

## ONE HUNDRED-CITIED CRETE AND THE “CRETAN ΠΟΛΙΤΕΙΑ”

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... la Crète est un vrai petit continent, un monde de cités.  
—G. Daux, “Thucydide et l'Événement”

IN THE *ILIAD* (2.649), Crete was ἐκατόμπολις, the land of one hundred cities.<sup>1</sup> More than five hundred years earlier, the Linear B archives from Knossos record approximately one hundred toponyms from Chania, ancient Kydonia, in the west, to Amnisos in the east.<sup>2</sup> And for the Hellenistic period, some five hundred years after the time of Homer, a list of close to one hundred πόλεις has been compiled from the combined evidence of literary references, inscriptions, and coins.<sup>3</sup>

Were these one hundred cities organized beyond the local level at any point during this thousand-year period? The Linear B texts from Knossos indicate that this palace site served as the administrative center for a good part of the island during the period of Mycenaean occupation.<sup>4</sup> But from the time Crete emerged out of the Dark Ages there are no signs of a similar arrangement before the third century B.C. foundation of the Cretan κοινόν under the joint hegemony of Knossos and Gortyn—and then only so long as relations between these two πόλεις remained amicable. Yet, in the fourth century B.C. there developed a tradition, most fully articulated by Aristotle in the *Politics*, which treated Crete as though there were but a single Cretan constitution, presumably enjoyed by all Cretan city-states, which could be compared with the constitutions of Greek and foreign πόλεις such as Sparta and Carthage.<sup>5</sup>

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1. Cf. Hom. *Od.* 19.174 where Crete is described as a land with ninety cities. See Strab. 10.4.15, C479–480, for an attempt to reconcile the two figures.

2. J. Bennet, “The Structure of the Linear B Administration at Knossos,” *AJA* 89 (1985): 231–49. This number represents roughly one-third of the total number of Late Bronze Age settlements on the island. A. L. Wilson, “Preliminary Considerations on the Knossos Place Names,” *Minos* 16 (1977): 75.

3. S. G. Spanake, “Ανέκδοτος κατάλογος τῶν 100 πόλεων τῆς Κρήτης,” *KrChr* 11 (1957): 277–301; P. Faure, “La Crète aux cent villes,” *Bulletin de l'Association Guillaume Budé* (1960): 228–49; “Nouvelles Localisations de Villes Crétoises,” *KrChr* 17 (1963) 16–26; “Cités Antiques de la Crète de l'Ouest,” *Cretan Studies* 1 (1988): 83–96.

4. Bennet, “Linear B,” pp. 231–49.

5. Arist. *Pol.* 2.10 1271b20–1272b22. Plato makes a number of references to Cretan νόμοι in the *Laws*, both in general (624A–625A, 631B, 683A, 693E) and to specific laws (625C–626B, 634D–E,

It would be surprising to find a hundred or ten or even two Greek πόλεις sharing the same constitution, particularly in the absence of what we might call a "hyper-polis" organization.<sup>6</sup> The Cretan πόλεις seem to have been as fiercely autonomous as their mainland counterparts. Indeed, the word Cretan, Κρής or Κρηταιεύς, is not attested in the inscriptions from the island before the development of the Cretan κοινόν.<sup>7</sup> Nor are there any references to concerted action on the part of the Cretan πόλεις prior to the Hellenistic period, apart from the alleged Cretan embassy sent to Delphi in 480 B.C.<sup>8</sup> The term συγκρητίσαι, defined as the united Cretan defense of the island when threatened by foreign invasion, has been adduced in support of the argument that the Cretan πόλεις were organized beyond the local level (Plut. *Mor.* 490B; *Etym. Magn.* s.v. συγκρητίσαι). But the term and its definition are not attested before the first or second century A.D. There is no reason why it cannot have been coined some time after the creation of the Cretan κοινόν.

The title of this essay, "One Hundred-Citied Crete and the 'Cretan Πολιτεία,'" embraces this implicit problem, which may now be made explicit by posing a series of questions: (1) Did the city-states of Classical Crete enjoy a single constitution as the literary tradition would lead us to believe? (2) If so, how does one explain this lapse, peculiar to Crete, in the city-state ethos?<sup>9</sup> and (3) If not, how does one explain the literary tradition in its favor?<sup>10</sup>

636B–C, 637A–B, 674A–B, 834D–E, 836B, 842B, 847E). Plato does not, however, provide a programmatic account of the Cretan constitution nor does he introduce any details concerning the political organization. Ephorus ap. Strab. 10.4.16–22, C480–484, does provide such a programmatic account, but like Plato his chief interest lies in the social customs, the communal mess in particular.

6. The political history of the Boeotian πόλεις provides the best known example of how a hyper-system, in this case first tribal and later federal, might influence the local organization of the member states in the direction of constitutional uniformity. See P. Salmon, *Étude sur la Confédération béotienne (447/6–386). Son organisation et son administration* (Brussels, 1976), pp. 15–43, 60–69.

7. After that time, Κρής and Κρηταιεύς appear with some frequency (in thirty-one texts from the late third century B.C. through the conquest of Crete by Rome in 67 B.C.). Documents from outside of Crete appear to reveal a different pattern. In these the inhabitants of the island are referred to by Κρής, with or without the name of the polis, from at least the second half of the fifth century B.C. See the remarks of Daux, "Thucydide et l'Événement," *CRAI* (1979): 94–95, on this usage, and the examples collected by A. Gerolymatos, "Nicias of Gortyn," *Chiron* 17 (1987): 83, n. 4.

8. Hdt. 7.169–70. As pointed out by R. Crahay, *La littérature oraculaire chez Hérodote* (Paris, 1956), pp. 324–25, the story of a Cretan embassy to Delphi was most likely circulated after the Persian Wars as part of a Cretan apology to explain Crete's failure to join in the coalition against Persia. See also J. Fontenrose, *The Delphic Oracle* (Berkeley–Los Angeles–London, 1978) pp. 218, 316. The identification of the oracular consultants as "Cretans" may be due to the tradition as reported by non-Cretans.

