

WOMEN IN
ANCIENT GREECE

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Sparta and Gortyn

Sparta and Gortyn are the only Greek states apart from Athens for which we possess detailed information on the role of women. Most of the evidence comes from Classical and post-Classical sources, but many of the legal provisions and customs referred to probably date back to the Archaic era. Where Gortyn is concerned our knowledge is confined to the legal framework; but in the case of Sparta some assessment of the reality of women's lives can be attempted. In both states the legal and social position of women appears in some respects to have been very different from what it was in Athens. Both, however, possessed unusual social institutions, and it cannot be assumed that the rights which they extended to women were matched in other parts of Greece. While Classical Athens may have been unusually repressive in its treatment of women, Sparta and Gortyn may have been unusually liberal.

WOMEN IN SPARTA

Throughout history, Sparta's unique social system (see pp. 96-7) has been capable of arousing strong feelings, either of admiration or of antipathy. Much the same might be said of Spartan women, at least as far as the responses of ancient writers are concerned. Some respected them for their vigour and outspokenness, others were horrified by their independent ways. None of these writers was Spartan, and all, of course, were male, so that our source material is doubly distanced from its subject matter. The tendency to use the behaviour of women as a benchmark for an alien society's entire character doubtless helps to explain why writers living elsewhere were prone either to idealise or to condemn the women of Sparta.

The ideology of the Spartan state was such that the family was, in Finley's words (1975, p. 166), 'minimized as a unit of either affection or authority, and replaced by overlapping male groupings'. In this way, the state sought to ensure that a man's interests were channelled into public life, which in Spartan terms meant military life. At the age of seven a Spartan boy was taken away from his home, and up to the age of thirty he lived in

barracks with other males, although he generally married when he was in his twenties. When he was thirty he was allowed to reside with his wife and children, but even then he would have spent most of his time away from the domestic environment, engaged in military training and campaigns, hunting, political decision-making and eating meals every evening in a common mess-hall. One result of this system was that the authority of the individual father was downgraded, a tendency which was positively encouraged by Spartan custom; all older men were addressed as 'father' by Spartan boys, and had the right to discipline and punish them (Xenophon, *Constitution of the Spartans* 2.2, 2.10-11; Plutarch, *Life of Lycurgus* 15.8, 17.1).

There can be little doubt that one effect of the undermining of the father's role would have been to enhance that of the mother, who by the time her husband moved into the family home would have established her pre-eminence there, and would subsequently have had little difficulty in maintaining her position in view of her partner's frequent and sometimes prolonged absence. In Classical Athenian society, the degree of large unacknowledged power which women exercised within the home is a matter of speculation (see pp. 143-4); but the recognition of the interconnection of public and private interests did at the very least foster an ideal of male dominance in the household. In Sparta, no such ideal appears to have existed. There, the more radical separation of the public and private spheres,¹ on both an ideological and on a material level, would have ensured that female domestic power was accepted and possibly even officially encouraged.

Until his departure for the barracks at the age of seven, a boy would probably have spent most of his time at home with his mother. He would have had little or no contact with his father: as Kunstler (1987, p. 33) has pointed out, by the time a man moved out with his family his son or sons might have already left home. If a boy's emotional ties with his parents were not completely obliterated by the state education system, then it is likely that the strongest of these would have been with the mother. As we shall see (p. 157), there is evidence to suggest that this was indeed the case.

For a Spartan girl the father would also have been a remote figure, and she would have seen very little of her brothers once the barracks had claimed them. Up to the time of her marriage, at about the age of eighteen, she would have lived in a household which was controlled by her mother, and would have developed an intimate relationship with her. This experience of a virtually all-female environment would doubtless have helped to foster the independent outlook for which Spartan women were renowned. Nor would the model presented by her mother have been an entirely domestic one, since she would have relieved Spartan women of many onerous household duties, and sedentary pursuits such as weaving were not considered a fit occupation for a free woman (Xenophon, *Constitution of the Spartans* 1.3-4).

