

The Politics of Justice: The Reception of Minos in Athens

The mythical king of Crete, Minos, enjoyed little popularity in Athens. The fifth-century Attic tragedians were thought to have tarnished the Cretan king's reputation by misrepresenting him as savage, harsh and unjust ([Pl.] *Minos* 318d; Strabo 10.4.8; Plut. *Thes.* 16.3). The reasons for the Athenian aversion to Minos are usually attributed to his traditional antagonism with Theseus (Mills 1997, 19; Morris 1992, 182), an enmity that can be traced as far back as *Od.* 11.324, wherein Minos is said to harbor destructive intentions against the hero. Once the Athenians chose to endorse Theseus as their city's hero during the sixth century, so the argument goes, it was inevitable that they would cast Minos as the foe. This paper seeks to identify a more profound rationale for the Athenian hostile stance toward Minos.

In addition to hinting at his viciousness, the *Odyssey* also envisaged Minos in Hades operating in his capacity as both judge (*themisteuōn*) and king (*anax*). The enthroned Cretan monarch engaged in delivering verdicts (*dikai*) to the dead, who requested and were willing to accept them (*Od.* 11.568-71). It is this paper's contention that the figure of Minos met with resistance in Athens due to his epic role of judge-king. The Athenian vilification of Minos, then, does not reflect a passive acceptance of the longstanding rivalry between Minos and Theseus as much as it ultimately stems from an acknowledgment of the incompatibility between the Athenian conception of justice and the system of old represented by Minos. Artistic and literary evidence can be mustered in support of this thesis.

An Attic black-figure *hydria* (Leiden PC 47), discovered in Vulci, attributed to the Prometheus Painter and accordingly dated to the 550's BCE, portrays Theseus in the process of piercing the Minotaur with his sword. To the right of this central scene, Minos, with his back turned to the fight and wearing a star-studded *himation*, is animatedly conversing with

Dēmodikē, a female figure seated on a throne and holding a wreath. The odd scene has been construed as the king's plea for the Minotaur with *Dēmodikē* who sits as a judge ready to award the wreath in her right hand (Young 1972, 132). *Dēmodikē* is best understood as a speaking name and personification: "the *Dikē* of the *dēmos*." As in contemporary literary works, the word *dikē* ought to have had a precise legal meaning such as verdict or ruling. The *dēmos* that *Dēmodikē* represents likely refers to the Athenians, as the presence of the city's tutelary goddess, Athena, indicates. Minos, renderer of verdicts in epic and dressed in his royal garb, is thus made to negotiate with the *dikē* of the people of Athens in a clear position of subordination, as he stands in front of the enthroned figure. Therefore, the *hydria* scene not so subtly claims the superiority of Athenian rulings over an old way of administering justice represented by the king-judge Minos, now compelled to relinquish his epic prerogative of adjudicator and to plead his case with *Dēmodikē*.

Pasiphaë's defense speech from Euripides' *Cretans* (fr. 11 Page) highlights the king's failure at apportioning a penalty commensurate to the crime committed. In her speech, Minos' wife appeals to the fact that her mating with a bull constituted *ouk hekousion kakon*, an involuntary crime willed by the gods. The expression clearly borrows from Athenian law, where a distinction was drawn between intentional and unintentional crime with more lenient penalties assigned for the latter. By sentencing Pasiphaë to death, Minos shows utter disregard for the involuntary crime as attenuating circumstance, to the extent that the Chorus concludes that the king's punishment exceeds any measure of fairness. Minos has thus failed to understand that Pasiphaë's line of defense required a more lenient verdict than the one he rendered. Pasiphaë's speech, therefore, is designed to expose the fundamental unsuitability between Minos' administration of justice and the Athenian judicial system.

Bibliography

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