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## Codifying Sacred Laws in Ancient Greece

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et Christophe Nihan

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# Codifying ‘Sacred Laws’ in Ancient Greece<sup>1</sup>

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Recent approaches to the thorny subject of ancient Greek ‘sacred laws’ have raised several conceptual and terminological issues concerning the modern corpus. This collection of inscriptions includes financial accounts and sacrificial calendars, priestly contracts and civic decrees, informal boundary stones and oracles, and several other dossiers of texts. To what extent can these documents properly be called ‘sacred laws’ except in the most general sense? Scholars are in agreement that there is in fact very little correlation between modern ‘sacred laws’ and any recognizable ancient category of texts, particularly since the words ‘sacred’ and ‘law’ are notoriously problematic when applied to such documents. For example, civic decrees concerning sacred matters are no more ‘sacred’ than others, nor are they formally laws.<sup>2</sup> Yet the force of inertia attached to a misnomer such as ‘sacred law’ makes it particularly difficult to eliminate in contemporary discussions. We propose a reexamination of the problem, one which addresses the question of Greek conceptual vocabulary for inscriptions regularly labelled as ‘sacred laws’. This article forms part of a preliminary reflection towards a new edition and collection of Greek ‘sacred laws’ which is being led by the present authors, together with a team of collaborators. Work on this revised corpus, to be published online, has recently begun as a project of the Fonds National de Recherche Scientifique at the University of Liège (Belgium).<sup>3</sup>

It is important to initially recall at least two of the many important recent contributions to the subject. Nearly a decade ago, Robert Parker pioneered the detailed investigation of the corpus of inscriptions which had been collected over more than a century by von Protz, Ziehen, Sokolowski, and others, and which had largely gone unexamined.<sup>4</sup> Parker’s first

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1 We owe our sincere thanks to Robert Parker for reading this paper and sharing his always-incisive insights with us. Exceptionally, numbers after NGSL refer here to pages rather than to inscriptions.

2 See generally Connor, ‘Sacred’ and ‘secular’, and the formal distinctions in Quaß, *Nomos und Psephisma*.

3 F.R.S.–FNRS: Project number: 2.4561.12 (2012–2015). Another article by the present authors (Beyond Greek ‘Sacred Laws’) serves as a complement to this paper; its focus is instead on introducing in detail the criteria for selecting inscriptions in the revised ‘corpus’ as well as providing an overview of how this new collection will be constituted.

4 Parker, *Greek Sacred Laws*, and *idem*, *Law and Religion*. See also now Parker, *On Greek Religion*, 42–43. Cf. Parker, *Greek Sacred Laws*, 57: “The editors did not explain how the ‘sacred’ laws they isolated differed from laws and regulations of other types”. Though valid by modern standards, this criticism is not entirely founded, since there was an attempt at classification from the beginning, as Lupu has shown in his brief history of the corpus (NGSL, 3–4 and 502). Von Protz, *LGS I*, collected the *fasti sacri* (i.e., Greek sacrificial calendars) in one volume, and had intended to gather inscriptions pertaining to ruler cult in another, before his premature passing. Ziehen, *LGS II*, then followed his predecessor by collect-

and more detailed contribution served primarily to highlight how the material gathered so far did not form a unified collection, and that it in fact consisted of inscribed laws or decrees “different in no regard except subject matter from other laws and decrees of the community that issued them”.<sup>5</sup> To these could be added another broad category of texts he called “exegetical laws”, consisting of inscriptions that record religious traditions outside the scope of decrees properly speaking. Nevertheless, these texts do not detract from the framework of ‘polis religion’, whereby all significant decisions relating to cultic matters fell more or less under the authority of the city and its subgroups.<sup>6</sup> Parker also stressed that the modern term ‘sacred law’ did not directly parallel any ancient Greek designation and so should be employed with due caution.<sup>7</sup>