The home was not the only context for the creation of same-sex relationships among women. In Sparta, by contrast with Athens, the upbringing of girls to a certain extent paralleled that of boys. Physical fitness was considered to be as important for females as was for males, and girls took part in races and trials of strength (Xenophon, *Constitution* 1.4). Plutarch (*Lycurgus* 14.2) includes running, wrestling, and throwing the discus and javelin in the list of their activities. They also learnt how to manage horses; they drove carriages in processions (Plutarch, *Life of Agesilaus* 19.5), and at the Hyacinthia, a festival of Apollo and Hyacinthus, they raced in two-horse chariots (Athenaeus 4.4, 139c-f). It is very likely that girls' athletic events were often a part of cult practice, and that some of them took place during all-female ritual occasions.² Their training would probably have

been in the control of older women: women, at any rate, are referred to in an inscription as the 'officers and overseers for life of the most sacred games of the Hyacinthia'.³

It is possible that girls and boys sometimes performed athletics side by side in the same stadium. Certainly, Spartan girls do not appear to have been at all times segregated from males, for they were in the habit of mocking young men who had misbehaved themselves, and of singing the praises of those who had acted bravely (Plutarch, *Lycurgus* 14.3). Like males, girls may have taken part in athletic events in the nude, even in front of mixed audiences. This is certainly the implication of the account given by Plutarch, who denies that there was anything indecent in this, 'for modesty attended them, and there was no wantonness in their behaviour' (*Lycurgus* 14.4). Sixth-century bronze figurines, which are thought to have been manufactured in Sparta, depict girl runners who are wearing tunics, although one of them has one of her breasts bared (Fig. 27), recalling the description given by Pausanias of the girls' athletics at Olympia.⁴ On the other hand, Sparta was unusual among Greek states in that in the late Archaic Age it produced statuettes of female nudes, which suggests that Spartans may have been more accustomed than other Greeks to witnessing displays of female nudity. According to Plutarch, Spartan girls also appeared naked in ritual processions and dances which were watched by young men (*Lycurgus* 14.2).

The stress on physical fitness is in line with Xenophon's statement (see p. 132) that girls in Sparta were better nourished than those elsewhere. It was largely responsible for the great reputation which Spartan women earned among other Greeks for a muscular style of beauty, referred to in an exchange which takes place in Aristophanes' *Lysistrata* (78-82), when the Spartan woman Lampito comes to join the Athenian women in their sex strike:

Lysistrata Welcome, Lampito, my dear Spartan friend. Darling, you look simply beautiful. Such a healthy complexion, such vigour. You look as though you could throttle a bull.

Lampito I should think so too, by the two goddesses. I do gymnastics, and high-jumps - kicking my heels right up to my bum.

Lysistrata And what marvellous breasts...

According to Plato, the Spartan system of education for girls included compulsory instruction in the arts as well as athletics (*Laws* 806a), and in Sparta 'there are not only men but also women who pride themselves on their intellectual culture' (*Protagoras* 342d). Certainly, silence does not appear to have been one of the virtues cultivated in Spartan women (see p. 157).

Young women were also brought together in choirs which performed lyrics such as the Maiden-songs written by the poet Alcman (see p. 81). Here too, the context for participation was almost certainly one of cult practice. Calame has suggested that by educating girls in the areas of sexuality, marriage and maternity, these rites may have prepared them for their incorporation as adults into the civic community. For these purposes they may have been divided into age classes similar to the ones into which boys were placed for their military training. The details of this reconstruction are largely hypothetical; but the homosexual character of the bonds uniting the girls with each other and with their instructors is suggested both by Alcman's poems, and by Plutarch's statement (*Lycurgus* 18.4) that in Sparta the degree of approval for homosexual love was so great that even maidens found lovers among good and noble women. Although the reputation which Spartan men gained elsewhere in Greece for their homoerotic

preferences may have been engendered in the main by prejudice,⁵ there is evidence show that relationships between youths and men were officially encouraged; and it is possible that a parallel system of female liaisons was openly acknowledged.