9. G. R. Morrow, *Plato's Cretan City* (Princeton, 1960), p. 30, proposed that, barring ignorance of differences in constitutional organization, the writers described the organization of the leading city. G. Huxley, "Crete in Aristotle's Politics," *GRBS* 12 (1971): pp. 505–7, suggested that the explanation for constitutional uniformity was to be found in the similarity of response among the Achaean and Dorian immigrants to the problems posed by the indigenous population. H. Van Effenterre, *La Crète et le monde grec de Platon à Polybe* (Paris, 1948), pp. 26–28, and R. F. Willetts, *Aristocratic Society in Ancient Crete* (London, 1953), pp. 225–34, suggested that the Cretan κοινόν was symptomatic of a longstanding predisposition which also found expression in the shared or common constitution.

10. Aristotle refers to the object of his analysis in *Pol.* 2.10 1271b20–1272b22 as ἡ Κρητικὴ πολιτεία (1271b20, 23), ἡ Κρητικὴ τάξις (1271b41), and τῆς πολιτείας ἡ τάξις (1272a5). These phrases signify the organization of the polis as defined by the laws (νόμοι) pertaining to public office (see e.g., *Pol.* 3.4 1278b6–15). In this sense, a state's πολιτεία is distinct from its social system or ἀγωγή (*Pol.* 4.4 1292b12–15). According to Aristotle, the latter is able to modify the conduct, and so the typology, of the

Students of historical Crete have at their disposal an extremely rich and diverse corpus of inscriptions. These texts, both private and public, shed a good deal of light upon the political organization and social institutions of the Cretan city-states. The picture which emerges from a systematic review of the inscriptions from Crete on a city by city basis is one of social and political diversity rather than uniformity.<sup>11</sup> In this light, the Cretan πολιτεία appears to have been an artificial construct of the political philosophers of the late Classical period. Before turning to the question of what factors might have contributed to its development, I would like first to present several examples illustrating this disjunction between the literary tradition and the inscriptional evidence.

## 1. THE NAME AND NUMBER OF CRETAN MAGISTRATES

Aristotle maintained that in each city ten men called κόσμοι functioned as the chief magistrates (*Pol.* 2.10 1272a4–7). Although it must be admitted that in the great majority of the Cretan πόλεις boards of κόσμοι did furnish the chief magistrates, in two the chief or eponymous magistrate was called δαμιουργός (Olous and Polyrrhenia), and in two they were referred to as ἄρχοντες (Itanos and Praisos).<sup>12</sup> And while we have rosters of boards of κόσμοι in documents which were passed during their tenure, in only one case do the κόσμοι number ten (*IC* 3 3.9 [Hierapytna]: second century B.C.). Various attempts have been made to explain away the epigraphic evidence, but none is acceptable.<sup>13</sup>

## 2. THE SELECTION OF ΚΟΣΜΟΙ

Aristotle found fault with the office of κόσμος because eligibility was restricted to certain γένη (*Pol.* 2.10 1272a27–35). This he recognized to be an oligarchic feature of the Cretan constitution. There is no evidence in

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former. Thus, Aristotle includes a discussion of the Cretan συσσιτία in his analysis of the Cretan πολιτεία in part because the communal mess provided a democratic element otherwise missing from the Cretan constitution and in part because its organization contrasted sharply with that of the Spartan συσσιτία. In such case, the problem of the common πολιτεία cannot be explained away by appeal to the argument that by πολιτεία Aristotle meant “way of life” or something equally general and vague.

11. The author is preparing the results of this review which will appear under the title *Text and Treatise: the Political and Social Institutions of the Cretan City-States*.

12. Olous (*IC* 1 22.4; *SEG* 23 548, 549); Polyrrhenia (*IC* 2 23.7); Itanos (*IC* 3 4.7); Praisos (*IC* 3 6.9). The title κόσμος also appears in the public inscriptions of Polyrrhenia, Itanos, and Praisos. Perhaps each of these three city-states referred to the same magistrates by two different titles (so Guarducci, *IC* 2, p. 241; *IC* 3, pp. 78, 136). Cf. Ephorus ap. Strab. 10.4.22, C484. Contra Guarducci, *IC* 1, p. 244, there is no evidence that the δαμιουργοί of Olous were also called by the title κόσμος. Cf. *BE* 1970, no. 464. On the δαμιουργοί see Van Effenterre, *La Crète*, p. 231, n. 1.

13. Van Effenterre, *La Crète*, p. 100, n. 1, argued that Aristotle's statement was true of the fourth century B.C., but that the epigraphic evidence reflects the situation during the Hellenistic period when depopulation forced a decrease in the size of the boards of κόσμοι. But the Hellenistic period seems to have witnessed an increase in the island's population. See *infra* pp. 202–4. Cf. S. Spyridakis, “Aristotle on Cretan ΠΟΛΥΤΕΚΝΙΑ,” *Historia* 28 (1979): 381. Willetts, *Aristocratic Society*, p. 147, n. 1, and *Ancient Crete: A Social History* (London–Toronto, 1965), p. 65, suggested that Aristotle's statement was true of the larger Cretan πόλεις. J. Treheux, “Les Cosmes à Lato,” in *Aux origines de l'hellénisme. La Crète et la Grèce* (Paris, 1984), pp. 329–42, argued that at Lato the size of the board of κόσμοι was fixed by statute at ten, but that the full complement of κόσμοι was not achieved in fact.

support of Aristotle's statement; inscriptional evidence rather suggests that at least some of the Cretan πόλεις employed a system of tribal rotation in the selection of their κόσμοι.<sup>14</sup> This evidence takes the form of inscriptions which are dated by the formula: When tribe X provided the κόσμοι. The majority of these texts date to the third century B.C. and later, but two from Gortyn, the Great Code (*IC* 4 72, col. 5, lines 4–6) and *IC* 4 236 are earlier (mid-fifth and fourth centuries respectively). References to tribe names in the inscriptions from Crete indicate that many of the communities were composed of mixed Doric and non-Doric populations. Κόσμοι are known to have been drawn from both Doric and non-Doric tribes. It would appear, then, that eligibility to serve as κόσμος was not restricted to one element of the population, for example to the γένη of a Doric aristocracy.

