see Winterscheidt 1938, de Ste. Croix 2004 vs. Figueira 1981. Note that even Hornblower 2004: 212–15 ackowledges that de Ste. Croix's position is too extreme. See also Kowalzig 2011: 131–36, observing that historians have traditionally not brought myth and ritual connections into this debate, nor have they considered the broader ideology of maritime connectivity so pervasive in Pindar's Aeginetan odes; instead they have focused more on evidence like Pindar's epithets (so "long-oared" must mean warships, not merchant ships according to de Ste. Croix 2004: 380, etc.).

90. In this respect, Pindar's N.4 is particularly notable for its whirlwind tour of all the far-flung Greek lands settled and ruled by Aiakids (N.4.45–69).

91. Kowalzig 2011: 152; cf. p. 153: "Both the practices of the *dikai emporikai* and the *Law Merchant* aimed at an effective resolution of cases arising from long-distance maritime trade amongst merchants, shipowners, and moneylenders from disparate parts of Greece and the Mediterranean: drowned ships, cargo lost in a storm or sold elsewhere than the promised destination, cheating over prices, and other forms of economic non-performance. Both institutions responded particularly to merchants' underlying need to trade freely, to secure a just price, and to avoid usurious interest rates." For the broader argument, Kowalzig (2011: 154–57) includes consideration of the cults of Aiakos and Zeus Xenios beyond Aegina—in Athens and elsewhere. Thus, following Stroud 1998, Kowalzig notes the connection of the Athenian Aiakeion with both *dikai* and grain storage in the fourth century BCE, while she also observes that cult associations of Zeus Xenios around the Aegean seem to "attest a divinity who looks after the legal protection of merchants and shipowners" (quote from p. 155).

Aeginetan legal apparatus founded on and aetiologized through the legendary justice of Aiakos. Polinskaya objects to what she sees as Kowalzig's conflation or blending together of different cult functions, institutions, and issues (like drought and famine), insisting instead on a more nuanced, articulated polytheistic system.[92] Specifically, Polinskaya contends that Kowalzig inaccurately assimilates all aspects of Aiakos' myth and cult to the model of *xenia*, which Kowalzig in turn associates with maritime connectivity and commercial law.[93] Polinskaya is right to object to this collapse of different terms and categories into *xenia*. So, for example, if we consider again the opening of Nemean 8 (quoted above, p. 249), this is not a narrative of Aiakos offering *xenia* to the visiting heroes; instead, they must "ask" or "entreat many times" to be allowed to "see" Aiakos and submit to his "royal commands" and "best counsels." In contrast to Kowalzig's assimilation of this scene to *xenia*, Polinskaya notes that Nemean 8 gives us evidence that the proper mode of approach to Aiakos in both myth and cult was supplication. In addition to the use of the terms ἱκέτης (-ας) and ἱκετεύω at N.8.13 and in the drought narratives of Isocrates, Pausanias, and the scholia to N.5.17, Polinskaya cites an account preserved in Ps-Plutarch's *Lives of the Ten Orators* that Demosthenes, condemned to death in Athens, first took refuge at the Aiakeion on Aegina before crossing to the shrine of Poseidon in Calaureia.[94] Following the typological model of F. S. Naiden, Polinskaya notes that supplication "has a quasilegal nature" (155) that entails a four-part sequence ideally ending with response and judgment on the part of the one supplicated. The final decision on the part of the supplicandus can lead to the extension of protection or refuge to the suppliant, the establishment of a long-term *xenia* relation, or access to a legal trial.[95] Polinskaya concludes:

> Perhaps then the key to the role of Aiakos the Supplicandus is his reputation for justice. As noted above, the fourth step of the *hiketeia* is an expectation of a decision, preferably a fair and favorable one, from the supplicandus. The suppliants of Aiakos (in myth and cult) would not have simply looked for a warm welcome, they would have sought an effectual intervention on their behalf, such as can come from a recognized and respected authority

92. Polinskaya 2013: 152–54. Thus, for example, Polinskaya objects to Kowalzig's conflation of the cult of Damia and Auxesia with the traditions about Aiakos' successful supplication to Zeus (which Kowalzig finesses simply by noting their narrative association and juxtaposition within the texts of Herodotus and Pausanias). For Polinskaya, the former is a cult of agricultural fertility (akin to Demeter and Persephone), whereas Zeus is the savior, bringer of rain, and Aiakos a poliadic hero with a somewhat different set of functions.

93. Polinskaya 2013: 151–54.

94. Polinskaya 2013: 154–55, citing Plut. *Lives of the Ten Orators* 846e. Cf. Plut. *Life of Demosthenes* ch. 28 for a related narrative, in which it is not Demosthenes himself but other anti-Macedonian Athenian orators taking refuge at the Aeginetan Aiakeion. Cf. Walter 1993: 56: "Das Aiakeion war auch eine Zufluchtsstätte für Verfolgte."

95. For supplication as a quasilegal practice, see Naiden 2006 passim. For the variety of outcomes requested by suppliants, see Naiden 2006: 69–78, 116–22; for refuge or protection, 70–72; for establishment of *xenia*, 73, 115–17; for access to a legal trial (as in, e.g., Orestes' supplication to Athena in Aeschylus' *Eumenides*), 114, 176–77.

> on justice. This circumstance would benefit non-Aiginetans especially, that is, those suppliants who may not have had a chance to approach Aiakos ever before, and hence would have had no chance to establish a relationship of *kharis*, upon which they could rely in their time of need. Although Kowalzig argues that "commercial justice" was a particular concern of Aiakos, she is not able to cite any evidence that could show foreign tradesmen as suppliants of Aiakos, or local Aiginetans approaching Aiakos for commercial concerns. We are therefore able to demonstrate a more generic, multi-functional "justice" as Aiakos' prerogative, while specifically commercial justice, if theoretically possible, is not evident in the available sources.[96]

I would like to follow the arguments of Figueira and Kowalzig for a special Aeginetan legal apparatus, while acknowledging some significant modifications offered by Polinskaya. I would contend that Kowalzig's model is too narrowly focused on maritime law, *xenia*, and maritime connectivity, while Polinskaya's model of a "more generic, multi-functional 'justice' as Aiakos' prerogative" winds up being too vague and general. Nonetheless, we may be able to reconcile the two and establish a more specific middle-range connection between Aiakos and certain Aeginetan legal practices (official or unofficial) if we pay more attention to the whole complex of myths and monuments which Pausanias describes and with which Pindar seems to engage. This will be the focus of the remainder of my discussion, which I offer as a complement to Kowalzig's argument, with Polinskaya's crucial addition that somehow supplication was a key element in the myth and cult of Aiakos. Attention to the broader set of myths and monuments described by Pausanias and potentially alluded to by Pindar will suggest a form of authority for Aiakos as judge or arbiter and specifically justice for Phokos that supersedes the ties of family (*philoi*) and therefore extends also to *xenoi*. In addition, the allusive or indirect evidence provided by these texts suggests significant connections between an Aeginetan legal apparatus and the sacred monuments we have been considering, as well as the myths attached to those monuments, in what we might imagine as a kind of Aeginetan *Oresteia*. By this I mean an aetiological myth for a distinctive Aeginetan form of justice inscribed in the very topography of the island, just as the *Oresteia* attaches the homicide court to the Athenian Areopagos via the aetiological myth of Orestes' foundational murder trial.[97]

This reconstruction will require more detailed and sustained inter-reading of Pausanias with Pindar than scholars have previously attempted in order to make mythic "ends meet."[98] Let me start with Pausanias—and here I return to the

96. Polinskaya 2013: 155–56. But one wonders what kind of evidence for "commerical justice" in supplications to Aiakos we might hope or expect to find for this period, given how pitifully sparse and lacunose our evidence is for Aegina overall.

97. Cf. Zunker 1988 and Carnes 1995, 1996a, 1996b for fascinating attempts to reconstruct local Aeginetan mythic systems.