Around the same time, Eran Lupu offered an even more detailed account of the contents of the corpus, arranging the inscriptions that were included by his predecessors according to content.<sup>8</sup> This attempt at a new classification encountered several difficulties and problems of categorisation.<sup>9</sup> Like Parker, Lupu’s main aim was to describe and elucidate the subject matter of these ‘sacred laws’, accepting a broad distinction between civic laws or decrees and other “customs [ . . . ] with little to no formal mediation”.<sup>10</sup> Both Parker and Lupu made valuable contributions to the field via their analyses, yet they each provided little in the way of new designations or approaches to the traditional corpus, preferring instead to preserve the *status quo ante*. In what follows, a more nuanced treatment of the existing corpus will be attempted. We present an alternative approach to ‘sacred laws’ through an examination of a series of frameworks applied to the subject and by identifying their potential benefits and limitations.

### 1. The Stratigraphy of Recorded ‘Sacred Laws’

An expansion of Parker’s division of sacred laws into laws or decrees and ‘exegetical’ material has recently been attempted by Angelos Chaniotis. He proposes an intriguing ‘stratigraphy’ of ritual norms in the Greek cult, identifying three layers which can be tied to their ancient Greek names: *patria*, *nomoi*, and *psephismata*. These are interpreted respectively as unrecorded or ancestral customs, instructions for rituals, and dynamic decrees seeking to augment or revitalise existing cultic norms.<sup>11</sup> Such a model is *bon à penser*,

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ing other inscriptions regulating sacred matters from “Greece and the islands”. Afterwards, Sokolowski’s corpora (LSAM, LSS, LSCG) had a general and geographical, rather than typological, arrangement. Lupu’s presentation of the inscriptions reedited in NGSL is a small but detailed supplement to Sokolowski’s volumes (115–387). Rougemont, CID, offers a local corpus from Delphi, hesitating even in his title between calling the inscriptions ‘lois sacrées’ and ‘règlements religieux’ (and cf. 1: “catégorie mal définie”).

5 Parker, *Greek Sacred Laws*, 58.

6 *Ibid.*, 65. This framework is more specifically invoked in Parker, *Law and Religion*, 61–62.

7 Parker, *Greek Sacred Laws*, 66–67, and *idem*, *Law and Religion*, 62–63.

8 Lupu, NGSL, 3–112, originally published in 2005; cf. the postscript to the second edition, 501–504, where he notes that he “share[s] basic agreement” with Parker.

9 See, for example, the reviews by N. Papazarkadas, *Journal of Hellenic Studies* 126, 2006, 184–185, and J.-M. Carbon, *Bryn Mawr Classical Review*, 2005.04.07.

10 Lupu, NGSL, 5.

11 Chaniotis, *Dynamics of Ritual Norms*, 98. On unwritten laws, see also the recent synopsis offered by Gagarin, *Writing Greek Law*, 13–38.

since it allows for greater understanding of part of the material which is encapsulated by the term 'sacred laws'. However, in the context of revising the corpus, it is worth asking to what extent this stratigraphical framework can encompass the whole of the disparate body of texts.

When discussing sacred laws, due consideration must be given to the demonstrably oral or unwritten character of Greek ritual traditions. We must also be aware that much of what is recorded in the inscriptions and other sources is what was in practice exceptional, or at least noteworthy and worth writing down. Yet perhaps equally substantial (or equally *cliché*) allowances must also be made for the disappearance of inscribed texts on stone and, even more significantly, on other materials over time. Nevertheless, the principal problem remains the varied and inconsistent nature of Greek terminology for the elements of the proposed stratigraphy. While numerous inscriptions such as decrees refer to ancestral ritual practice with the phrase *kata ta patria*, other partially coextensive or equivalent expressions are often used, such as *kata ta nomizomena* (or even *kata nomon/nomous*).<sup>12</sup> It therefore seems difficult to contrast the word *patria* with *nomos* and its cognates, all of which can signify 'custom' or 'tradition' just as they can designate 'law' or 'instructions'.<sup>13</sup>