By Greek standards, Spartan women married relatively late, 'not when they were small and unsuited to intercourse, but when they were in their prime and fully mature' (Plutarch, *Lycurgus* 15.3). Women may have been about eighteen and men about twenty-five when they entered into matrimony.⁶ There is no evidence to show that Spartan women had any more say than their Athenian sisters in the choice of their husbands. References to marriage arranged by a woman's father (Herodotus 6.57 6.71.2) probably reflect the general practice. Although Spartan marriage is said to have taken place 'by capture', this phrase seems to have alluded to the unusual set of rituals which accompanied it, and there is no reason to believe that in the great majority of cases the consent of the bride's father had not first been obtained.⁷

On the eve of a marriage a bridal attendant cut the bride's hair close to her head; dressed her in a man's cloak and sandals and laid her on a mattress alone in the dark. The bridegroom ate as usual at the common mess hall, and then slipped secretly into the room where the bride lay, loosened her girdle and carried her to the marriage bed. Having spent a short time with her, he returned composedly to the barracks and slept with other young men. These furtive visits continued for some time (presumably until the bridegroom reached the age of thirty and left the barracks). The young husband was ashamed and fearful of detection when he visited his wife, who collaborated with him in arranging stolen interviews. In this way men might become fathers before they had even seen their wives by daylight (Plutarch, *Lycurgus* 15.3-5).

As in the Athenian marriage ceremony (see p. 123), the motif of abduction may have had a purely symbolic significance, suggesting the violence of the transition which the bride was undergoing. The cutting of the bride's hair would similarly have denoted a new status which she was about to acquire. However, her masculinisation is more difficult to explain. It was not entirely unique,⁸ and can perhaps best be seen as a remnant of a full cross-dressing ritual in which the donning by each partner of the clothing of the opposite sex was intended either to confuse evil spirits, or to underline sexual complementarity by introducing a temporary reversal of the roles which each would play in their subsequent relationship.⁹ In the surviving form of the rite, however, the sex ambiguity was all on the female side, and as Kunstler has suggested (1987, p. 40), this may have had the effect of easing the emotional threat which marriage represented to a man whose loyalty had hitherto belonged solely to all-male groups.

According to Plutarch (*Lycurgus* 15.5), the secrecy of the couple's subsequent meetings ensured that their relationship was not staled by easy access, but always retained a spark of mutual longing. Xenophon believes that the heightening of the couple's desire produced healthier babies (*Constitution* 1.5). Alternative explanations suggested by modern scholars are that the practice was a survival from a time when Spartan men were not permitted to marry until the age of thirty; or that it may indicate a kind of trial marriage, only made official when the woman had conceived or given birth.¹⁰ The latter theory is not contradicted by the story that the Spartan king Anaxandridas II was devoted to his wife that he refused to divorce her even though she was childless (Herodotus 5.39-40), for this indifference to childbearing capacity was clearly seen as exceptional. If trial marriages were a reality, then Spartan men may not have been particularly concerned about the virginity of their new brides. They certainly differed from other Greek men in their attitude to a wife's sexual behaviour after marriage.

The aspect of Spartan life which non-Spartans must have found most horrifying was the practice of wife-sharing. This seems to have involved two different but parallel arrangements. Polybius (12.6b.8) reports that it was an ancestral custom and a current practice for three or four men, or more if they were brothers, to share one wife, and for the children to be regarded as belonging equally to all. In addition, when a man had produced enough children, it was both honourable and customary for him to pass his wife on to a friend. Both Xenophon (*Constitution* 1.7–9) and Plutarch (*Lycurgus* 15.6–9) elaborate on the circumstances in which the loan of a wife might occur. If an elderly Spartan had a young wife, he might introduce her to a younger man of good character and physique; alternatively a man who did not wish to live with a wife but who wanted children might choose a distinguished woman who had produced fine offspring, and endeavour to obtain her husband's consent to a sexual relationship. The object in either case was the begetting of children. According to Plutarch, these customs promoted the cause of eugenics, for it was recognised that it was illogical to select the best parents when breeding dogs and horses but not to do so when rearing humans.