98. I borrow from Burke 1978: 81–85 the concept of "making ends meet" in the historian's effort to reconstruct fragmented and subterranean popular oral traditions from pre-modern cultures.

murder of Phokos and the question of why Pindar should repeatedly call our attention to his death and tomb, whether by *praeteritio* (as in Nemean 5) or by reference to the "rough stone" atop his grave mound (as in Nemean 8 and Olympian 8). For if it is valid to retroject the Aeginetan monuments Pausanias describes (or some earlier version of them) to the time of Pindar and imagine them as the backdrop for several of Pindar's own Aeginetan odes (as I have argued in Part II that Nemean 5, Nemean 8, and Olympian 8 encourage us to do), then we should note that Pausanias' description of the tomb of Phokos is not the end of his narrative. Again, scholars have been very selective in their use of Pausanias, and we may be able to mobilize his account more fully if we attend to its mythic logic. For Pausanias, the narrative arc of this story continues beyond the account of how Peleus killed his half-brother with a primitive discus:

> Then, when Phokos had been struck by the discus and died, the sons of Endais embarked on a ship and fled. But later Telamon, dispatching a herald, denied that he had plotted death for Phokos. But Aiakos was not allowing him to set foot on the island, but instead he bid him standing upon a ship, or if he wished, having heaped up a mole in the sea, to make his self-defense from there (χῶμα ἐν τῇ θαλάσσῃ χώσαντα ἐκέλευεν ἐντεῦθεν ἀπολογήσασθαι). And so, having sailed into what is called the Secret Harbor, he [Telamon] set about making a mole (χῶμα) by night. And this, having been completed, remains still to our time. But having been found not without responsibility for the death of Phokos (καταγνωσθεὶς δὲ οὐκ ἀναίτιος εἶναι), he sailed away a second time to Salamis. And not far from the Secret Harbor is a theater worth seeing. . . .
>
> Paus. 2.29.10–11

Here the climax of the story is the banishment of Peleus and Telamon, Telamon's appeal through a herald (= supplication?), and Aiakos' final unrelenting judgment against him. This banishment and especially the rejection of Telamon's appeal constitute Aiakos as the very paradigm of impartial and uncompromising judgment, and so might be imagined to provide the mythic foundation for a special, dependable Aeginetan structure of justice or arbitration for the adjudication of cases brought by all comers.[99]

Here again, as in our consideration of Pausanias' description of the Aiakeion in Part I, we need to trace out the full mythic implications of the traditions Pausanias records and to chart the ways in which these mythic versions seem to

99. For a connection between Pausanias' story of Telamon's trial and exile and Aiakos' legendary justice, see Frazer 1979.2: 59n.2 (in his notes to Apollodorus *Bibl.* 3.12.7): "According to Pausanias the exiled Telamon afterwards returned and stood his trial, pleading his cause from the deck of a ship [sic], because his father would not suffer him to set foot in the island. But being judged guilty by his stern sire he sailed away, to return to his native land no more. It may have been this verdict, delivered against his own son, which raised the reputation of Aeacus for rigid justice to the highest pitch. . .." Cf. also Carnes 1995: 20–24, who notes Aiakos' exemplary royal justice (connecting it with his status as a "modified autochthon"), and Polinskaya 2013: 151–57.

be corroborated by earlier sources, especially Pindar. First, it is worth noting that Aiakos' privileging of upright judgment above the claims of family leaves him entirely without an heir to the kingdom, so that (as Pausanias puts it in his brief mythic history of Aegina), "[The Aeginetans] are able to tell of no other who was king in the land except Aiakos, since we know that none of the sons of Aiakos remained, as it happened for Peleus and Telamon to go into exile for the murder of Phokos, and with the sons of Phokos in turn having settled around Parnassos in the land now called Phokis" (Paus. 2.29.2). It may be that Pindar himself alludes to this tradition of Aiakos as the only king of Aegina in Nemean 7, when he has the chorus sing:

> βασιλῆα δὲ θεῶν πρέπει
> δάπεδον ἂν τόδε γαρυέμεν ἡμέρᾳ
> ὀπί· λέγοντι γὰρ Αἰακόν νιν ὑπὸ ματροδόκοις γοναῖς φυτεῦσαι,
>
> ἐμᾷ μὲν πολίαρχον εὐωνύμῳ πάτρᾳ,
> Ἡράκλεες, σέο δὲ προπράον' ἔμμεν ξεῖνον ἀδελφεόν τ'.
> N.7.82–86

> And it is fitting to celebrate the king of the gods on this sacred ground with gentle voice; for they say that through the mother who received his seed, he planted Aiakos to be city ruler for my glorious fatherland, and, Herakles, to be your gentle guest-friend and brother.

In this mythic version, Zeus inseminates the Asopid nymph Aegina specifically in order to produce Aiakos as "city ruler" (πολίαρχον) "for my glorious homeland."[100] But Pindar's language here suggests that Aiakos is still—and perennially—the "city ruler" of Aegina, thereby intimating also a mythic and cultic benefit entailed in Aiakos' isolation and loss of all his heirs. For if (as I suggested in Part II above) the banishment of Peleus and Telamon is the making of them, dispersing Aiakids throughout the Mediterranean in a kind of internal colonization for Aegina, it also transforms Aiakos himself into the "once and future king"—the sole and perennial ruler—of the island.[101] And here we should perhaps consider as a parallel the bones of Orestes tradition preserved in Herodotus Book 1, as Deborah Boedeker has analyzed the religious and socio-political dynamics of this historical episode.[102] For Boedeker, the bones of Orestes, a Pelopid repatriated to Sparta, were useful for

100. On πολίαρχον as equivalent to βασιλεύς, see Carey 1981: 173, D'Alessio 1994: 134. For Aiakos as the only king of Aegina, cf. N.8.7 (ἔβλαστεν δ' υἱὸς Οἰνώνας βασιλεύς) and the prayer that ends P.8 (99–100), where in the list Zeus, Aiakos, Peleus, Telamon, and Achilles, only Aiakos is designated as κρέων (κρέοντι σὺν Αἰακῷ). Note that ἐμᾷ, the manuscript reading, requires us to take this as one of the few clear examples of "choral first person" in the epinikia; thus schol. N.7.123a (3: 134 Drachmann), Carey 1981: 16–17n.37, 173. D'Alessio 1994: 134–35 acknowledges that the text is comprehensible with ἐμᾷ, but emphasizes the difficulties of such a shift in first person within the ode.

101. Similarly Polinskaya 2013: 141, who takes *poliarchos* here as equivalent to *poliouchos*, suggesting that it designates Aiakos as a poliad hero.

102. Boedeker 1998.

Spartan community building in the sixth century BCE precisely because "Orestes has no descendants at Sparta; he belongs to no family but to Lakedaimon as a whole."[103] In a period of political ferment—crises over the Spartan dual kingship, competition among great families, and legislative efforts to make Spartan society more egalitarian—the installation of Orestes as a cult hero signals the subordination of familial interests to those of the city. As Boedeker puts it, "Orestes links Sparta, but no contemporary Spartans, with its heroic past and thereby helps dissipate competition for status among families that could otherwise have focused on their various ancestral heroes."[104] *Mutatis mutandis*, the same could be argued for the workings of Aiakos as a cult hero for all of Aegina: his lack of direct descendants and ongoing "kingship" of the island provide a focus for worship and identification for all Aeginetans, while defusing competition among the powerful clans. Thus Pindar also consistently associates the Aiakidai with the entire demos of Aegina, rather than only with the Aeginetan elite or with individual elite families.[105]

Second, it seems that some at least of the autochthonous Myrmidons, originally created by Zeus from ants, were believed to have followed Peleus to Thessaly, so that the island had to be repopulated later by Dorian settlers from Epidauros or the Argolid as part of the return of the Herakleidai.[106] The earliest extant reference to Zeus' conjuring the Myrmidons from ants to provide company for Aiakos occurs in a fragment of the Hesiodic *Catalogue of Women* (fr. 205 M-W), whereas the *Iliad* and *Odyssey* know the Myrmidons only as Thessalian followers of Peleus and Achilles. Thus it seems that the tradition that the Myrmidons accompanied Peleus into exile was meant to reconcile the older epic version with the Aeginetans' archaic appropriation of Peleus, Achilles, Telamon, and Ajax all as descendants of Aiakos.[107]

103. Boedeker 1998: 169.

104. Boedeker 1998: 170.

105. For the identification of the Aiakidai with the entire demos of Aegina, see Figueira 1981: 216–17, 301–302, Zunker 1988, Mann 2001: 206–208, 228–29, Polinskaya 2013: 140–42, 523–26 vs. Nagy 1990: 175–81, 2011: 77–78 and Burnett 2005: 25–28 and passim, who both contend that only the Aeginetan elite claimed descent from Aiakos as reflected in Pindar's odes. As Mann 2001: 228–29 notes, the decisive passage is I.5.34–50, where Pindar links together the Aiakidai heroes and the Aeginetan sailors who fought at Salamis. And yet, in spite of this association, I do not accept Slater's category "c. fig., *people of Aigina*" for Αἰακίδαι (Slater 1969 s.v. Αἰακίδας). Slater lists eleven passages under this rubric (O.13.109, P.8.23, N.3.64, N.4.11–13, N.5.8, N.6.17, N.6.46, N.7.10, I.5.20, I.6.19, fr. 242 SM), but none of these, I would contend, must be understood to designate the current Aeginetans rather than the Aiakidai heroes who watch over and protect the island and its inhabitants. (For similar skepticism about Slater's category c., see Figueira 1981: 216n.10, Burnett 2005: 25n.67.) Allen 1971: 9 uniquely recognizes the ideological significance of Aiakos as "only king of the island" in the context of Attalos I's becoming σύνναος and σύμβωμος with him.