### 3. APPEAL TO WRITTEN LAW

Aristotle's account of the Cretan πολιτεία in fact provides very little detailed information about the various organs of the regime. His purpose in surveying the constitutions of Sparta, Crete, and Carthage was to assess how each compares with the ideal regime and how the various elements of each promote or fail to promote the regime's fundamental principle and nature (ὑπόθεσις and τρόπος, *Pol.* 2.9 1269a29–34). As to what functions each organ in the Cretan regime performed we learn only the following; the κόσμοι have the same powers as do the Spartan ephors with the additional prerogative of military command and the Cretan assembly is empowered to ratify proposals put to it by the κόσμοι and councillors. Appeal to Aristotle's discussion of the powers of the Spartan ephors is not of great help. We are told that they have absolute control over the most important matters, that they have jurisdiction in important trials, and that they do not render their decisions in accordance with written law. From this we may deduce that the Cretan κόσμοι, like their Spartan counterpart, held absolute control over the most important matters, including jurisdiction in lawsuits. Did Aristotle believe as well that the κόσμοι exercised these powers without appeal to written law?

While certainty is not possible, Aristotle seems to have believed that the Cretan polity functioned without written laws. He brought this charge against the Cretan councillors (*Pol.* 2.10 1272a35–39).<sup>15</sup> And he complained that in the absence of νόμοι to regulate the κόσμοι, the Cretan system was

14. On Cretan tribes, see most recently N. Jones, *Public Organization in Ancient Greece* (Philadelphia, 1987), pp. 219–31. Jones invokes Arist. *Pol.* 2.10 1272a33–35 in support of his suggestion that the σπαρτός mentioned in *IC* 4 72, col. V, lines 4–6, was the aristocratic γένος of the tribe Αἰθαλεῖς which supplied the κόσμοι. But his statement that the κόσμοι were identified by tribe rather than γένος because in practice the κόσμοι were drawn from certain γένη within each tribe seems to argue against this interpretation (pp. 225–26). Why then mention the σπαρτός? Cf. G. de Sanctis, "The Status in Cretan Inscriptions," *AJA* 5 (1901): 319–27; S. Spyridakis, "Aristotle on the Election of Kosmoi," *PP* 127 (1969): 265–68.

15. Cf. the language used here and in the earlier critique of the Spartan ephors. Spartan ephors: διόπερ οὐκ αὐτογνώμονας βέλτιον κρίνειν ἀλλὰ κατὰ τὰ γράμματα καὶ τοὺς νόμους. Cretan councillors: καὶ τὸ μὴ κατὰ γράμματα ἄρχειν ἀλλ' αὐτογνώμονας ἐπισφαλές.

apt to degenerate into the worst form of polity, namely the *δυναστεία* (*Pol.* 2.10 1272b1–11). The tradition that one of the *ῥήτραι* of Lycurgus forbade the writing down of laws in Sparta may lie behind Aristotle's statement that the Spartan ephors did not appeal to written law.<sup>16</sup> If we are to understand that Aristotle here too meant that the Cretans did not write down their laws and not that appeal to the written laws was discretionary on the part of the councillors or the *κόσμοι* or both, then Aristotle was wrong. The earliest evidence for the public display of legal texts comes from Crete where writing seems first to have been used for this purpose.

Not only did the Cretans inscribe and display their laws in public, but provisions were undertaken to ensure that officials obeyed them. *SEG* 27 620, a law from Dreros concerning the tenure of the Drerian *κόσμοι*, provides an early example of such a provision (second half of the seventh century B.C.).<sup>17</sup> This law makes it quite clear that the office of the *κόσμοι* was closely regulated by the Drerian polis and that the individuals who served as *κόσμοι* were scrutinized at least to the extent of determining their eligibility for office.<sup>18</sup> It would seem, furthermore, that such an audit could take place either during or after an individual's tenure as *κόσμος*. Otherwise, the situation envisioned in this law would not arise. As demonstrated by Gagarin, the final provision of this law is best understood within a judicial context, namely the trial of the individual accused of having served as *κόσμος* when ineligible to do so. The accused (the *κόσμος*) is to swear the oath at his trial as are the *δάμιοι* and the twenty in the city (whether as witnesses or judges is uncertain).<sup>19</sup> Nor was Dreros the only Cretan city-state where the conduct of the chief magistrates was subject to public review. At Gortyn and Lato there were the *τίται* and at Itanos the *λογίσται*, officials whose duties seem to have included the supervision of *κόσμοι*.<sup>20</sup> Demargne and Van Effenterre suggested that the *δάμιοι* exercised a similar supervisory role at Dreros.<sup>21</sup>

If the Cretan *πολιτεία* was an artificial construct of the late Classical period, what factors might have contributed to its development? The evidence for the tradition's stemma and sources has been frequently rehearsed in the past.<sup>22</sup> There is no evidence that Plato, Aristotle, or Ephorus visited

16. The locus classicus for the absence of written law at Sparta is Plut. *Lyc.* 13.1–4. See D. M. MacDowell, *Spartan Law* (Edinburgh, 1986), pp. 3–5.

17. For the text and translation of *SEG* 27 620, see P. Demargne and H. Van Effenterre, “Recherches à Dreros II. Les inscriptions archaïques,” *BCH* 61 (1937): 333–48; V. Ehrenberg, “An Early Source of Polis Constitution,” *CQ* 37 (1943): 14–18; M. Gallavotti, “Scritture della Sicilia ed altre epigrafi archaiche,” *Helikon* 17 (1977): 130–35.

18. Both the Spartan *γεπουσία* and the Cretan *βουλή* were criticized for their freedom from accountability (*Pol.* 2.9 1271a5–6, 10 1272a36–37). Aristotle's description of the ephorate as *ισοτύρρανος* suggests a similar absence of institutional control over its exercise of authority (*Pol.* 2.9 1270b13–16). The accountability of office holders and the rule of written law were surely closely connected. I would suggest that the Cretan *kosmate* was understood by Aristotle to suffer from the absence of these two checks to discretionary power.

19. M. Gagarin, *Early Greek Law* (Berkeley–Los Angeles, 1986), pp. 81–86.

20. Gortyn: *IC* 4 14, 15, 78, 79, 102, 107, 165; Lato: *IC* 1 16.1; Itanos: *IC* 3 4.7. Cf. Hsch. s.v. *τίται*: *εἰς πόροι, ἢ κατήγοροι τῶν ἀρχόντων*. See M. Guarducci, *IC* 4, pp. 70–71; Willetts, *Ancient Crete*, pp. 73–74.