From these accounts it appears that men in Sparta were monogamous, while women might on occasions be polygamous, or polyandrous – they might, as in the first situation described by Polybius, have more than one husband. In addition, wife-borrowing was practised, apparently by men who were not already married themselves, or at any rate had not produced children. Selective breeding may have been the official Spartan explanation for customs such as these; but, as Hodkinson (1989, p. 90) has suggested, arrangements which had the effect of dividing one woman's fertility between two or more men may in reality have been designed to limit the number of legitimate children fathered by individuals, and hence prevent the splitting up of estates (see below, p. 156).

The implication of the ancient descriptions of wife-sharing is that men had absolute control over the process, and that the women were passed around from male to male without being consulted. However, it is possible that male authors have glossed over some of the realities of the system. Assertive Spartan women were perhaps unlikely to have allowed themselves to be used in quite so cursory a fashion, and we can speculate that some of the men who asked a husband's permission to go to bed with his wife had first of all made contact with the woman concerned. It seems probable, at any rate, that there was no strict supervision of women's sexual activities, and that they themselves may have initiated some extramarital liaisons. The frequent absences of their husbands would have made this perfectly feasible; and there is some literary evidence to support the idea. When the ex-king Demaratus cross-questioned his mother about his paternity, he assured her that she would not be the first Spartan wife to have taken a lover – 'many women have done the same' (Herodotus 6.69); and the Athenian general Alcibiades during his sojourn in Sparta is said to have had an affair with the wife of king Agis, Timaea, who was not ashamed to admit to friends and servants the true identity of the father of a child she bore (Plutarch, *Life of Alcibiades* 23.7–9).

Whatever their precise implications for sexual morality, Spartan marriage practices would almost certainly have contributed towards the diminution of the power of the father. When Cartledge (1981, p. 103) states that they formed an element in the effort to devalue family life, he does not go on to point out that this would have applied only to the male role within it and not to that of the female. The mother who had children begotten by more than one father would have been the dominant stable figure in the family, an outcome hinted at by Xenophon when he gives as one motive for the marriage system the fact that some women wished to run two households (*Constitution*

1.9). Even if they were passive pawns in the sexual side of the arrangements, as mothers these women would have been far more prominent. In Hodkinson's words (1989, p. 111), 'the status of the woman was underlined, not undermined'.

Ample grounds have already been uncovered for the reputation which Spartan women earned among other Greeks for licentiousness. To these there can be added the fact that Helen, the most famous 'loose' woman of myth, was a Spartan; in Euripides' *Andromache* (595–6) a disapproving elderly man calls her a vile creature, but adds that no Spartan woman could ever be respectable. Female dress was also a contributory factor. Women in Sparta wore the Doric peplos, whose split side allowed freedom of movement, earning for its wearers the epithet 'thigh-showers' (e.g. Ibycus, frag. 58, Page). Myths about the sexual proclivities of foreign females have often been concocted from ingredients less substantial than these.

The dominance of Spartan women over their menfolk is attested by a number of sources. When Agis IV, a reforming Spartan king of the third century BC, was attempting to institute a redistribution of wealth, his mother helped to popularise his ideas by organising a women's conference, for 'the men of Sparta always obeyed their wives, and allowed them to intervene in public affairs more than they themselves were allowed to intervene in private ones' (Plutarch, *Life of Agis* 7.3). In the fourth century BC Aristotle, one of their severest critics, believed that Spartan women were allowed a degree of licence and luxury which was damaging to the aims of the constitution and to the well-being of the state. He clearly attributes the political decline which Sparta experienced in his own lifetime to the influence of females, whose management of affairs could be traced back to the time of the wars fought in the Archaic Age, when the men were away from their homeland for long periods (*Politics* 1269b–1270a). Plutarch informs us that during military campaigns women were given more regard than they should have been and were accorded the title of mistress (*Lycurgus* 14.1). They became too bold, behaving in a masculine fashion even in front of their husbands: not only did they have absolute control over their households, but also in public affairs they expressed their opinions very freely on the most weighty of subjects (*Comparison of Lycurgus and Numa* 3.5).

Whatever the origin of their power, it seems likely that Spartan women's dominant position in domestic matters was fully institutionalised, and that even their 'behind the throne' role in public affairs may have been openly acknowledged. This unusual situation can be attributed to a number of interconnected factors, prominent among which are the female education system, the military way of life imposed on the males, the relatively small age-gap between husbands and wives, and the fact that the family was downgraded as an object of loyalty for men while at the same time being promoted as the locus for the reproduction of the citizen class. To this list there can be added the fact that women in Sparta were owners of landed property.