106. For the Dorian (re)settlement of Aegina, see Hdt. 8.46.1, Theogenes (ap. schol. N.3.21, 3: 46 Drachmann), Strabo 8.6.16, Paus. 2.29.4–5, schol. O.8.39a, b (1: 246–47 Drachmann), schol. P.8.29a, b, 113c (2: 209, 217 Drachmann) with the extensive discussion and analysis of Polinskaya 2013: 141–42, 396–400, 525–27.

107. As is well known, there is no suggestion in the *Iliad* that Achilles and Ajax are related and only Peleus and Achilles are designated Αἰακίδης, whereas according to (later) Aeginetan tradition, both are grandsons of Aiakos and therefore first cousins. On the development of these Aeginetan

As Alwine Zunker notes, there are several brief references in Pindar's poems for Aeginetans that confirm that he knows and follows this tradition.[108] There is first the poet's assertion at N.3.13–17 that the current victor has not shamed the "ancient agora" of the place "where the Myrmidons dwelt before" (Μυρμιδόνες ἵνα πρότεροι ᾤκησαν) in a poem that begins by describing Aegina as a "Dorian island." Likewise O.8.25–30 refers to Aegina as "this sea-fenced land. . .held in trust for a Dorian people from the time of Aiakos."[109] In addition, many of the same elements figure in the opening of the fragmentary ninth Isthmian ode:

Κλεινὸς Αἰακοῦ λόγος, κλεινὰ δὲ καὶ ναυ-
σικλυτὸς Αἴγινα· σὺν θεῶν δέ νιν αἴσᾳ
Ὕλλου τε καὶ Αἰγιμιοῦ
Δωριεὺς ἐλθὼν στρατός
ἐκτίσσατο· τῶν μὲν ὑπὸ στάθμᾳ νέμονται
οὐ θέμιν οὐδὲ δίκαν
ξείνων ὑπερβαίνοντες·

I.9.1–6

> Glorious is the story of Aiakos, and glorious also Aegina famed for ships. And together with the allotment of the gods, the Dorian host of Hyllos and Aigimios came and settled her [Aegina]. And they dwell under the rule of these men, transgressing neither right nor justice for strangers.

Here we find closely conjoined Aiakos, Aeginetan seafaring, the Dorian resettlement of the island linked to Hyllos and Aigimios, sons of Herakles, and Aegina's famous justice for strangers. And here, Pindar explicitly asserts that the later Dorian repopulation was divinely fated—it was "with the allotment of the gods"—perhaps because Dorian rule (στάθμᾳ) properly carries through and fulfills the promise of Aiakos' justice. Strikingly this complex of Aiakos as sole remaining legendary ruler enshrined as a cult hero for a largely or entirely Dorian population again echoes the configuration of Orestes installed as Pelopid king in archaic Sparta as Boedeker has analyzed it.[110]

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traditions and their chronology relative to epic, see Prinz 1979: 34–56, West 1985: 162–64, Zunker 1988, Polinskaya 2013: 422–36.

108. Zunker 1988: 64–67.

109. For the interpretation of this phrase, Zunker 1988: 64 follows Farnell 1932: 63 (which entails taking the dative Δωριεῖ λαῷ as *dativus commodi* rather than dative of agent with the passive participle).

110. I do not address here the complex issue of competing mythological constructions of identity on the part of the Aeginetans of the sixth and fifth centuries BCE. For arguments that in this period, the Aeginetans simultaneously claimed kinship with the Achaian line of Aiakos, autochthony through the Myrmidons, and participation in the Dorian return of the Herakleidai (much as contemporary Athenians could strategically claim autochthony, Ionian descent, and descent from Athena in different contexts), see Prinz 1979: 37, 42–44, 54–56, Carnes 1990, 1995, 1996b, and especially Polinskaya 2013: 195–96, 523–30. For arguments against autochthony as a central feature of Aeginetan identity construction in this period, see Zunker 1988: 64–67.

Finally, perhaps as a consequence of his remarkable act of probity, Aiakos becomes a judge or adjudicator for the conflicts of other individuals and communities beyond Aegina. Thus Pausanias, for example, elsewhere mentions that Aiakos served as an arbiter in a dispute between Skiron and Nisos, son of Pandion (Paus. 1.39.6), while Pindar tells us that Aiakos "put to an end disputes (δίκας) even for the gods" (I.8.23–24).[111] The final extension of this tradition makes Aiakos a judge in the underworld in Athenian sources of the fourth century BCE (if not earlier).[112] We may find an allusion to this tradition as well in Pindar's positive recasting of the fate of Neoptolemus at Delphi in Nemean 7:

> ἐχρῆν δέ τιν' ἔνδον ἄλσει παλαιτάτῳ
> Αἰακιδᾶν κρεόντων τὸ λοιπὸν ἔμμεναι
> θεοῦ παρ' εὐτειχέα δόμον, ἡροΐαις δὲ πομπαῖς
> θεμισκόπον οἰκεῖν ἐόντα πολυθύτοις.
>
> N.7.44–47

> For it had to happen that some one of the ruling Aiakidai remain within the most ancient precinct beside the well-walled house of the god for all time, and dwell [there] as overseer of right for processions honoring heroes with many sacrifices.

The scholia to these lines explain ἡροΐαις. . .πομπαῖς as festivals at Delphi in which the god offers *xenia* to heroes, and some modern scholars have suggested that this "heroxeny" is identical to the better known Delphic Theoxeny, where the god hosted emissaries from all over Greece.[113] In such a setting Neoptolemus, identified simply as "one of the ruling Aiakids," plays the role of *themiskopos*, "overseer of right" and of the proper allocation of sacrificial portions in perennial compensation for his own death in a "tussle over sacrificial meat" (N.7.42).[114] The identification of

111. Cf. Carnes 1995: 20–24 and Polinskaya 2013: 152 on Aiakos as a judge/adjudicator beyond Aegina. Hubbard 1987: 6–10 and Zunker 1988: 78–80 independently suggest that I.8.23–24 does not represent an (otherwise unattested) tradition of Aiakos adjudicating quarrels for the gods, but that instead Pindar means that he "resolved/put to an end" the quarrel of Zeus and Poseidon over Thetis by producing a son Peleus, who, as the inheritor of his father's supremely virtuous nature, earned Thetis as his bride. However exactly we interpret these lines, though, καί at I.8.23 implies that Aiakos did serve as judge or arbiter among humans, as Carnes 1995: 21–22 notes.

112. Thus Plato *Apology* 41a, *Gorgias* 523e-24a, Isocrates *Evagoras* 15. Note that in the earliest extant source that connects Aiakos with the underworld (Aristophanes *Frogs* 464), Aiakos is not a judge, but merely a slave doorkeeper—on this aspect of the legend, see below in text with n.126. Cf. Carnes 1995: 39n.93 and Polinskaya 2013: 159–61, 426, 485, who argue independently that the tradition of Aiakos as judge in the underworld is entirely an Athenian one, for which there is no Aeginetan evidence.

113. Schol. N.7.68a, b (3: 125–26 Drachmann). Among modern scholars, Wilamowitz 1922: 129–30, Farnell 1932: 295, Carey 1981: 154, Currie 2005: 303, Polinskaya 2013: 256 take the heroxeny to be identical to the Delphic Theoxeny (although Currie 2005: 297–302 offers a different interpretation for these lines from N.7); differently, Nilsson 1906: 161n.2.