For example, the decree concerning the sanctuary of Alektrona at Ialysos is clearly a decree which codifies a law (*nomos*) concerning the purity of the sanctuary.<sup>14</sup> The law is inscribed immediately below this decree, and when enacted has the same sort of value and force that one might expect from other codified Rhodian laws. The stratigraphy is ostensibly valid but the considerations found in the preliminary decree do not necessarily use *nomos* exclusively in the sense of 'law'. To cite a modified version of Chaniotis' translation: "in order that the sanctuary of Alektrona remain pure (εὐαγῆται) according to the ancestral customs (*kata ta patria*), may the *hierotamiai* take care that three *stelai* are made of Lartian marble and that this decree is inscribed on them together with the things which it is not *hosion* to bring or to lead inside according to the *nomoi* (ἐκ τῶν νόμων), along with the penalties imposed on anyone who acts against the law (παρὰ τὸν νόμον)". Here the penalties of the newly enacted law are clearly defined with a direct and precise reference to it (παρὰ τὸν νόμον), but the allusion to ancestral customs (*patria*) concerning purity renders the translation of the pluralised expression ἐκ τῶν νόμων more problematic. Chaniotis translates this phrase as "according to the laws", but one may wonder why the singular ἐκ τοῦ νόμου was not used instead, as a direct indication of the law which was concurrently enacted. It seems unlikely that there were other Rhodian laws concerning the purity of this specific sanctuary. There may have been a set of laws from which one could draw source material concerning purity more generally, though this is also not established. In other words, the expression might also point to a common correspondence between the *patria* and the previously unrecorded *nomoi* concerning the sanctity of the sanctuary. In fact, it

12 Cf., e.g., the congruent alternation between *patria* and *nomizomena* in the agreement of the Salaminioi, LSS 19 (Athens, 363/362 B.C.E.), esp. lines 41–43; concerning this text, see now Lambert, *The Attic Genos Salaminioi*, 85–106. For an example of an ancestral (and probably previously unrecorded) *nomos*, cf. *IC I xvii 7* (Lebena, 2nd c. B.C.E.), lines 2–4: ὅπῃ οἱ Λεβηναῖοι ἔτι καὶ νῦν θύο[ντι κ]ατὰ ἀρχαῖος νόμος Ἀγγελώω[ι μὲν] χοῖρον, Νύμφαις δὲ ἔριφον κτλ.

13 Such slippage is already present in the concepts of *patria* and *nomizomena*, which Chaniotis roughly equates (*Dynamics of Ritual Norms*, 95).

14 LSCG 136 (Ialysos, ca. 300 B.C.E.), cf. Chaniotis, *Dynamics of Ritual Norms*, 97–98.

may well have suggested that the ancestral *nomoi*, more or less equivalent to the *patria*, paved the way for a recorded, singular law which employed the same designation.

Other cases of imprecise ‘stratigraphies’ are perhaps even more complicated. One particularly illustrative example is the famous codification of the ancestral traditions of the Praxiergidai at Athens.<sup>15</sup> Here we have what is clearly a decree of the Athenian *polis* (line 1), but which seeks, according to the suggested restorations, to address the concerns of the *genos* of the Praxiergidai about the inscribing of the “[oracle] of the god and the [decrees previously enacted by them]”. This latter phrase, τὰ πρό[τερον αὐτοῖς ἐφσεφισμένα] in line 4, is not completely certain, because what follows is the inscribing of at least two separate documents immediately below the decree. The first is the oracle (lines 10–12), which tersely confirms that the Praxiergidai are to fulfill their function in the ritual involving Athena’s *peplos* and to make a preliminary sacrifice to a series of gods. Interestingly, the oracle (as restored) appears to use the expression *nomima* to describe the prerogatives of the *genos*.<sup>16</sup> Moreover, the oracle adds a further exegetical dimension to the complex codification of the cult by either confirming traditional practice (these *nomima*) or perhaps modifying it in some way which is not easily discerned.<sup>17</sup> After a short gap, the second document (lines 13–25), carrying over the fragmentary remains of the rest of the inscription, records the *patria* of the Praxiergidai rather than their decrees properly speaking: [τάδε] πάτρια Πραξιεργίδαις. Instead of a straightforward ‘stratigraphical’ model, this inscription is thus a case of at least partially recorded and not exclusively ‘oral’ or ‘ancestral’ *nomima* and *patria*. We say “at least partially recorded” because both the decree and the *patria* evidently refer to other *patria* of a traditional and unrecorded kind (lines 8 and 23 respectively). Yet, the inscription still suggests that a number of recorded *nomima* and *patria* might have been preserved on stones or other materials, which no longer exist.<sup>18</sup>