21. “Recherches à Dreros,” pp. 346–48.

22. See the works cited by E. Schütrumpf, *Aristoteles Politik*, vol. 2 (Berlin, 1991), pp. 331–32.

Crete,<sup>23</sup> although the vivid description of the route from Knossos to the cave of Zeus on Mt. Ida in the *Laws* has suggested to some that Plato himself had traveled that road.<sup>24</sup> Nor is there reason to conjecture that Aristotle's students went to Crete to gather material on Cretan institutions for the *πολιτεία*.<sup>25</sup> Indeed, it appears that the Aristotelian Cretan *πολιτεία* was dependent upon Ephorus' account of Cretan institutions rather than upon original material gathered by Aristotle's students.<sup>26</sup> Herakleides' epitome of the Aristotelian Cretan *πολιτεία* shares a great many thematic and verbal patterns with Ephorus' account of Cretan institutions, but exhibits few parallels with Aristotle's treatment of Crete in the *Politics*.<sup>27</sup> This observation is also true of the fragments which have been attributed to the Aristotelian Cretan *πολιτεία*.<sup>28</sup>

Opinion today seems to favor the position first advocated by Jaeger, that the tradition, including Aristotle's discussion of the Cretan *πολιτεία* in Book 2 of the *Politics*, depended upon material collected at the Academy.<sup>29</sup> We do not know of any students from Crete at the Academy.<sup>30</sup> Morrow concluded that visitors to Athens from the island and possibly earlier written accounts would have provided Plato with abundant information.<sup>31</sup> The names of fifteen authors of treatises on Cretan customs survive, but only two, Epimenides and Charon of Lampsacus, are arguably earlier than the middle of the fourth century.<sup>32</sup>

Consideration of the reasons for the surge of interest in Cretan institutions during the late Classical period may shed some light on the develop-

23. For the possibility that Plato visited Crete en route to or from Sicily, see M. Piérart, *Platon et la cité grecque. Théorie et réalité dans la constitution des "Lois"* (Brussels, 1974), pp. 12–13.

24. E.g., Morrow, *Cretan City*, pp. 26–27.

25. For the relationship between the *Politics* and the Aristotelian collection of *πολιτεῖαι*, see W. Jaeger, *Aristotle*<sup>2</sup> (Oxford, 1934), pp. 259–92; R. Weil, *Aristotle et l'histoire. Essai sur la "Politique"* (Paris, 1960), pp. 179–323; G. Huxley, "On Aristotle's Historical Methods," *GRBS* 13 (1972): 157–63.

26. While the relationship between the accounts of Crete in Ephorus and in Book 2 of the *Politics* is uncertain, it is chronologically unlikely that the Aristotelian Cretan *πολιτεία* was used by Ephorus whose work was known to Callisthenes by the time of his departure to Asia in 336 B.C. See Jaeger, *Aristotle*, p. 286, n. 3.

27. Arist. *Fr.* 611.14–15 Rose. The Cretan *ἀγέλα* provided the focus for Herakleides (Arist. *Fr.* 611.15 Rose) and was treated in detail by Ephorus (ap. Strab. 10.4.20–21, C482–83). We might attribute the fact that Aristotle did not discuss the *ἀγέλα* in the *Politics* to his particular interests in that work. But it is less easy to explain away the fact that verbal parallels for almost every statement made by Herakleides about the Cretan *ἀγέλα* may be found in Ephorus' account.

28. Arist. *Fr.* 518–19 Rose. For Aristotle and Ephorus on Rhadamanthys, see Arist. *Fr.* 518 Rose, and Ephorus ap. Strab. 10.4.8, C476–477. For Aristotle and Ephorus on the Cretan origin of the Pyrrhic dance, see Arist. *Fr.* 519 Rose, and Ephorus ap. Strab. 10.4.16, C480.

29. Jaeger, *Aristotle*, p. 286. For a review of this position, see Weil, *Aristotle*, pp. 57–84, 254.

30. R. Walzer, "Fragmenta graeca in litteris arabicis. I: Palladios and Aristotle," *Journal of the Royal Asiatic Society* (1939): 416–17, proposed that Ἰσός, whose name appears in a passage of a lost work of Aristotle quoted by the eleventh century mystic al-Dailaimi, was a member of the Academy from Knossos. In support of this identification he pointed out that this rare name is attested at Knossos in a mid-third century B.C. list of πρόξενοι and θεοροδοίκοι from Epidauros (*IG* 4<sup>2</sup> 1.96, line 25: 260–240 B.C.). But the name is attested at Delos as well (*IG* 11 2.161A, line 17).

31. Morrow, *Cretan City*, p. 26.

32. U. von Wilamowitz-Moellendorf, *Platon*<sup>2</sup> (Berlin, 1920), p. 661, posited that Plato had no firsthand knowledge of Cretan institutions because of the island's isolation. He suggested that Aristotle and Ephorus depended upon the report of a *Forschungsreisender* (*Aristoteles und Athen*, vol. 2 [Berlin, 1893], pp. 25–26). The surviving fragments of Epimenides' *Κρητικά* treat mythological matters. See *FGH* 3 B 457F18–20. F. Jacoby, *FGH* 3 A, p. 5, suggested that the *Κρητικά* of Charon was the ultimate source of the fourth century tradition concerning Cretan institutions. K. Chrimes, *Ancient Sparta* (New York, 1952), pp. 230–35, preferred Dosiades' *Κρητικά*.

ment of the tradition. The discussion which follows will pursue three lines of inquiry: (1) the tradition concerning a unified Crete under King Minos; (2) interest in the origins of the constitution of Sparta; and (3) the evidence for a relatively isolated Crete during much of the Classical period.