114. This interpretation of θεμίσκοπος follows schol. N.7.62c, 68b (3: 125–26 Drachmann), Bury 1890: 118, Wilamowitz 1922: 130, Slater 1969 s.v. θεμίσκοπος, Nagy 1979: 119, Carey 1981: 154, Burkert 1985: 120, Most 1985: 173, Rutherford 2001: 314–15, Polinskaya 2013: 252–56; differently

Neoptolemus as an Aiakid here is significant; it is as if Pindar for the gratification of his Aeginetan audience has transposed to Delphi a native claim for legal propriety whereby Aiakos himself in *his* hero's tomb serves as judge or arbiter (*themiskopos*), ensuring fair allotment for visitors coming from all over Greece.[115]

Thus Pindar's Aeginetan odes already seem to allude to three significant elements of the myth of Aiakos and his descendants that are spelled out explicitly in Pausanias' rendering: (1) Aiakos as the only king of Aegina; (2) the departure of the Myrmidons and resettlement of the island by Dorians; and (3) Aiakos as judge or arbiter beyond Aegina. Such Pindaric corroboration of Pausanias' account strengthens the case for paying attention to the Periegete's particular configuration or alignment of Aeginetan myths and monuments. For Pausanias' narrative does more than just spell out traditional myths about Aiakos and his sons; it significantly attaches this tale of murder, judicial appeal, and final uncompromising judgment to a specific set of monuments in the Aeginetan landscape (this, after all, is Pausanias' purpose in his rendition). Based on his account, it is tempting to assume that the "Aeginetan legal apparatus" posited by Figueira and Kowalzig would somehow be associated with the Aiakeion and the neighboring tomb of Phokos, located on Kolonna Hill or somewhere east of the Secret Harbor "in the most conspicuous place in the city" (Paus. 2.29.6).[116] Such an assumption is corroborated by Stroud's reconstruction of the Athenian Aiakeion as a large enclosure on the SW edge of the classical Agora, that seems to have had records of *dikai* painted on its whitewashed walls.[117] For if, as Stroud argues, the Athenian Aiakeion was carefully modeled on its Aeginetan prototype, this encourages us to think that in Aegina as well the hero's precinct was associated with legal proceedings.[118]

Currie 2005: 299–301. Note that Pindar uses the adjective/noun κρέων only four times, all in Aeginetan odes: for Zeus (N.3.10), Aiakos (P.8.99), Phokos (N.5.12), and here for Neoptolemus (N.7.45).

115. For the significance of the connection with Aiakos, see Kurke 2011: 82; for a similar interpretation of this passage from N.7, see Polinskaya 2013: 253–56 (although for Polinskaya, the special status of Neoptolemus as *themiskopos* for others coming to Delphi associates him with the general Aeginetan "justice for strangers," rather than with Aiakos specifically). See Athanassaki 2011: 269–70 for the point that whatever N.7's relation (or lack thereof) to Paian 6, what we can say about this ode is that it offers a positive version of the story of Neoptolemus at Delphi, designed to please an Aeginetan audience. Note that the parallel here works even better if Felten et al. are correct in locating the Aiakeion and Tomb of Phokos on Kolonna Hill, where these monuments would be close to the Aeginetan "well-walled house of the god" Apollo.

116. For the two main theories on the location of the Aiakeion and tomb of Phokos, see Part I, pp. 243–44 above.

117. Stroud 1998: 90–91, 99–101, based on *POxy* 2087, lines 16–18 (quoted above, p. 242) and archaeological evidence of letters in red paint on plaster found in Hellenistic fill adjacent to the North (front) wall of the structure he identifies as the Aiakeion.

118. See Stroud 1998: 92, 101, also suggesting that we should perhaps identify the "*dikai* bazaar" jokingly referred to at Aristophanes *Knights* 977–80 with the Athenian Aiakeion. Kowalzig 2011: 143–44 emphasizes the way this association links together Aiakos' legal purview with mercantile activities; for which, cf. Lucian *Charon* 2, where Aiakos is characterized as a τελώνης (a farmer or collector of harbor tolls). Against these scholars, Polinskaya 2013: 161–63 denies any significance for the Aeginetan system to the posting of *dikai* on the Athenian Aiakeion, contending that this was simply a matter of convenience,

But if we can rely on Pausanias' account as preserving genuine old traditions, we should perhaps connect this legal apparatus with another built monument as well—Telamon's mole, constructed in the Secret Harbor to serve as a platform for his legal self-defense (ἀπολογήσασθαι, Paus. 2.29.10). After all, the tomb of Phokos and Telamon's mole are fatefully linked monuments in Pausanias' account; the former requires the compensation of the latter and the judicial process it enabled.[119] In fact, if we are to follow Pausanias' narrative to the letter, it is Telamon's mole (magically constructed in a single night) that forms the Secret Harbor and makes it "secret." For this mole, which consists of two massive artificial extensions of the circuit of the city walls, encloses the smaller northern harbor and forms its narrow entrance, framed by substantial towers on either side. The narrowness of the entrance is what keeps the Secret Harbor secret; you have to know exactly how to navigate the hidden rocks and reefs and guide a ship through this narrow passage (Figure 1, no. 13).[120] Likewise, as Figueira notes, because of the formidable towers flanking the narrow entrance to the Secret Harbor, the Aeginetan navy could potentially be massed within and remain invisible to those sailing by outside this enclosed military enclave.[121] Perhaps then we should imagine those foreign visitors who came to Aegina to have their cases adjudicated sailing into the Secret Harbor through the entrance formed by Telamon's mole, in order to present their cases at the Aiakeion just east of this smaller northern harbor.

We might even go one step further in mobilizing the elements of Pausanias' account. Recall that after offering a brief mythic and historical chronicle of the island (Paus. 2.29.2–5), the Periegete begins his description of the sites of Aegina town:

> Aegina is the most difficult of access (ἀπορωτάτη) of the Greek islands to sail to; for submerged rocks and reefs stand all around it. And they say that

since the structure stood close to the monument of the Ten Eponymous Heroes, which itself served as a public notice board. But here I think that Polinskaya's insistence on completely separate, autonomous local versions of polytheism goes too far, fragmenting and atomizing what little evidence we have.

119. Indeed, Pausanias encourages us to associate the two monuments closely together by pointedly using the same term, χῶμα, for both (Paus. 2.29.9, 10 [2x]).

120. See the description of Frazer in his notes to Paus. 2.29.6 (Frazer 1965.3: 262): "The ancient town had two artificial harbours, the moles of which are still in fairly good preservation. The northerly of the two harbours is the smaller; it is oval in form and is sheltered by two ancient moles which leave only a narrow passage in the middle, between the ruins of two towers which stood on either side of the entrance. To the southward is the second and larger harbour: it is twice as large as the former. Its entrance is similarly protected by ancient walls or moles, 15 or 20 feet thick. . .. Both ports were doubtless closed by chains in time of danger, and so were what the ancients called 'closed harbours' (κλειστοὶ λιμένες)." Frazer also quotes Leake *Morea*: "There is no more remarkable example in Greece of the labour and expense bestowed by the ancients in forming and protecting their artificial harbours." On the moles forming the Secret Harbor as an extension of the city walls, cf. Walter 1993: 58. The excavated circuit of the city wall is usually dated ca. 480 BCE, but Walter speculates that an earlier version of these massive city walls and harbor moles would already have existed in the sixth century; for this, cf. Zunker 1988: 47.

121. Figueira 1981: 191: "Pausanias calls the military harbor (in our terminology) the *kruptos limen* (2.29.10). It deserved its name because it was protected by breakwaters and its entrance was fortified with towers. The mustering of the fleet within it may well have been invisible to approaching enemies."

> Aiakos contrived these things deliberately out of fear of brigands from the sea, and in order that it be dangerous for foes.
>
> Paus. 2.29.6

The description of Aiakos' deliberate contrivance of underwater rocks and reefs that keep the island safe from marauders may provide a mythical genealogy for yet another remarkable man-made feature of the naval approach to Aegina: a submerged construction of massive stones that encloses all the usable harbors of Aegina town at approximately 300 m. out to sea, dated by Hans Walter to ca. 1800 BCE (Figure 1, no. 14).[122] Walter himself identifies this construction as "Telamon's mole," and yet, as we have seen, Pausanias connects Telamon's mole specifically with the Secret Harbor. But Walter's own description of the function of this submerged "Steinhügelmauer" corresponds remarkably well to the defenses Pausanias attributes to Aiakos: "Da sie unter der Oberfläche des Meeres verborgen und die Zwischenräume untereinander klein sind, waren sie fremden Schiffern ein gefährliches Hindernis."[123]

But even without this additional feature, Telamon's mole as part of this complex of monuments makes Aiakos' justice all about controlling access: keeping out violent criminals, killers, and pirates, while protecting those within who have come as suppliants (whether they be merchants or political refugees like Demosthenes). This serves as a complement then to Kowalzig's model, in which Aiakos' and Aegina's "justice" (*themis* or *dikē*) is all about *xenia*—about welcoming strangers, receiving mercantile foreigners coming in, as well as cultivating connections of *xenia* abroad.