Chaniotis would probably agree that there was no such thing as a systematic stratigraphy of the codification of ‘sacred laws’. In fact, his main point is that there was a certain dynamic component to the evolution of recorded ritual practices, especially in the late Hellenistic period. During this period but also in the preceding centuries, civic decrees (usually *psephismata*) often prescribed various addenda aimed at augmenting a given rite or festival.<sup>19</sup> One can of course accept this conclusion while also noting the flexibility with which

15 IG I3 7 (cf. LSCG 15, Athens ca. 460–450 B.C.E.).

16 Chaniotis, *Dynamics of Ritual Norms*, 100, in discussing LSS 14 (Athens, 129/128 B.C.E.), a decree concerning augmentation or renewal of the cult of Apollo Pythios, only briefly notes the oracles alluded to in line 16, without situating an oracular layer in his ‘stratigraphy’. In fact, this further exegetical layer, present in a number of ‘sacred laws’, often complicates the progression *patria* – *nomoi* – *psephismata* outlined by Chaniotis.

17 Robertson, *The Praxiergidae Decree*, argues against the general opinion that the decree refers to a traditional duty.

18 One thinks, of course, of the numerous fragments of *exegetika* collected by Tresp, *Griechischen Kulturschriftsteller*, and in particular the traditions concerning the *patria* of the Eupatridai and the Eumolpidai (9–10). Cf. also Georgoudi, *Theia pragmata*, 46, with further epigraphical examples.

19 The case of the decree concerning the festival of Zeus Sosipolis (I. Magnesia 98, cf. LSAM 32, 197/196 B.C.E.) is also cited by Chaniotis, *Dynamics of Ritual Norms*, 104. Here, the only reference to ancestral practice is observed in the *eithismena gera* or ‘customary portions’ reserved for the priest. This detail was almost certainly codified elsewhere, for example in the contract of the priest, and its relevance to an argument about stratigraphy is tenuous.



the 'stratigraphy' of ritual norms is evidenced, and particularly the slipperiness of the Greek terminology which it involves. Just as *nomos* can mean law or custom, the tradition invoked by *patria* is not always easily distinguished from *nomoi*; the latter sometimes even approaches its cognate *nomima*.<sup>20</sup>

## 2. *Hieros Nomos* and Related Terms

The terminological difficulties involved in the 'stratigraphy' of ritual norms consequently lead us to consider a related problem: did the Greeks have an expression for concepts such as 'sacred tradition' or 'sacred law', beyond *nomima* and *patria*? This question has so far been the subject of limited interest among scholars.<sup>21</sup> Parker briefly considered the issue in the conclusion to his discussion of the modern corpus of sacred laws, noting several examples of the phrase *hieros nomos* in inscriptions.<sup>22</sup> His argument holds that, while such expressions do in certain cases appear to refer to the 'sacred laws' of current collections, the vague ancient designation and the 'baggy' modern category must not in fact be mistaken for one another.<sup>23</sup> Several other inscriptions are also called 'sacred' in this way without being included in the traditional corpus of 'sacred laws'.<sup>24</sup> More recently, Stella Georgoudi's approach to 'sacred laws' features a detailed attempt at investigating the Greek notion of *hieros nomos*.<sup>25</sup> Offering only a preliminary study, she investigates a few examples of this expression and prefers, with some caveats, an estimation very close to 'inscribed sacred law'.