## 1. MINOS AND THE UNIFICATION OF CRETE

For Homer, Minos, the son of Zeus, ruled Knossos in concert with his father and, after his death, adjudicated for the dead in Hades (*Od.* 11.568–71, 19.178–81). The earliest unambiguous reference to Minos as king of the island of Crete appears in an otherwise unattested fragment of Hesiod which is quoted by Socrates in the *Minos* 320D. By the fifth century B.C. Minos was firmly established in the tradition as the ruler of all Crete under whose stewardship the island attained its greatest glory as a maritime power. Plato seems to have been largely responsible for discrediting the fifth century B.C. portrait of Minos as a savage and cruel despot.<sup>33</sup> In the *Laws* Minos emerges as the lawgiver for all Crete who, according to Plato's infamous exegesis on *Odyssey* 19.178–79, conversed with his father Zeus every ninth year and made his laws in accordance with the pronouncements of the god. And what is made explicit at *Minos* 321B, that the Cretans continue to enjoy the laws of the king, is implicit in Plato's *Laws* 626A, where the Cretan Kleinias avers that Minos arranged the Cretan laws with an eye to war and charged that the laws be carefully guarded lest defeat in war lead to loss of freedom. Ephorus followed Plato's lead both in identifying Minos as the Cretan lawgiver and in suggesting that the Cretans continued to enjoy the laws which were laid down by him (Ephorus ap. Strab. 10.4.16, C480). We will return to this conception of Minos as the ruler and lawgiver for a united Crete.

## 2. THE ORIGIN OF THE SPARTAN ΠΟΛΙΤΕΙΑ

In the *Laws* Plato suggested that Crete and Sparta shared a good many customs and institutions, but he did not go so far as to claim that one borrowed from the other. Sparta and Crete possessed ἀδελφοὶ νόμοι, kindred laws which were held in high repute by the other Greeks.<sup>34</sup> There was, however, an earlier tradition, which asserted that the Lycurgan laws were introduced into Sparta from Crete. The ancient sources for this tradition beginning with Herodotus 1.65 have been thoroughly discussed.<sup>35</sup> But one detail of the tradition which has not received much attention in the modern scholarship is of interest to this inquiry.

33. Morrow, *Cretan City*, p. 23.

34. Pl. *Leg.* 631B, 683A. Plato undertook his comparison of Cretan and Spartan practices with the observation that the Cretans attributed their laws to Zeus, the Spartans to Apollo (*Leg.* 624A). The choice of characters in the dialogue was of course designed to elicit such a comparison and the social practices and institutions of Crete and Sparta are frequently juxtaposed (*Leg.* 625A, 634B, 636B–D, 637A–B, 641E, 660B, 666D, 673B, 674A–B, 680C, 712E, 780B, 796B, 836B–C, 842B, 886B. Cf. *Resp.* 544C; *Minos* 318D, 320A). Comparison of the constitutions of Sparta and Crete did not go beyond the observation that both were mixed (*Leg.* 691D–692C, 712C–E).

35. The bibliography for the Lycurgan regime is too extensive to be given here. Chief among the discussions of the tradition concerning Sparta's debt to Crete are Chrimes, *Ancient Sparta*, pp. 205–47; A. J. Toynbee, *Some Problems in Greek History* (Oxford, 1969), pp. 329–37.

Herodotus, Aristotle, Ephorus and the author of the *Minos* agreed that Lycurgus visited Crete at some point during his career and while there developed his reform package for Sparta.<sup>36</sup> Not one of the sources, however, identified exactly where on Crete Lycurgus visited, although one may deduce a likely candidate from Aristotle's account (*Pol.* 2.10 1271b27–32)—namely, Lyktos, located on a ridge of hills jutting out to the northwest of the Lasithi massif.<sup>37</sup> Aristotle explained that Lycurgus went to Crete because the Lyktians were colonists of Sparta and, presumably, he could rely upon the *ξενία* which existed between the metropolis and her colony.<sup>38</sup> That a close relationship did exist between Sparta and Lyktos in the Archaic period is suggested by the tradition, preserved by Pausanias, that Sparta employed Cretan archers from Lyktos and other cities in the second Messenian war.<sup>39</sup>

Both Aristotle and Ephorus paused in the course of their exposition of the Cretan origins of Sparta's constitution to elaborate upon the institutions of Lyktos. Aristotle reported that the Lyktian colonists had adopted the laws of the indigenous population and traced the origins of these laws, which they continued to use, back to Minos.<sup>40</sup> Ephorus, who agreed that the laws of Lyktos were of very great antiquity, argued against the use of the Lyktian laws as evidence for the priority of the Spartan.<sup>41</sup> Evidently, although this is nowhere explicitly stated in the surviving sources, a tradition concerning the origins of the Lycurgan regime at Sparta embraced a discussion of the laws of Lyktos and a comparison, however general or rudimentary, of the laws and customs of Lyktos with those of her metropolis. What appears to have most impressed those who were acquainted with the Lyktian laws was their antiquity,<sup>42</sup> antiquity which in and of

36. Hdt. 1.65.4; Arist. *Pol.* 2.10 1271b24–30; Ephorus ap. Strab. 10.4.19, C482; [Pl.] *Minos* 318C–D.

37. Aristotle, *Pol.* 2.12 1274a25–31, rejected the tradition that Zaleucus, Charondas, and Lycurgus were dependent upon Thaletas of Gortyn. For Lyktos see M. Guarducci, *IC* 1, pp. 179–82; E. Meyer, *Der Kleine Pauly*, vol. 3 (Stuttgart, 1967), pp. 821–22 s.v. Lyktos; G. Rhethemiotaki, “Ἀνασκαφικὴ Ἐρευνὰ στὴν Λύκτρο,” *ΛΥΚΤΟΣ* 1 (1984): 49–65. In epic tradition, Lyktos was closely associated with Zeus, Minos, and Knossos. Gaia brought Zeus first to Lyktos before hiding him in a cave on Mt. Aigaion (Hes. *Th.* 477–82). Lyktos was one of the Cretan cities which contributed troops to the Greek expedition against Troy (Hom. *Il.* 2.647). It was the home of Koiranos, the charioteer of Meriones of Knossos who was the grandson of Minos and the co-leader, with his cousin, Idomeneus, of the Cretan troops (Hom. *Il.* 2.650–51, 17.610–11).

38. Arist. *Pol.* 2.10 1271b27–28. Toynbee, *Problems*, p. 332, argued that the tradition concerning the Spartan settlement of Lyktos was a late invention. But cf. the response of H. Van Effenterre, “La Crète serait-elle une terre de colonisation?” *Cretan Studies* 1 (1988): 73–82, esp. pp. 80–81.