122. Walter 1993: 26. Unfortunately, there is no secure archaeological evidence for dating the various harbor constructions on Aegina; the fundamental work on the underwater archaeology and sea-level rise in Aegina remains Knoblauch 1972. According to Knoblauch, the underwater archaeological remains give evidence of a rise in sea level of over 2 meters in the harbors surrounding Aegina town. Given such a dramatic rise in sea level, Knoblauch points out that when the mole N of Kolonna Hill was constructed to improve the northernmost harbor for ships, the site of the Secret Harbor (directly S of Kolonna) would still have been dry land; as the sea level rose, the northern harbor mole came to be submerged and the northernmost harbor therefore unusable for ships. Knoblauch (1972: 83–85) offers two possibilities for the dating of the breakwater N of Kolonna: (1) assuming a steady annual rate in rise of sea level, Knoblauch calculates an approximate date for the breakwater of ca. 1880 BCE; or (2) based on historical speculation, Knoblauch proposes that the breakwater and northern harbor would have been developed only after Aegina won its independence from Epidauros (so ca. 700 BCE), whereas he accepts Welter's date of ca. 480 as a fixed point for the two southern harbors. But, as noted above (n.120), Walter 1993: 58 suggests that the massive fortification of the city walls and of the Secret Harbor would already have existed in the sixth century BCE (cf. Zunker 1988: 47). As Knoblauch notes, however, his second possibility would require positing a sea-level rise of more than two meters in approximately two centuries (ca. 700 to ca. 490 or 480 BCE [or less]), entirely unacknowledged by any of our written sources, which would be, as Knoblauch himself puts it, "merkwürdig" (85). Thus Walter 1993 seems to be following Knoblauch's suggested dating (1), assuming a Bronze Age construction; cf. Figueira 1981: 189, on the two possible dates and their historical implications, and Polinskaya 2013: 596–98 for further discussion of the problem of rise in sea level.

123. Quote from Walter 1993: 26; for the danger represented by the submerged breakwater in the northernmost harbor to ancient shipping, cf. Knoblauch 1972: 83. Note also that, if we identify this Bronze Age construction as the mythic work of Aiakos, Pausanias' account of Aegina precisely tracks the order of monuments as these are experienced by a traveler approaching the island—that is to say, first the submerged barrier supposedly constructed by Aiakos, then landing in the southern commercial harbor; the temple of Aphrodite; then the Aiakeion and tomb of Phokos; doubling back via Telamon's mole to the Secret Harbor, etc.

In terms of topography, we could say that Kowalzig's model essentially focuses only on Aegina's southern, commercial harbor, whereas we need to factor in that the two harbors (military and commercial) were built to function as an "integrated program." As Figueira notes, the adjacent harbors for fleet and merchant marine support each other.[124] Furthermore, the most likely sites for the Aiakeion-Tomb of Phokos complex would locate it in the vicinity of the northern military harbor—either due east of the Secret Harbor (in Walter's reconstruction), or on Kolonna Hill (in that of Felten et al.). Thus Aiakos and his exemplary justice are more closely associated within the topography of Aegina town with the heavily fortified defensive harbor and the Aeginetan fleet.[125] And here we should note that the oldest mythological tradition of Aiakos in the underworld represents him as a doorkeeper or keyholder, even before he figures as a judge.[126] Finally, through this cluster of monuments and myths attached to them, Aiakos' justice is inscribed into the very topography of Aegina, constituting what I have termed a kind of Aeginetan *Oresteia*—a founding myth for an Aeginetan legal system grounded in concentric circles of "rough stones," from the circular stone foundation and crowning λίθος τραχύς of Phokos' tomb, to the massive circuit of the city walls, harbor moles, towers, and breakwaters that make the whole of Aegina town a veritable "fortress" of justice.

Remarkably, this whole complex linking mythic aetiology, justice, and topography seems to resonate through several of Pindar's Aeginetan odes. Let us first reconsider the passage from Olympian 8 quoted at the beginning of this section (O.8.21–30, p. 259 above). Here we find praise of Aeginetan justice to strangers (the exceptional cultivation of Themis and Zeus Xenios) as a tradition passed down to a Dorian people from Aiakos. This justice—the ability to "discriminate with upright mind according to what is proper"—is associated with the concrete image of the scales and "much weighed in the balance," evoking at once mercantile activity and divine judgment.[127] Then the poet asserts that the island itself

124. See Figueira 1981: 191 on the two harbors as an "integrated program."

125. These topographic features are even more significant if, as Watson 2011: 102–103 argues, the "rocky waters of the Saronic Gulf" and "prevailing wind. . .blowing from the N-NE" make the northern route around Aegina much easier and more likely for the navigation of ships than the southern route. Thus Watson: "I suggest, therefore, that most ships sailing in the Saronic Gulf will have preferred the northern route. . . . Even those ships heading for Aegina town probably preferred the northern route. . ." (Watson 2011: 103 with n.65). Watson makes this argument to emphasize that most ships would have had to sail past and see the temple of Aphaia on its promontory in the NE corner of Aegina, but his argument also entails important implications for the approach to Aegina town. For it means that most or all ships would have had to sail past the military harbor with its formidable towers (and war fleet potentially massed within) to get to the southern commercial harbor. Note also that, if the Aiakeion and tomb of Phokos were actually located west of the temple of Apollo on Kolonna (as Felten et al. suggest), these monuments would have been visible to ships as they sailed around the Cape and past the Secret Harbor.

126. Ar. *Frogs* 464–78, 605–71, 738–813—presumably a demeaning Athenian parody which makes the doorkeeper/keyholder Aiakos into a mere slave porter in the underworld; for this ideological reading, cf. Carnes 1995: 39n.93, Polinskaya 2013: 159, 162, 485. For later sources that represent Aiakos as a keyholder, see Apoll. *Bibl*. 3.12.6; Lucian *Cataplus* 4, *Charon* 2, *Dialogues of the Dead* 20.1 (these Lucianic treatments also presumably parodic).

127. Note that Homer uses the verb ῥέπω only twice—specifically in the context of the "scales of Zeus" inclining downward to register the "fated day" of death, once for the Achaians (*Il*. 8.72), and

("this sea-fenced land") is constructed by the gods' ordinance as a prop or support ("a column") for "all kinds of strangers," using imagery that transmutes island topography into divine architecture.[128] ἁλιερκέα evokes the barriers of stones and reefs that ring Aegina and make it so difficult to access, while κίονα δαιμονίαν suddenly transforms those submerged breakwaters and moles into the foundations of a "divine column" whose base sits athwart the axis of land and sea—and all this for the sake of παντοδαποῖσιν. . .ξένοις.

We find briefer but similar clusters of images and associations in two other Aeginetan odes. Thus in Nemean 4, in the initial specification of the victor's homeland, Pindar prays for the island city to receive his celebratory song:

> δέξαιτο δ' Αἰακιδᾶν
> ἠύπυργον ἕδος, δίκᾳ ξεναρκέι κοινόν
> φέγγος.
>
> N.4.11–13

> And may the high-towered seat of the Aiakidai, light common to justice that protects strangers, welcome it [the prelude of the hymn].

ἠύπυργον ἕδος here echoes the κίονα δαιμονίαν of Olympian 8, while perhaps specifically conjuring the towers that flanked the entrance to the Secret Harbor. At the same time, Αἰακιδᾶν. . .ἕδος subtly conflates the whole city of Aegina with the Aiakeion as proper "seat of the Aiakidai," while δίκᾳ ξεναρκέι κοινὸν φέγγος suggests a "beacon of justice" shining out from both for the protection of *xenoi*.[129] Similarly in Isthmian 5, as the poet transitions from the martial glories of the Aiakidai in two captures of Troy to the achievement of Aeginetan sailors in the recent battle of Salamis, he offers the following remarkable image:

> τοῖσιν Αἴγιναν προφέρει στόμα πάτραν,
> διαπρεπέα νᾶσον· τετείχισται δὲ πάλαι
> πύργος ὑψηλαῖς ἀρεταῖς ἀναβαίνειν.
>
> I.5.43–45

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once for Hektor (*Il.* 22.212). For an analogous conjunction of mercantile activity (here the weighing of precious metals) and divine judgment in a visual representation of the sixth century BCE, cf. Neer 2001: 298–302, 2003: 139–41 on the scales of Hermes as represented on the East Frieze of the Siphnian Treasury.