The Spartan system of land tenure is a subject which has provoked a great deal of debate,¹¹ but it seems probable that by the fifth century BC most land was in private ownership. Aristotle (*Politics* 1270a) identifies the unevenness of the distribution of private property as one of the basic weaknesses of Spartan society, and singles out for particular criticism the fact that by his time almost two-fifths of the land was owned by women. He gives two causes for this: there were many heiresses (*epikleroi*), and no restrictions about who might receive them in marriage; and dowries were very large. Although the rules of inheritance are far from clear, it seems likely that a Spartan woman was capable even if she had brothers, of inheriting a share of the family estate – perhaps

half of the portion which was due to a son, as in Gortyn (see below, p. 159). If she had no natural or adopted brother, then she probably inherited the whole estate, and was not, if betrothed by her father prior to his death, obliged to marry the next-of-kin.¹² Spartan heiresses seem to have had the right to dispose of their own property: Plutarch reports that in the third century BC king Agis IV as part of his reform programme asked rich women, including his own mother and grandmother, to give up their wealth (*Agis* 4.1, 7.1-7); his mother, we are told, was rich enough to lend money to many people (*Agis* 6.7).

There is some uncertainty about the dowries mentioned by Aristotle. According to Plutarch (*Moralia* 227f), the Spartan lawgiver had legislated against dowries, believing that character rather than wealth should determine the choice of a bride. It is possible, as MacDowell suggests (1986, p.82), that a law forbidding the payment of dowries by contractual agreement was circumvented by wealthy men who gave large informal gifts of landed property and moveables to their daughters on marriage. Alternatively, it may have been the practice in Sparta, as in Gortyn, to give a daughter her share of the family estate on marriage, as a 'pre-death inheritance' (Hodkinson, 1989, p. 82). If this were the case, then Aristotle, in his statement about 'heiresses' and 'dowries', could have been referring, somewhat inaccurately, to two different types of female inheritance, one where the daughter inherited the entire estate, and one where she received a share of it on marriage.

Whatever the precise workings of the system, there can be no doubt that by Aristotle's time Spartan women were substantial owners of property, and that this was linked in some way with the drastic decline in the number of male citizens which occurred in the late fifth and early fourth centuries BC. By the third century, according to Plutarch (*Agis* 7.4-5), the greatest part of the land was in the ownership of women, and some of these intrigued against king Agis because his proposed redistribution of property would have deprived them of the wealth on which their power was based.

Hodkinson (1989) has argued that women's property rights may have been associated with short-term instability, in that land was constantly being reallocated from one lineage to another (since daughters were inheriting from both their fathers and their mothers, and were passing property on to children whose fathers may have been from another lineage), and estates were subject to greater division on death (since daughters as well as sons were inheriting). He believes that marriage arrangements such as polyandry would have helped, from the standpoint of individual families, to reduce these difficulties by limiting the number of heirs, and that practices such as close-kin marriages and the relatively late age of marriage for women would have contributed to the same end. If enough households were engaging in these practices, they would have led to concentrations of property, and to a reduction in the number of citizens. The threat of declining citizen numbers would have become apparent by the late fifth century; but prominent wealthy Spartans would have had a vested interest in maintaining the status quo. One additional reason, Hodkinson suggests, why no radical measures were introduced to solve the problem may have been the influence of wealthy married women, who were concerned to promote the economic interests of their own children. By the third century the situation had reached crisis proportions; but although some notable royal women are said to have helped to promote reforms (see Plutarch, *Agis*, 6.7, and *Cleomenes* 1.3, 6.2), others, according to Plutarch, were reluctant to surrender the influence which their wealth had brought them (*Agis* 7.5-7).