39. Paus. 4.19.4. Pausanias records the use of Cretan archers during the first Messenian war as well (4.8.3, 12; 4.10.1). P. Cartledge, *Sparta and Laconia* (London, 1979), pp. 118–19, adduces the unpublished discovery of a bronze helmet of Cretan type, provenience unspecified, as evidence in support of the tradition. In 343–2 B.C. Archidamos led a force in support of Lyktos against Knossos (Diod. 16.62.3–4). For the date of the Spartan expedition, which Diodorus assigns to 346–5 B.C., see K. J. Beloch, *Griechische Geschichte*<sup>2</sup>, vol. 3.1 (Berlin and Leipzig, 1922), pp. 546, n. 3, 595, n. 1.

40. Arist. *Pol.* 2.10 1271b28–32. Plutarch's account of Sparta's colonization of Lyktos (*Mor.* 247A–F and 296B–D) suggests that the area was inhabited when the Spartans arrived.

41. Ephorus ap. Strab. 10.4.17, C481. For a review of this controversy, see M. Nafissi, “La Controverbia sulla priorità fra le *Politeiai* di Sparta e Creta: Eforo e Pausania,” *AFLPer* 21 (1983–1984): 344–66.

42. Cf. [Pl.] *Minos* 321B, “the laws of Minos continue in use today and are the oldest among men,” and Polyb. 4.54.6, who asserts that Lyktos was the oldest polis on Crete. A tradition which associated the constitution of Lyktos and the Lycurgan regime of Sparta might well explain why Polybius, who elsewhere expressed only distaste for the inhabitants of Crete, praised the Lyktians (4.55.6).



itself suggested stability and which, from the fifth century B.C. on, was a hallmark of εὐνομία.<sup>43</sup>

I would like to suggest that fourth-century interest in the laws of Crete developed as a direct result of the reputation of the Spartan πολιτεία as the most long-lived and stable system known to the Greeks. The Spartans attributed the origins of their system to Crete and adduced, by way of comparison or example, the laws of their colony Lyktos, which were attributed to Minos. Lyktos is the only Cretan polis whose laws and customs are discussed by authors of the Classical period.<sup>44</sup> Although the epigraphic evidence from Lyktos is not sufficient to allow a firm conclusion, I propose that the Lyktian πολιτεία was the model for the literary tradition concerning the Cretan πολιτεία.

Athenaeus' account of the Cretan συσσιτία (4.143A–F) perhaps provides us with a glimpse of the process by which specifically Lyktian institutions became generalized and reappeared in the tradition as “Cretan.” The account of Athenaeus begins: “In the fourth book of his *Kretika*, Dosiades writes the following concerning the Cretan συσσιτία: ‘The Lyktians pool their goods for the communal mess in this way.’” There follows a description of how the Lyktians divided their agricultural produce between the communal messes and the state. The state then took its share and divided it out among the οἴκοι. Athenaeus introduced as generically Cretan a system which Dosiades identified as Lyktian.<sup>45</sup>

The reputation of Minos as leader and lawgiver of a unified Crete and the relative isolation of Crete during the Classical period may help to explain how and why the Lyktian model became generalized in the fourth century tradition as the Cretan πολιτεία.

### 3. CRETE DURING THE CLASSICAL PERIOD

The evidence for the extent to which the Cretan πόλεις participated in the affairs of the greater Greek world during the Classical period has been rehearsed by a number of scholars whose assessments have ranged from an island which lay in isolation to one which was an active participant in the military, economic, and intellectual life of the Mediterranean basin.<sup>46</sup> Without rehearsing all of the evidence yet again for Cretan contact with the rest of the Greek world during the Classical period, I would like to draw attention to several aspects of the problem.<sup>47</sup>

43. The locus classicus for the link between εὐνομία and constitutional stability is Thuc. 1.18.1. For the tradition of Spartan and Cretan εὐνομία, see E. N. Tigerstedt, *The Legend of Sparta in Classical Antiquity*, vol. 1 (Lund, 1965), pp. 71, 73–78, 112–14.

44. To the best of my knowledge, the only other reference to the πολιτεία of a Cretan city, in this case Knossos, is found in Pl. *Leg.* 712E.

45. Aristotle's description of the organization of the Cretan συσσιτία (*Pol.* 2.10 1272a12–21) is, in fact, quite close to the Lyktian system as described by Dosiades. What characterized both, and what to Aristotle's mind was a democratic feature of the Cretan regime, was that the state ensured that all citizens and their families were adequately provided with food.

46. The general opinion of modern scholars has been that Crete was rather isolated throughout the fifth and early fourth centuries B.C. See the review of this position by Van Effenterre, *La Crète*, pp. 20–24, and Morrow, *Cretan City*, pp. 25–26.

47. Two incidents, the Greek embassy sent to Crete in request of aid against Persia in 480 B.C. (Hdt. 7.169–70) and Athenian naval and military actions in Crete on behalf of Gortyn in 429 B.C. (Thuc. 2.85),

There are a handful of public inscriptions from the Classical world which bear witness to official contacts between Cretan and foreign πόλεις, the two most significant being the mid fifth-century B.C. treaty of Argos, Tylissos, and Knossos (*IC* 1 8.1 [Argos], 1 30.1 [Tylissos]) and the closely contemporary (pre 411 B.C.) agreement between Lyktos and Lindos (Ch. Blinkenberg, *Lindos* II, no. 13). Perhaps more intriguing are references to κσενεία δίκαι, κσένιος κόσμος, ἀλ(λ)οπολιᾶται, and ἀλλοπολίαις which appear in Archaic and Classical inscriptions from Eleutherna, Lyktos, and Gortyn.<sup>48</sup> While these terms suggest that the presence of non-citizens was a common feature of life in these πόλεις, there is no reason to conclude that these non-citizens were foreigners to the island of Crete rather than citizens of a second Cretan city-state or members of a native servile population.<sup>49</sup>

If we take into account the archaeological picture of Crete during the Classical period, the balance seems to tip in favor of an island somewhat cut off from mainland Greek affairs. In the absence of a reasonably up to date archaeological survey of Crete for the Archaic through Hellenistic periods it is hazardous to draw any far-reaching conclusions from the island's material remains. But a consideration of the archaeological evidence for the history of two sites, Knossos and Lato, where intensive exploration and excavation have yielded a fairly comprehensive picture of their settlement patterns during the period in question, reveals what tentatively may be identified as a pattern of contraction and depopulation during the fifth and early fourth centuries B.C.