The relatively few instances of the expression *hieros nomos* before the beginning of the Christian era deserve to be considered anew.<sup>26</sup> Two inscriptions from this period clearly have the phrase *hieros nomos* as a title, and are thus most easily identified by that designation. The first is an extremely fragmentary inscription from Tegea, which was entitled "sacred *nomos* for all time". Unfortunately, the remaining lines have not yet been read.<sup>27</sup>

20 Contrast Chaniotis, *Dynamics of Ritual Norms*, 102: "*Nomima* and *patria* do not have recognizable mortal authors or inventors and are non-negotiable . . . Most of the so-called '*leges sacrae*' of the Archaic and Classical period are *nomoi* and not *nomima*". Most 'sacred laws' were in fact decrees, and so their relationship to terms such as *nomoi* and *nomima* is usually unclear. It could also be argued that a high proportion, though perhaps not the majority, of early 'sacred laws' involve oracles or other 'non-negotiable' source material of varying designation.

21 Lupu, *NGSL*, 4, n. 8 writes the following: "A discussion of the contents of the modern corpus seems to be a prerequisite for a discussion (not pursued here) of ἱερός νόμος in antiquity". The opposite could be considered just as logical.

22 Parker, *Greek Sacred Laws*, 66–67, with n. 49–54.

23 *Ibid.*, 67: "It may seem that the modern usage of 'sacred law' acquires hereby an unexpected respectability: the baggy modern category is successor to a baggy ancient category. The conclusion would be rash [. . .] 'Sacred law' was not so much a fixed category of thought for the Greek as a form of expression that they sometimes fell into".

24 *Ibid.*, 67: "Texts of a type not to be found, or at least not systematically, in the modern collections can also be called sacred [. . .] Much of the evidence for this actual expression has had in fact to be cited from outside the confines of Sokolowski".

25 Georgoudi, *Theia pragmata*, esp. 43–48.

26 We exclude here uncertain restorations or later literary and epigraphical examples, e.g., SEG 11 923.127ο (Gytheion, 15 C.E.), where the phrase may start to take on a Roman character.

27 LGS I 16, cf. IG V 2, 5 (4th c. B.C.E.): νόμος ἱερός ἰν ἅματα πάντα, followed by at least 8 lines which have become effaced. The text was not included in Sokolowski's revision, who presumably thought that

The text most probably did not contain a sacred calendar, as some have argued, but it is almost impossible to speculate about its precise content.

The second inscription, from the deme of Halasarna on Kos, appeared only very recently, and is headed: *hieros nomos* of the tribe of the Elpanoridai.<sup>28</sup> The text, which is inscribed on an opisthographic stele, is apparently also rather badly preserved, yet thankfully its content is not entirely obscure.<sup>29</sup> The first clause of the inscription (lines 1–3) concerns the responsibilities of the archon or chief magistrate of the tribe (ὁ ἀρχεῦων) with regard to a preliminary sacrifice (*prothysis*, perhaps: προθυέτω τὰ ἱερεῖα?) whenever there is a σὺνοδος (gathering of the tribe). This may have involved various types of sacrificial animals, since the last part of the clause stipulates the offering of προβάτα καθ’ ἃ νομίζεται (“sheep as is customary”). The next fragmentary clause (ιεράσθω δὲ . . .) appears to stipulate that this same magistrate was to serve as priest, perhaps during specific ritual occasions such as when sacrifices were offered to the ancestral gods (Theoi Patroioi) of the tribe. At any rate, it would seem that the inscription continued to define the responsibilities of the archon of the tribe, since the remaining fragments preserve the use of third-person singular imperatives: -σέτω (line 5), βάλετω (line 12), ἀρχέτω (line 15). The core of this *hieros nomos* was thus most probably a ritual regulation with a prescriptive form regularly found in the corpus of ‘sacred laws’.