128. Schol. O.8.33c, 33d (1: 246 Drachmann) calque κίονα as ἔρεισμα.

129. "Beacon of justice" is the translation of Race 1997.2: 35 for this dense, nearly untranslatable phrase. For a similar collapse of the Aiakeion and the entire city of Aegina, see O.13.109 (part of a list of places where members of the victor's family have won at games): Αἰακιδᾶν τ' εὐερκὲς ἄλσος. Zunker 1988: 71 and Walter-Karydi 2006: 44 (followed by Athanassaki 2011: 280n.69) suggest that this may be a reference specifically to the Aiakeion, but in context it seems more likely to designate the city of Aegina as a whole since it figures in a list of places together with Pellana, Sikyon, Megara, and Eleusis. But perhaps we should read this as Pindar's deliberate ambiguity and note that, applied to the city of Aegina, εὐερκές again evokes the island "fenced" by rocks, reefs, walls, and towers. Polinskaya 2013: 133–34 acknowledges the ambiguity of this phrase.

> For them [the Aiakidai], one's mouth proclaims Aegina as fatherland, conspicuous island. And it was built long ago as a tower to mount by means of lofty achievements.

In this explicitly martial context, we do not find reference to justice; nonetheless, the association of the Aiakidai with the island as an ancient-built bastion or tower recurs.[130]

We may find one final, fleeting echo of this whole complex in the third triad of Paian 6, performed separately as a prosodion to Aiakos (quoted above, p. 260). Here, after invoking Aegina as "island glorious in name, ruling over the Dorian sea, shining star of Zeus Hellanios," the *ego* promises that "we will not put you to bed without your dinner of paians":

> ἀλλ' ἀοιδᾶν
> ῥόθια δεκομένα κατερεῖς,
> πόθεν ἔλαβες ναυπρύτανιν
> δαίμονα καὶ τὰν θεμίξενον ἀρετ[άν.
>
> Pai. 6.128–31

> But, receiving breaking waves of songs you will tell from where you got the fortune of ruling ships and virtue consisting of justice to strangers.

Why "receiving breaking waves of songs" (ἀοιδᾶν ῥόθια δεκομένα)? And why will the island itself tell rather than the speaker? We can take the first phrase simply as an ornamental way of saying that Aegina is an island, but perhaps instead we should give due weight to the sonic emphasis of these words. For this phrase evokes the sound of waves crashing on rocks, reefs, and moles, while magically transmuting it into harmonious "waves of song." On this more pregnant reading, it is precisely the rocks, reefs, and moles encircling the island and its harbors—the divine architecture of Aegina—that endow the island with its "fortune of ruling ships" and its "virtue consisting of justice to strangers." At the same time, the roaring of waves or "breakers" crashing against rough stone constitutes the voice of the island itself, through which it tells the story of its own special, divine endowments (over ships and justice).

By way of conclusion, let me return once more to Pausanias and his final words on Aegina, which (like Pindar's imagery) seem to recognize and gesture toward the inter-imbrication of Aiakos' justice and the built environment of the island:

> Αἰγίνης μὲν ⟨δὴ⟩ Αἰακοῦ ἕνεκα καὶ ἔργων ὁπόσα ἀπεδείξατο ἐς τοσόνδε ἔστω μνήμη.
>
> Paus. 2.30.5

130. Note that Walter 1993: 58 connects this passage from I.5 explicitly with the "mighty land- and sea-fortifications" of Aegina in the sixth and fifth centuries BCE, and recall that of the city's two harbors, only the northern military harbor had its entrance flanked by towers.

> To so great a point then let there be remembrance of Aegina for the sake of Aiakos and his deeds/works, however many he showed forth.

Pausanias' *envoi* to Aegina is at once very Pindaric and very Herodotean. On the one hand, in conjuring remembrance of Aegina "for the sake of Aiakos and his achievements" as a closural gesture, Pausanias echoes a veritable refrain of Pindar's Aeginetan odes.[131] On the other hand, Pausanias' phrase ἔργων ὁπόσα ἀπεδείξατο suggestively recalls the first sentence of Herodotus:[132]

> Ἡροδότου Ἁλικαρνησσέος ἱστορίης ἀπόδεξις ἥδε, ὡς μήτε τὰ γενόμενα ἐξ ἀνθρώπων τῷ χρόνῳ ἐξίτηλα γένηται, μήτε ἔργα μεγάλα τε καὶ θωμαστά, τὰ μὲν Ἕλλησι, τὰ δὲ βαρβάροισι ἀποδεχθέντα, ἀκλεᾶ γένηται. . . .
>
> This is the demonstration of the researches of Herodotus of Halicarnassus, in order that the things done by men not fade with time, and that the great and marvelous deeds/works, some shown forth by Greeks, others by barbarians, not come to be without glory. . . .

For here too, as scholars have noted, Herodotus' ἔργα as the object of ἀποδείκνυμι are significantly double: simultaneously "deeds" or "achievements" and built "works" or "monuments."[133] The same doubleness inheres in ἔργων in Pausanias' farewell to Aegina; it designates both Aiakos' "deeds" of piety and justice (as it is usually translated in modern editions), but also his "built works."[134] These latter include the shrine of Zeus Panhellenios which Pausanias has just mentioned as the only notable sight on Mt. Oros (τοῦτο δὲ τὸ ἱερὸν λέγουσιν Αἰακὸν ποιῆσαι τῷ Διί, 2.30.4), but also the ring of submerged rocks and reefs with which the Periegete began his description of the topography of Aegina, which "they say Aiakos contrived deliberately, to protect the island from marauders" (2.29.6). Thus Pausanias' conclusion on Aegina comes full circle to its beginning, while the double meaning of ἔργα allows for a perfect interpenetration or superimposition of Aiakos' *deeds* of piety and justice and his *works* on Aegina. In these terms, the built environment enacts, bodies forth, and is coextensive with Aiakos' legendary justice.

131. Cf. P.8.21–25, N.3.28, 64–66, N.4.69–72, N.6.45–47 (the Aiakidai ἀρετὰς ἀποδεικνύμενοι μεγάλας), N.7.50–52, I.5.34–35, I.6.19–27. It is nonetheless worth noting that for Pindar, it is always the Aiakidai, never just Aiakos himself, as the focus of remembrance and praise (very often at moments of transition to or breakoff from the myth). Habicht 1985: 133 notes that, among the lyric poets, Pausanias cites Pindar the most "(with twenty-three quotations from his poems and five additional citations)."

132. Cf. Habicht 1985: 3n.7, 97–98, 133, Arafat 1996: 23–24 on Herodotus as Pausanias' model.

133. For precisely this ambiguity of ἔργα and use of ἀποδείκνυμι in Herodotus' first sentence, see Immerwahr 1960, Nagy 1987, 1990: 217–24, Kirk 2014. For Herodotus' treatment of a harbor mole as one such particularly significant ἔργον that justifies extended narrative, cf. Hdt. 3.60.

134. The Pausanias translations of Frazer, Levi, and Jones translate this as "deeds," "achievements," or "exploits."

APPENDIX: AN ATHENIAN PARALLEL FOR THE LINKAGE OF AIAKIDAI MYTH AND LEGAL APPARATUS?

As a final speculative coda, I would like to consider a striking Athenian parallel for the peculiar concatenation of Aeginetan myth, legal apparatus, and harbor topography that may provide indirect support for the arguments I offered in Part III. I have thus far analogized the mapping onto a particular landscape of mythic aetiology and legal institutions to the *Oresteia* and the Athenian homicide court of the Areopagos. But in fact, Athens furnishes an even closer parallel in a different, obscure homicide court called "in Phreatto."[135] In the earliest mention of the court, the speaker of Dem. 23 (dated 352/1) includes the court "in Phreatto" as the last in his list of five distinctive homicide courts in Athens, all of whose venerable laws and procedures have been violated by the accused's *psēphisma*. In this context, he describes the purview of the court and its peculiar setting:

> For the law orders that a man be tried here, gentlemen, if he is in exile for unintentional homicide, has not reconciled himself with the persons who caused his exile, and has been charged with another homicide, this one intentional. And the author of all these assignments did not overlook him because he had done some such thing before and a like, believable charge had been made against him. But the author discovered what was both consistent with piety and did not deprive the defendant of defence or trial. What then did he do? By designating a certain place in our land, a place on the sea called "in Phreatto," he took the men who were going to act as judges to a place the defendant could approach (τῆς χώρας ἀποδείξας τόπον τιν' ἐν Φρεαττοῖ καλούμενον ἐπὶ θαλάττῃ). Then the defendant sails up in a boat and without touching land speaks his defence. The judges sit and pass judgment on land. If found guilty, the man suffers the penalty of intentional homicide as he deserves; if acquitted, he is released innocent of this charge, but still in banishment for the earlier homicide.
>
> Dem 23.77–78[136]

The Aristotelian *Ath.Pol*. offers a similar account, although it allows for a slightly broader purview of cases: "If a man has retired into exile in a situation where reconciliation is possible and is then accused of killing or wounding someone, his case is heard in the court of Phreatto (ἐν Φρεάτου), and he pleads his case from a boat anchored near the shore" (trans. Moore 1975: 198). Elsewhere, in a general treatment of different kinds of courts in the *Politics*, Aristotle observes: "The fourth [homicide court]: however many things pertain to those in exile for killing with a view to return, what sort also the court in Phreatto is said to be in Athens.