At Knossos there appears to be a gap in the cemetery evidence from the sixth through the early fourth centuries B.C., although earlier and later

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have been accorded, to my mind, undeserved importance in the debate. Both have been invoked in support of the view that Crete was not isolated during the fifth century B.C. (see e.g., Van Effenterre, *La Crète*, pp. 34–40). But the failure of the Greek embassy to gain the support of Crete at the time of the Persian Wars might just as well be understood to draw the line between the community of Greeks who joined the resistance to Persia and those outside of the community who refused to do so. And the real reason why the Gortynian proxenos Nikias requested Athenian aid was to help the Cretan polis, Polichne, an ally of Gortyn. The Cretan city-states showed no inclination to participate in the war between Athens and Sparta (G. Herman, "Nikias, Epimenides, and the Question of Omissions in Thucydides," *CQ* 39 [1989]: 83–93).

48. κσενεία δίκαι: *IC* 4 80 (Gortyn, ca. 480–450 B.C.). κσένιος κόσμος (all from Gortyn): *IC* 4 14, g-p2 and 30 (seventh–sixth century B.C.); 72, col. xi, line 16, 78–79 (ca. 480–450 B.C.). ἀλ(λ)οπολιᾶται: *IC* 2 12.3 (Eleutherna, sixth–fifth century B.C.); *SEG* 35 991 (Lyktos, ca. 500 B.C.). ἀλλοπολίαις: *IC* 4 72, col. 6, line 47 (Gortyn, ca. 480–450 B.C.). It may be significant that these terms are not found after the mid fifth century B.C.

49. The reference to κσενεία δίκαι appears in a decree of Gortyn concerning the rights of the inhabitants of her dependency, Rhizenia (so Guarducci, *IC* 4, p. 184; B. Bravo, "Sulan. Représailles et Justice Privée contre des étrangers dans les cités grecques," *ASNP* 10 [1980]: 816–17). The non-citizens who were the responsibility of the κσενίοι κόσμοι at Gortyn (*IC* 4 78–79) have been identified as freedmen and metics (R. F. Willetts, "Freedmen at Gortyna," *CQ* n.s. 4 [1954]: 216–19; "Some Elements of Continuity in the Social Life of Ancient Crete," *International Review of Social History* 2 [1957]: 445. Cf. H. Van Effenterre, "Nouvelles lois archaïques de Lyttos," *BCH* 109 [1985]: 187–88). The ἀλλοπολιᾶται at Eleutherna were perhaps metics as well (so Willetts, "Freedmen," pp. 216–19; "Some Elements," p. 445; Guarducci, *IC* 2, pp. 148–49). At Lyktos, it was illegal for a citizen to harbor an ἀλλοπολιᾶτας unless the ἀλλοπολιᾶτας was a dependent of the Lyktian or a citizen of the Cretan polis, Itanos. The status of the two groups excluded from the law suggests that the ἀλλοπολιᾶται were non-citizens, but again there is no reason to conclude that they were foreigners to the island of Crete. Cf. Van Effenterre, "Nouvelles lois," pp. 185–88.

tombs are abundant.<sup>50</sup> This gap in the burials is mirrored in the excavations of a residential district northwest of the Minoan Palace where the Archaic and Classical periods barely appear in the material record.<sup>51</sup> Even if, as has been suggested, the center of the Classical city lies hidden to the north of the Minoan palace under the Roman civic center, this does not explain the absence of tombs for this period. In short, Knossos seems to have been relatively depopulated during the Classical period.

Evidence for the Archaic settlement at upper Lato, located about eight kilometers inland from the Gulf of Mirabello in east Crete, includes terracotta figurines, kilns, and the long, narrow house plan which appears in Crete as early as the eighth century B.C.<sup>52</sup> Excavations of the houses yielded pottery of the late fourth and early third centuries B.C.<sup>53</sup> The public buildings, situated in the saddle between the two acropolises, date to the same period.<sup>54</sup> The Classical period does not appear in the material record of upper Lato. Evidence for the settlement at lower Lato (modern Hagios Nikolaos) begins in the Hellenistic period.<sup>55</sup>

While one need only look at Gortyn to realize that some Cretan πόλεις continued to flourish throughout the Archaic and Classical periods, the apparent decrease in the size of the settlement at Knossos and the absence of any material evidence for Classical Lato do not seem to be isolated phenomena. A significant decrease in the size of the island's population during the Classical period may help to explain why Crete was not an active participant in mainland affairs during the fifth and fourth centuries B.C. and why, in turn, accurate information about the island may not have been readily accessible.

Even Crete's geographical position is treated somewhat ambiguously. Both Thucydides and Aristotle suggested that Crete's location was designed by nature for imperial rule. Yet, Aristotle drew a comparison between the island's geographical position and Sparta's ξηνηλασία (Thuc. 1.4; Arist. *Pol.* 2.10 1271b32–40, 1272b17–18). A passage from the *Laws* may reflect the less tangible effects of Crete's isolation (Pl. *Leg.* 680B–C). In response to the Athenian Stranger's recitation of several verses from the *Odyssey*, the Knossian Kleinias praised both the verses and the poet, but added that the Cretans have not read much Homer since they do not indulge in foreign poets. I like to think that Plato here

50. S. Hood and D. Smyth, *Archaeological Survey of the Knossos Area*<sup>2</sup>, BSA supp. 14 (1981), pp. 18–19, 28.

51. P. Warren, "Knossos: Stratigraphical Museum Excavations, 1978–1982. Part III," *AR* 31 (1984–1985): 127–29; "Knossos: Stratigraphical Museum Excavations, 1978–1982. Part IV," *AR* 34 (1987–1988): 86.

52. P. Demargne, "Terrescutes archaïques de Latô," *BCH* 53 (1929): 382–429; P. Ducrey and O. Picard, "Recherches à Latô I. Trois fours archaïques," *BCH* 93 (1969): 822; V. Hadjimichali, "Recherches à Latô III. Maisons," *BCH* 95 (1971): 167–68, 214–15.

53. Hadjimichali, "Latô III," pp. 214–15; P. Ducrey, V. Hadjimichali, O. Picard, "Recherches à Latô VI. Céramique hellénistique," *BCH* 100 (1976): 267; *BCH* 94 (1970): 880, 882; *BCH* 96 (1972): 962.