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the absence of content justified its exclusion from the corpus. The *editio princeps* by V. Bérard, Tégée et la Tégeatide, Bulletin de correspondance hellénique 17, 1893, 12 no. 18, provides information on the context, a probable temple, overbuilt by a Byzantine church, where another inscription, dedicating an altar to Apollo and making the god’s statue golden, was also found (now IG V 2, 83, 1st c. C.E., with ref. also to Paus. 8.53.3). Bérard also offered a few avenues of interpretation for the heading: “Le dialecte arcadien a conservé les plus vieux mots de la plus vieille langue grecque, tel est ἄματα. Notre stèle contenait la loi sacrée pour tous les jours de l’année, ou plutôt pour l’éternité”. Von Prott in LGS first argued in favour of some sort of *fasti* (“in omnes dies anni”), and in this conjecture he is now followed by Lupu (NGSL, 65, n. 325) and Georgoudi, Theia pragmata, 46. But LSJ s.v. and Parker, Greek Sacred Laws, 66 had already correctly observed that the expression ἐν ἄματα πάντα must mean “in perpetuity” or “forever”, as Bérard himself seemed to prefer. Indeed, other Arkadian inscriptions employ the expression in this sense: see IPArk 8 (Mantineia, ca. 460 B.C.E., lines 21–22: ἀπεχομένος | καὶ τὸρρέντερον γένος εἶναι | ἄματα πάντα ἀπὸ τοῦ ἱεροῦ), and IPArk 9 (Mantineia, ca. 350–340 B.C.E.: [σύ]νθεσις Μῆα[ντ]ινεῦσ[ι] καὶ Ἐλισφασίος [ἰ]ν ἄμα[τα] | [πά]γτα); in these cases, the meaning is an archaic “Arkadianism” that is clearly equivalent to εἰς αἰεῖ.

28 IG XII 4, 357 (ca. 250–200 B.C.E.): νόμος ἱερὸς φυλῆν Ἐλπανοριδῶν. Both Parker and Georgoudi, writing before this new publication, were unable to take it into account; cf. now Chaniotis, EBGR no. 21 in *Kernos* 27, 2014, 334–337.

29 Side B of the stele appears to preserve the fragmentary preamble (lines 1–4) of a somewhat different text, perhaps a decree which was joined to the *hieros nomos*, and which must have begun on the previous side (A). As the context is fragmentary, the translation and interpretation remain rather uncertain: “observing that there exist sanctuaries and altars, but that no sacrifices take place, (the *archeuon* or a specific individual?) eager to give beautiful offerings to all the ancestral gods, in accordance with the piety of the citizens and the tribesmen towards the gods [ . . . ]” (θεωρῶν τεμένη μὲν ὑπάρχοντα καὶ βωμός, θυσίας δὲ μὴ γιγομένας, σπεύδων πᾶσι τοῖς Πατρ[ώ]ιοις Θεοῖς καλλιερεῖν ἀκολουθῶς τᾶ[ι] τῶν ἄστω[ν] | καὶ τῶν φυλετᾶν ποτὶ τ[ὸ]ς θε[ῶ]ς ε[ἰ]σεβεί[αι] —). Another passage reminiscent of a decree, rather than a *nomos*, is found at lines 31–32: ἐπειδὴ — — — | [ . . . ] ὑπάρχει, and beyond. There is reference to the sale of a priesthood (τᾶς ἱερωσύνας πόθοδ[ος], line 32), and an existing priest (lines 33–34: ἐπὶ | Τίσια ἱερέως). Furthermore, lines 34–36 reveal several *archeuontes* and a priest and perhaps vaguely refer to the *hieros nomos* on side A: ὅπως τοῖ | ἀρχεῦοντες καὶ ὁ ἱερεὺς κατὰ τὸν νόμον ἅπαντα ἀποδώσιν πρότερον [ . . . ].

This text is certainly intriguing and distinctive in both its tribal character and its heading. The content of the *hieros nomos*, albeit fragmentary, might suggest that it contained the description of the duties expected of the tribal official known as ἀρχεῖον. However, such prescriptions normally concern priests on Kos and are referred to as contracts (*diagraphai*).<sup>30</sup> On the other hand, the *hieros nomos* may have contained a dossier of inscriptions relating to the cults of the tribe (as the appearance of side B of the stele might suggest). In this light, it is worth recalling that there are several other inscriptions from Kos which refer to *hieroi nomoi* as a general group of documents.