135. Thanks to Nikolaos Papazarkadas for calling my attention to this institution and its traditions (including esp. Paus. 1.28.11). On the court and the variations on its name, see MacDowell 1963: 82–84, Boegehold 1995: 49–50, 146–48 (providing all the ancient testimonia).

136. Translation combines Boegehold 1976: 14 and 1995: 125.

But such things occur rarely in the whole of time even in great cities. . .” (οἷον Ἀθήνησι λέγεται καὶ τὸ ἐν Φρεαττοῖ δικαστήριον· συμβαίνει δὲ τὰ τοιαῦτα ἐν τῷ παντὶ χρόνῳ ὀλίγα καὶ ἐν ταῖς μεγάλαις πόλεσιν, *Pol*. 1300b28–30). Scholars have noted Aristotle’s οἷον. . .λέγεται, which suggests that, like the other classical sources, his account is based on hearsay or written description, with no clear evidence from any of them that they had ever known the court to sit.[137] Several modern scholars have followed the lead of Aristotle, arguing that the complex combination of conditions for the court in Phreatto meant that it essentially never met in the historical period, whereas other scholars have attempted to argue for a modified purview that would make the court more viable (perhaps as the primordial homicide court in the period of transition from blood feud to Draco’s earliest legislation).[138]

The court in Phreatto remains extremely obscure and mysterious, and it is not my project to resolve the issues of its original foundation, proper scope, or even reality. Instead, I want to focus simply on what Pausanias tells us about the court in his brief digression on the Athenian homicide courts, where he follows the same order of exposition as Dem. 23, but for each court also provides a mythic aetiology:

> And there is Phreattus on the sea in Piraeus. There those in exile, if another charge takes them while they are still away, make their defense from a ship to those listening on shore. And the story goes that Teucer first defended himself thus to Telamon as having done nothing that contributed to the death of Ajax (Τεῦκρον πρῶτον λόγος ἔχει Τελαμῶνι οὕτως ἀπολογήσασθαι μηδὲν ἐς τὸν Αἴαντος θάνατον εἰργάσθαι).
>
> Paus. 1.28.11

Pausanias is our only source for the location of the court in Piraeus, although the classical references had made clear that it must be on the sea coast. Pausanias is likewise unique in offering a mythic aetiology that connects the court with Teucer’s defending himself (ἀπολογήσασθαι) on a charge of responsibility for the death of his half-brother Ajax before his father Telamon as judge. Remarkably, this account reproduces almost exactly Pausanias’ own aetiological story about Telamon’s mole and the judgment of Aiakos on Aegina (Paus. 2.29.10), while simply transferring down one generation the roles of defendant and judge to Teucer and Telamon, respectively. If we can credit Pausanias’ story as a genuine old tradition (note λόγος ἔχει), it is tempting to suggest that it may have been invented by the

137. Thus MacDowell 1963: 84; cf. Boegehold 1976: 15, 1995: 49–50.

138. For the former (court never met in the historical period), see MacDowell 1963: 84; for the latter (modified purview; primordial court), see Carawan 1990. Boegehold 1995: 49–50 essentially attempts to reconcile the two possibilities, proposing that the “need for such a trial” might have arisen only once: “Could one single Athenian have been tried that way, possibly generations before Drakon’s codification of the homicide law in 620 B.C.E.?” On this account, a place by the sea is chosen and remembered, but “by the 5th and 4th centuries the dikasterion in Phreatto had a legendary look.”

Athenians in the fifth century to appropriate for themselves a preexisting Aeginetan legal system founded on the legendary justice of Aiakos.

There are a couple of odd features of Pausanias' account that would support a date no earlier than the fifth century for such a fabrication. First, the story would have to postdate Athens' successful annexation of Salamis and of Telamon as a local Salaminian hero (usually dated to the sixth century).[139] Second, the location of the court "in Piraeus" itself strongly suggests a date after the Persian Wars for the invention of this tradition, since it is only in this period that the Piraeus comes to replace Phaleron as the port of Athens.[140] This is not to say that the court itself (or the fantasy of the court) could not have preexisted the fifth century. For even if we accept an account like Edwin Carawan's that would make the court "in Phreatto" the oldest homicide court in Athens, dating back to the time of Draco, we would still have to postulate a later transfer of the court (or the tradition) to Piraeus. There is finally the fact that the transferred roles of Teucer and Telamon make little sense, since Teucer could not have been imagined to be responsible for the death of Ajax in the same way that Telamon was adjudged responsible for the death of Phokos in the Aeginetan tradition. This misfit in the terms of the story and its key players strongly suggests that the tale is calqued on the more apt Aeginetan version of Telamon and Aiakos. Thus I am suggesting that the traditions of the court ἐν Φρεαττῷ were made or remade on the model of an Aeginetan justice system at a time when Athens was strenuously contesting Aeginetan naval supremacy and juridical authority.

We may even be able to go one step further in localizing the court in Phreatto within Piraeus, and this in turn will reinforce the suggestion that the Athenians may thereby have been appropriating Aeginetan legal traditions. For in addition to other sources that mention this strange court, the anonymous writer of the late *Lexikai Rhetorikai* lists in succession a court "in Zea" and a court "in Phreatto" that both judge cases for those already in exile for unintentional killing brought up on another charge (Bekker, *Anecdota Graeca* 1.311.17–22). Because of the similarity of these two entries, many scholars have hypothesized that the court "in Phreatto" and that "in Zea" (the south-facing bay of Piraeus that lies to the east, between Mounychia and the Akte Peninsula) are one and the same, referred to either by name or by location in classical legal texts and then mistakenly culled and glossed as different courts by a later lexicographer.[141]

139. For Athens' annexation of Salamis (usually associated with Solon), see Plut. *Life of Solon* chs. 8–10 and Garland 1987: 11.

140. See Thuc. 1.93, 107–108, Garland 1987: 14–22. Cf. Boegehold 1995: 49–50, who alone of modern scholars seems to recognize the anachronism of the location in Piraeus of an ancient court in Phreatto. Thus Boegehold, suggesting a single trial under all the appropriate conditions "possibly generations before Drakon's codification of homicide law in 620 B.C.E.," postulates that "A named place, a temenos, or conceivably a mere landing in the neighborhood of Phaleron was chosen. (Peiraieus seems not to have been a usual landing place in the 7th and 6th centuries.)" For Boegehold, this site in Phaleron was later confused by lexicographers with a real functional court in Zea Harbor of Piraeus; see discussion below in text.

141. Thus Judeich 1931: 436, MacDowell 1963: 83.

This identification of the courts "in Phreatto" and "in Zea" was challenged in 1976 by Alan Boegehold, focusing on a set of ten worn bronze jury ballots that had been found in a well between Mounychia and Zea in the late nineteenth century but never properly studied and published.[142] Boegehold observed that these ten ballots—and these alone—of all the bronze ballots then known shared a distinctive findspot and a special feature: a small owl stamp on one side, in addition to the label ΨΗΦΟΣ ΔΗΜΟΣΙΑ inscribed on each ballot. Speculating on the purpose of this distinctive owl stamp, Boegehold first suggests that it was added as a symbol to reinforce the label, perhaps for illiterates. But, as he himself notes, this would not explain why only these ten ballots found in a well near Zea should bear an owl stamp. Boegehold finally concludes:

> [I]f there was need in the minds of Athenians to establish or restate the essentially Athenian character of the court in which the ballots were used, an owl stamp could have served this end. Trials in Peiraeus, for instance, involving merchants or sea captains from other cities, could offer circumstances where such a need might be felt.[143]

Boegehold then turns to consider the court in Phreatto, noting Aristotle's observation that "such cases rarely happen in the whole of time even in great cities" (*Pol*. 1300b27–30), and the fact that none of the earliest references to the court in Phreatto in the fourth century (Demosthenes, Aristotle, Theophrastus) seems to be based on real experience of the court sitting.[144] And yet, Boegehold points out, the worn condition of the ten ballots found in the well suggests long use in a functioning court. Boegehold solves this conundrum by proposing that later lexicographers were misled by two different meanings of δικαστήριον, which can designate either a law court building or a panel of judges. The *dikastērion* "in Zea" was a functioning law court, very probably involving "marine trials" and foreign merchants (after all, Boegehold reasons, there must have been a permanent law court in the bustling port of Piraeus, although no building has been identified archaeologically). The *dikastērion* in Phreatto, on the other hand, Boegehold assumes "some early law giver" stipulated as a special panel of judges convened "in a certain place on rare but predictable occasions." By the fourth century, the court in Phreatto was largely legendary, simply "a memorable entry" in an ancient code of laws, whose "function as originally conceived proved usable in rhetoric or as a datum for historians and students of Athenian law, but it was not a permanent, working law court housed in its own building."[145] Later lexicographers, working

142. Boegehold 1976; cf. Boegehold 1995: 49–50, 147. There is no means of dating these ballots, given that the original archaeological context (a well in Zea) has not been preserved.