One fundamental issue relating to the role of Spartan women centres on the question

of whether they had been liberated from personal dominance by their husbands only in order to be subordinated to the all-embracing interests of the state. There can be little doubt that, in Sparta's state ideology, considerable stress was placed on the child-bearing function of women. According to Xenophon, the Spartan lawgiver believed that 'child-bearing was the most important activity of freeborn women' (*Constitution* 1.4) and the attention paid to the physical fitness of females was said to have been motivated by the conviction that this would promote the production of strong, healthy offspring.

Spartan women themselves may have been among the most vocal mouthpieces of this ideology. A section of Plutarch's work devoted to the sayings of Spartan females is dominated by fervent pronouncements about their sons. One of the speakers, when asked by a woman from Attica why Spartan women were the only ones who dominated men replied, 'Because we are the only women that give birth to men' (*Moralia* 240e, 6). Their pride in their sons seems to have been closely bound up with their enthusiastic espousal of Sparta's military ethos. Probably the most famous of these pronouncements is the one attributed to a woman who hands her son his shield as he goes off to war and tells him to come back 'either with it or upon it' (241f, 16). A glorious death in battle, if the sayings can be believed, was what every devoted Spartan mother dreamed of for her son 'I bore him so that he might die for Sparta, and now my wishes are fulfilled' (241c, 8). Cowardice could provoke a mother into a dreadful humiliation of her son. One unfortunate man, on returning from the war, was asked by his mother 'How does our country fare?'. When he replied that all had perished, she hurled a tile at him and said, 'So they sent you to bring us the bad news!' (241b, 5). Some women, we are told, went so far as to kill their sons when they had been disgraced, and were highly honoured for the deed.

These sayings make chilling reading. If they are at all representative of Spartan womanhood,¹³ they suggest that females in Sparta were so thoroughly indoctrinated that they formed an effective branch of a state propaganda machine. They also reveal the existence of an emotional bond between mothers and sons involving a high degree of tension. As Kunstler (1987, pp. 35-6) has argued, the dominance of the mother in a boy's early years, followed by the abrupt and total severance of their relations when he was sent off to barracks, was bound to have had what appears to us to be a very damaging effect on the emotional development of both parties.

The picture of Spartan females which emerges from our sources is a paradoxical one. These women were independent, powerful and outspoken, and could earn for themselves among outsiders a reputation for promiscuity and lack of restraint. At the same time they occupied an integral place in Spartan society as a whole, and were absorbed into a state-controlled apparatus for breeding the next generation of warriors. There is no need for modern critics to decide which of these pictures is 'true'. The interaction between private and public life would have created for women an institutionalised position that in some senses liberated and in others constrained them. As Hodkinson has pointed out (1989, p. 112), in the last Archaic and early Classical periods there was probably an identity of purpose between the state and the female-influenced household. But in the later fifth century this identity of purpose may have been weakened by the growing importance of wealth and the increasing proportion of it which was controlled by women. The result would have been that, as far as wealthy women were concerned, the balance was tipped away from constraint and towards liberation.

Nor is there any need for modern women to pass a final judgement on whether the

Spartan system was 'good' or 'bad' for females. As Cartledge has remarked (1981, p. 105), they are not likely to be impressed by the emphasis on the child-bearing function, but they will nevertheless appreciate the fact that the peculiarities of Spartan society had ensured that this role was one that carried a high status and a large degree of acknowledged domestic power. It should not be forgotten that this unusual system was dependent on the subordination of a majority of the population, the Helots, roughly half of whom were women. It was also a system whose internal contradictions meant that it was inevitably short-lived.

THE WOMEN OF GORTYN

Like the Spartans, members of the Cretan ruling class were of Dorian stock, and ruled over a much larger native population of serfs who were responsible for cultivating the land. In Crete, as in Sparta, the education system was designed to produce military efficiency, and as far as men were concerned family life was downgraded. At about the age of sixteen boys were enrolled in 'troops', presumably for purposes of military training, and prior to that they seem to have lived communally. All adult citizens belonged to men's clubs to which they were admitted when they left their 'troops'.