The most important of such texts is undoubtedly the codification of various rules of purity for priestesses of Demeter found at the Asklepieion of Kos.<sup>31</sup> The inscription, a civic decree containing these directives, makes clear that its *raison d'être* is “so that the purifications and cleansing are performed according to the sacred and ancestral *nomoi*”.<sup>32</sup> Moreover, it seems that these sacred *nomoi* were in fact written texts, since their content is to be reinscribed on two separate *stelai*. The latter were public texts with the aim of preventing illegitimate exegesis or any variation from traditional practice.<sup>33</sup> But what form did the sacred and ancestral *nomoi* take before their present publication? Georgoudi seems to suggest that they were simply preliminary templates for inscribing the text, conserved perhaps in a legal archive of the city.<sup>34</sup> Yet it is possible that these sacred *nomoi* were not archival documents or laws of the city of Kos but, rather, vaguely recorded ritual traditions written, for example, by exegetes on materials other than stone. In other words, these texts might not have been dissimilar to the *patria* of Attic cult groups or other *exegetika* briefly described above. The way the inscription professes to exhaustively codify textual *nomoi*, yet still refers to unrecorded ritual practice, supports this interpretation.<sup>35</sup> The phrase *hieros nomos* on Kos might then have had the same range of meaning as *patria*, *nomima*, and other terms referring to sacred or ritual tradition, whether codified in some form or not.

This interpretation is reinforced by further examples from that island. Another inscription, the sale of the priesthood of the Korybantēs, appears to suggest that the priest of these gods might position the *hiera* on the sacred table according to a *hieros nomos*.<sup>36</sup> The passage in question is extensively restored, however, and it is uncertain if the *hieros nomos* refers to oral or written tradition. In either case, *nomos* would perhaps not have had the

30 Parker and Obbink, *Sales of Priesthoods on Cos*, 419–429; Wiemer, *Käufliche Priestertümer*.

31 LSCG 154, cf. now IG XII 4, 72 (ca. 240 B.C.E.).

32 Line 5: ὅπως ταῖ τε ἀγνεῖαι καὶ τοὶ καθαρμοὶ — — — κατὰ τοὺς ἱερῶν καὶ πατρίους νόμους συντελῶντα[ν κτλ.].

33 Lines 9–10: τὰ γεγραμμένα ἐν τοῖς ἱεροῖς νόμοις περὶ τῶν ἀγνεῖαν — — — καὶ τῶν | καθαρισμῶν ἀναγραφάντω ἐς ἑκατέραν [στάλαν —]. Unlawful interpretations: cf. lines 12–14.

34 Georgoudi, *Theia pragmata*, 44. A possibly corroborative argument could be made from the evidence of another Koan inscription, the sale of the priesthood of Nike (LSCG 163, cf. IG XII 4, 330, 1st c. B.C.E.), which prescribes, lines 12–13, that the priest is “to remain pure from those things from which it is also assigned to the other priests to remain pure” (καὶ ἀγνευέσθω | [ἴσσω]ν καὶ τοῖς λοιποῖς ἱερεῦσι ποτιτέτακται ἀ[γν]εύεσθαι). Still, this could be a reference to the remainder of the Koan *diagraphai* or to a wider set of *hieroi nomoi*. The direct verb ποτιτέτακται, in any case, makes it unlikely that one is dealing with unrecorded prescriptions.