143. Boegehold 1976: 14.

144. Boegehold 1976: 14–16, citing Judeich 1931: 436–37n.3 for the characterization of the court in Zea as "non-existent."

145. Boegehold 1976: 17; cf. Boegehold 1995: 49–50, 147 and Rhodes 1993: 646.

through Athenian legal texts and speeches of the orators, then confused and collapsed these two different *dikastēria* and their purviews.

I would agree with Boegehold's argument, except for his very last step positing two entirely separate *dikastēria* collapsed or identified only in the late lexicographical tradition (and therefore implying that we have no idea where the quasi-legendary judicial panel in Phreatto actually sat). Instead, I would suggest that in the fifth century, these two "courts" "in Phreatto" and "in Zea" were somehow connected or deliberately identified as mythical aetiology and ongoing practice, respectively. Thus the strange tradition of a court in Phreatto was either invented or, at the very least, retrofitted to make a legendary homicide trial (that of Telamon and Teucer) into a charter myth for a broader legal apparatus that included a system of "justice for strangers" in a busy port.[146] And all of this, I would contend, was deliberately calqued on and appropriated from a preexisting Aeginetan legal system whose charter myth was Aiakos' uncompromising judgment of Telamon. Note that, if we assume that the two "courts" in Phreatto and in Zea are linked in this way, we can also reconcile the models of Kowalzig and Polinskaya on what the Aeginetan legal apparatus might have entailed. Recall that Polinskaya objected strenuously to Kowalzig's model of "commercial law" or *Lex Mercatoria*, arguing instead that the evidence only supported a "more generic, multi-functional 'justice' as Aiakos' prerogative" (which, she allowed, might also in practice authorize commercial law). This linkage of a mythical homicide trial with a broader judicial system that included commercial law is precisely what I am suggesting developed in Athens in imitation of an older Aeginetan system.[147]

Finally, we might note how similar the harbor in Zea and the whole set-up in Piraeus are to the Secret Harbor in Aegina within the Aeginetan system of multiple harbors.[148] Both Zea and the Secret Harbor are smaller "closed harbors," fortified with substantial walls whose circuit extends into the mouth of the harbor to control access. And both Zea and the Secret Harbor in Aegina contain the remains of many ship sheds, suggesting that both harbors were military harbors used for the storage and protection of state navies.[149] Scholars almost always assume that Athens takes the lead in innovative projects like the construction of the ambitious harbor complex in Piraeus. But in this case, perhaps it makes more sense to see Aegina as the innovator, and Athens imitating an Aeginetan initiative. This is clearly the case with the Athenian Aiakeion (see Part I above), and potentially also the case with the appropriation of an Aeginetan legal apparatus associated with the mythical Aiakidai (as I have suggested here). In fact, given the striking parallels between the configuration of the multiple harbors of Piraeus and those of Aegina town, we may find

146. Admittedly, a homicide court and a regular court have different kinds of juries in the Athenian system—ephetai vs. dikastai, respectively. And yet, if the court in Phreatto never actually met in the historical period, its ancient prestige could perhaps still be co-opted for a regular court in Zea.

147. Polinskaya 2013: 156–57 critiquing Kowalzig 2011: 145–58 (cited above, p. 263–64).

148. Thanks to Nikolaos Papazarkadas for pointing this out to me.

149. On Zea within the Piraeus, see Garland 1987: 139–58.

confirmation for the relative chronology of Aeginetan and Athenian harbor complexes in one of the most familiar passages of Thucydides. Recall that in Book 1, Thucydides' Pericles admonishes the Athenians that they must think of themselves "as close to islanders as possible" (Thuc. 1.143.5); perhaps, in this case, he has a particular island—Aegina—in mind. From this perspective, we should note the telling synchronicity of certain historical events within the years 459–457 BCE: (1) the Athenian siege of Aegina, which ended with the Aeginetans having to pull down their walls, surrender their ships, and pay tribute (Thuc. 1.107–108); (2) the building of the long walls enclosing Phaleron and Piraeus (Thuc. 1.107–108), effectively making Athens cum Piraeus into an island; and (3) Aeschylus' *Oresteia* as a charter myth for the entire Athenian court system.[150]

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150. For the general application of the court sequence in the *Eumenides* to all Athenian law courts, see Sommerstein 1989: 13–17.

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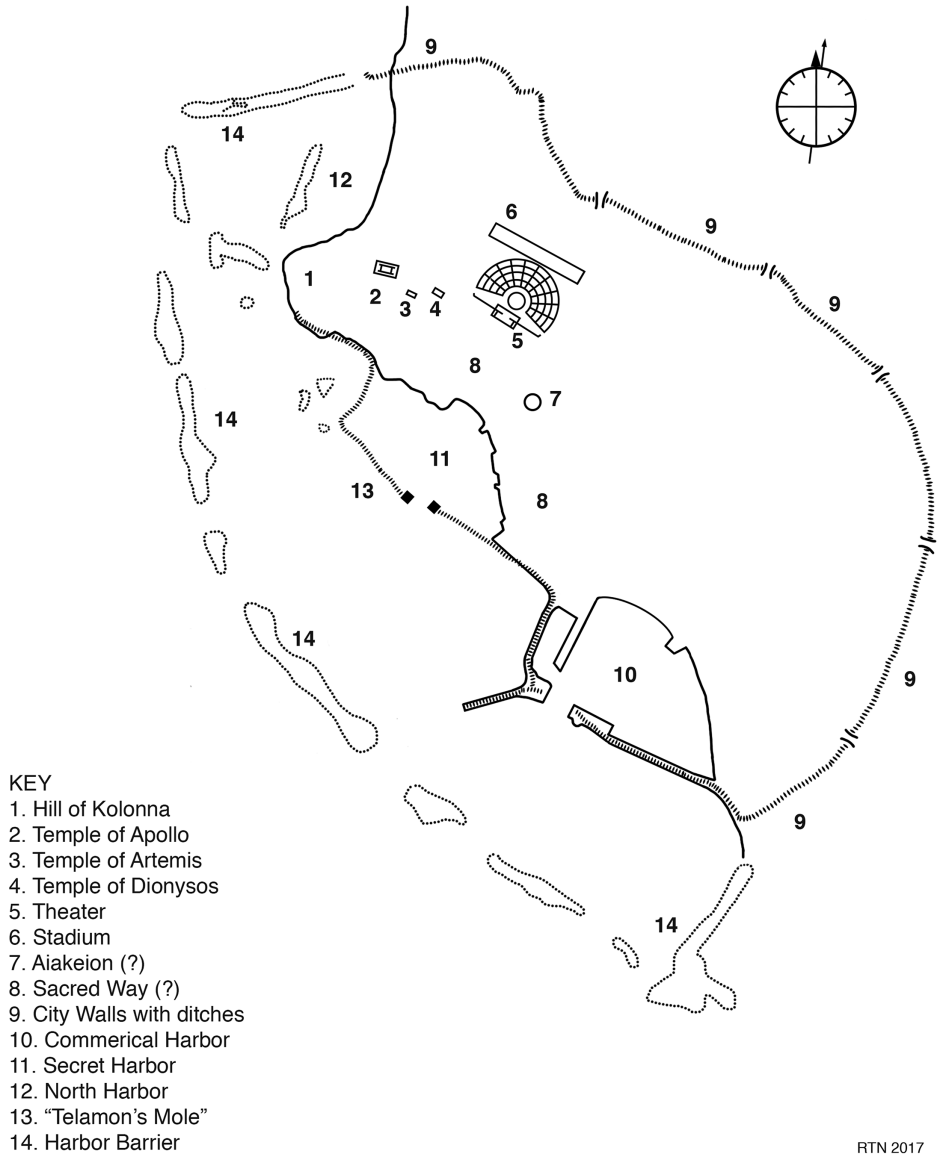

Figure 1: Plan of Aegina Town, drawn by R. T. Neer after Walter 1993: 55 fig. 48. Use of original plan by kind permission of Deutscher Kunstverlag GmbH.