54. P. Ducrey and O. Picard, "Recherches à Latô II. La grand temple," *BCH* 94 (1970): 586–88; "Recherches à Latô IV. Le théâtre," *BCH* 95 (1971): 530–31; "Recherches à Latô V. Le prytanée," *BCH* 96 (1972): 588–91.

55. See P. Ducrey and O. Picard, "A propos de l'histoire de Latô," in *Antichità Cretesi: Studi in onore di Doro Levi*, vol. 2 (Catania, 1977–1978), pp. 75–80.

indulges in a bit of humor. But there are additional passages in the *Laws* which suggest that Crete was considered to be isolated from the mainstream of Greek intellectual life.<sup>56</sup>

In the course of the first half of the fourth century B.C. the institutions of Crete were introduced into the debate concerning the best constitutional system. Admiration for the Lycurgan regime at Sparta and, in particular, for its proverbial stability, prompted an examination of its origins. Spartan tradition attributed her regime to Crete and perhaps to the institutions of her colony Lyktos which were said to go back to the time of Minos. Minos was already well-established in the tradition as the king and law-giver of the many-cited island. But during the Classical period Crete and her city-states lay in relative isolation on the fringes of the Greek world. Few details were known about the diversity of the social and political institutions of the Cretan city-states. And so the political philosophers invented the idea of the Cretan πολιτεία whose authorship they attributed to Minos.

#### APPENDIX:

##### ARISTOTLE'S BIOLOGICAL MODEL FOR CONSTITUTIONAL DEVELOPMENT

This essay has suggested that the authors of the Classical tradition concerning Cretan institutions were content to base their analysis of Crete upon rather inadequate information. Several factors which might have contributed to the development of this tradition have been adduced, but in view of the privileged position accorded Cretan institutions in the Classical discourse on the best form of government this thesis remains disquieting. Why did the authors of this tradition not endeavor to obtain more information about the political organization of the Cretan πόλεις? For Aristotle, at least, the answer to this question may lie in his biological works and in his acceptance of δόξα, in this case the tradition developed at the Academy, when perceived to be in agreement with his theoretical models.

Aristotle maintained that the Cretan πολιτεία was earlier than the Spartan and so was less polished (ἥττον γλαφυρώς) and less articulated (ἥττον διήρθρωται) (Arist. *Pol.* 2.10 1271b20–24). The language used to characterize the Cretan πολιτεία in relation to the Spartan and the implicit developmental model adduced are striking. Elsewhere, Aristotle expressed the idea that what is newer should be more fully developed and so better than what preceded.<sup>57</sup> Yet, the terms which he used in this passage to distinguish the different developmental stages, γλαφυρός and διαρθρώω, do not seem to have belonged to his political vocabulary and are rarely found outside of his biological treatises.<sup>58</sup>

56. See e.g., Pl. *Leg.* 629B, 660B, 818E, 886B–E.

57. See L. Edelstein, *The Idea of Progress in Classical Antiquity* (Baltimore, 1967), pp. 88–96. There are exceptions to this general rule as Aristotle himself notes (*Pol.* 2.12 1274b7–8). Charondas of Catana was noted for the precision (ἀκρίβεια) of his laws which demonstrate that he was more polished (γλαφυρότερος) than even today's lawgivers.

58. Apart from *Pol.* 2.12 1274b7–8, γλαφυρός appears only in the biological essays (twelve references). Διαρθρώω is not found elsewhere in the *Politics*, and of the remaining sixty-six citations, forty-six come from the biological essays.

Aristotle's appeal to his biological lexicon should perhaps alert us to the possibility that Aristotle had his biological model of development in mind. At conception, biological embryos look strikingly similar to one another. The process of development involves the differentiation of an existing whole. This process of differentiation, expressed by the verb δι-ορίζω, is made visible through articulation, expressed by the verb διαρθρώ (Arist. *Gen. An.* 2.6 741b25–37). While all animals begin with at least that system which is basic to all life, plant and animal, namely the digestive system, the higher the life form the greater the number of elements in the essential starter kit and the more specialized the elements in the essential systems become.<sup>59</sup> Higher life forms, animals which are more specialized, reveal this through a greater variation (πολυμορφοτέ-ραν) of their parts.<sup>60</sup>

If I am correct to suggest that the Spartan tradition attributed the origin of the Lycurgan laws to Lyktos, then both the Cretan, i.e. Lyktian, and Spartan regimes could be traced back to Minos. But Aristotle knew that the Spartan regime had continued to develop after the introduction of the Lycurgan laws.<sup>61</sup> To put this in Aristotelian biological terms, the Cretan regime was earlier than the Spartan, that is, it had reached its final form or τέλος before the Spartan, and so was less developed (or polished) as demonstrated by its inferior articulation. According to the biological model, the Cretan πολιτεία, which achieved its final form before the Spartan, should have been less articulated. And so it appeared to be, for fewer details were known about the organization and development of the Cretan polity. The Lycurgan regime, which shared the same constitutional starter set with the Cretan, reached its final form after the Cretan. It was younger, more polished, and more fully articulated or specialized. The available evidence for the organization of the Cretan and Spartan polities and the tradition concerning their relationship suited the developmental model. In such a case, further research was unnecessary.<sup>62</sup>

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59. For the three essential systems that define animal life (the digestive, sensory, and locomotive systems), see also Arist. *Part. An.* 2.1 647a24; for their hierarchy, see P. Pellegrin, *La Classification des Animaux chez Aristote* (Paris, 1982), pp. 152–53.

60. Arist. *Part. An.* 2.10 655b37–656a14. See S. R. L. Clark, *Aristotle's Man* (Oxford, 1975), pp. 44–45.

61. For a general statement against the responsibility of Lycurgus for the entirety of the Spartan πολιτεία see Arist. *Fr.* 611.9 Rose. Aristotle attributed a number of changes in the Spartan πολιτεία, including the institution of the ephorate, to Theopompus (Arist. *Pol.* 5.11 1313a26–30).

62. Cf. Jaeger, *Aristotle*, pp. 259–92, who attributed Book 2 to the earliest phase of work on the *Politics* because it seemed to reflect the theoretical bias of the Academy rather than Aristotle's own interest in empirical research.