The Cretans were renowned among other Greeks for their system of law, and in Gortyn, a town in the southern part of the island, inscriptions have been found recording the most complete law-code to have survived from ancient Greece. The code probably belongs to the fifth century BC, but it represents a revision of previous enactments and customary law dating from the Archaic period or earlier. While not, of course, providing a fully-rounded account of the role of women in Gortyn, it does furnish us with details of a legal framework which, while it incorporated features comparable with ones that existed in both the Spartan and Athenian systems, was nevertheless distinct from both.

Much valuable information about the serf class is derived from the code. A serf could both marry and divorce, and the wife of a serf could possess her own property, in the form of moveables and livestock, which reverted to her in the event of a divorce. When a woman married she came under her husband's master; if there was a divorce she returned either to her former master or to his relatives. A master had a right to any child whose parents were both serfs.

It would be going too far to say that the regulations relating to citizen women were more enlightened than those in Athens, since they were certainly not framed with a view to the well-being of the female population. They may reflect a situation in which power was being transferred to the *oikos* from the wider kinship group, but the process was not yet complete, and consequently a woman was not subordinated to the interests of the *oikos* to the same extent as her counterpart in Athens. Her inheritance rights can perhaps be seen as a survival from a time when the tribal structure had predominated.¹⁴

In Gortyn the daughter of a man who had died without sons (the equivalent of the Athenian *epikleros*) was known as a *patroiokos*. She could be married at the age of twelve, suggesting that here too her primary task was that of producing an heir. She could be claimed in the first instance by her paternal uncles, and then by her paternal cousins, in order of age. However, if none of the eligible candidates wished to marry her, or if none existed, or if she herself were unwilling to marry the claimant, then she was free to marry 'any she likes of the tribe from among those who apply', although she had to surrender a half of her inheritance to the first claimant whom she herself had turned down. The remnants of a customary rule of tribal endogamy (marriage within the tribe) seem to

have been preserved within this system, but it had given way in part to measures which ensured the preservation of the individual *oikos*. It may still have been the custom in the fifth century for women who were not heiresses to marry within the tribe.

A daughter also inherited property, in the form of land, livestock or money, even when she had a brother, but her share was smaller; she received half as much as a son's portion, with houses and large animals being excluded from the reckoning. Like her brother, she inherited from both her father and her mother. But it should be noted that there seem to have been no dowries in Gortyn. A father could make a gift to his daughter on marriage, but only within the prescribed limits of her share of the inheritance; this seems to mean that the gifts were a form of anticipated inheritance, and were not additional to anything to which she might be entitled when her parents died. In Athens the dowry was the medium through which a share in the paternal property was transmitted to a daughter, and since its size was within a father's discretion it could in theory have amounted to a larger proportion of the estate than was stipulated under the Gortynian code. In most cases, however, it seems to have been less (see p. 114), and in the majority of cases it consisted of money rather than land.¹⁵

In Gortyn a husband and wife shared the income from their joint estates, but the woman retained control of her own property and her husband could not sell or mortgage it. Stiff penalties were imposed on a husband or son who disposed of a wife's or mother's property. When a man died and there were children, his widow could remarry if she wished to, taking her own property with her and anything she had received by way of gift from her husband. A childless widow kept her own property, a half of what she had 'woven' and also a portion of any produce in the house, the rest going to her husband's heir (it is assumed that in the case of a widow with children all the woven material and the produce went to the children). A divorced wife was in a slightly less favourable position; she took her own property, half of what she had woven, and a half of the produce from her own property only. Either party had the right to initiate a divorce: if the husband was responsible he paid a modest amount of financial compensation to his wife.

Adultery and rape were not treated as public offences but as matters calling for private monetary compensation. The scale of compensation was generally the same for both but in the case of adultery the amount was doubled if the deed had taken place in the home of the woman's father, brother or husband. There was no penalty for adultery between a free man and a non-free woman.

The age at which girls who were not heiresses were normally married is not known. According to the fourth-century historian Ephorus (in Strabo 10.4.20), men in Crete were obliged to marry at the time when they left the 'troops', but they did not live with their wives straight away. The reference in the Gortyn code to adultery taking place in the father's house suggests that it may have been usual for girls to remain with their families when they were first married. Ephorus says that Cretan brides moved into their husband's houses when they were capable of managing an *oikos*, which may indicate that they were fairly young when they married.