35 Cf. IG XII 4 72, lines 71–72: ἐξάγω αἰ ἱέρεια Κοροτρόφον κατὰ τὰ νομι<ζ>ό[μμενα —].

36 IG XII 4, 299 (end of 3rd c. B.C.E.), lines 14–15: [ἐπιτιθέτω δὲ ἐπὶ τὰν τράπ]εζαν κατὰ τὸν ἱερ[ὸν νό]μον τὰ ἱερά ὁ ἱερεὺς —].

strength of ‘law’. An expression particular to Kos, *hiera diagraphē*, is also found in an inscription from Antimacheia where it might appear at first glance to have had much the same application as *hieros nomos*.<sup>37</sup> In this case, as in other inscriptions employing this phrasing, *diagraphē* actually provides a valuable contrast to *nomos*. Indeed, it would appear that a *hiera diagraphē* could variously refer to a specific contract concerning sacred finances, to the details of construction of a cultic money-box, and even to the running of a *panegyris*.<sup>38</sup> Why these *diagraphai* were regarded as more ‘sacred’ than others, such as contracts for the sale of priesthoods, remains largely unclear. Their subject matter was not in any way more ‘sacred’. As in the case of *hieroi nomoi*, the emphasis on the sacrality of the document may well have been rhetorical to a certain extent. What is clear though is that *hierai diagraphai* could be distinguished from *hieroi nomoi* by their practical application: they appear not to have appealed to ancestral religious tradition, but rather to have prescribed new contractual obligations or regulations.<sup>39</sup>

The rhetorical possibilities of the expression *hieros nomos* are apparent in the only two literary sources that employ it before the Hellenistic period. A passage from Demosthenes’ speech *Against Meidias* clearly refers to an official and written *nomos* concerning the Dionysia at Athens, but with a stylistic emphasis on the consecration of the law “to the god himself”.<sup>40</sup> This is a strong sense of the word *hieros*, but it seems clear that the text to which Demosthenes is referring was not explicitly called a *hieros nomos*. There is no evidence of such a category at Athens. Plato’s *Laws* similarly suggest that “it is necessary to bring *nomoi* from Delphi about divine matters (περὶ τὰ θεῖα), and to appoint exegetes so as to make use of these *nomoi*”.<sup>41</sup> The text continues with remarks about what the oracle might have prescribed on the subject of priests: “Each priestly office should not last longer than a year, and the person who is to officiate efficiently according to the *hieroi nomoi* concerning divine matters (περὶ τὰ θεῖα) should not be less than sixty years old; and the same *nomima* are to apply to priestesses”.<sup>42</sup> While theoretical, this type of codification does find some parallel in Athenian practice (and elsewhere), which regularly involved consultation of the oracle on such matters. For the present purpose, it may simply be observed that Plato uses the phrases *nomoi*, *hieroi nomoi* and *nomima* more or less synonymously, and that *hieros*

37 IG XII 4, 102 (ca. 190 B.C.E.), lines 14–15: [ὁ] τε ἱερεὺς καὶ τοὶ ἱεροποιοὶ συντελώντι τὰ[ς] | θυσίας κατὰ τὴν ἱερὰν διαγραφάν.

38 Respectively, IG XII 4, 343 (ca. 150–100 B.C.E.), lines 15–16; LSCG 155, now IG XII 4, 71 (ca. 250–242 B.C.E.), lines 8–9; and SEG 19, 550 (Hippia, 1st–2nd c. C.E.), lines 9–11: καὶ ὁ δῆμος ὁ Ἰππιωτῶν ἐνηφίσατο ἱερὰν διαγραφὴν περὶ τῆς | πανηγύρεως.

39 Cp. also, e.g., IG XII 4, 152 (ca. 208 B.C.E.), lines 17–18: τοῖς νόμοις τοῖς ἐγὼ Κῶι πατρίοις ὑπάρχουσι καὶ τοῖς δόγμασι τὰς ἐκκλησίας καὶ ταῖς διαγραφαῖς ταῖς ὑπὲρ τὰς ὁμοπολιτείας, where the (new?) *diagraphai* concerning political union appear to have had very little ‘sacred’ character.

40 Demosthenes 21.35: ἦν ὁ τῆς βλάβης ὑμῖν νόμος πάλαι, ἦν ὁ τῆς αἰκείας, ἦν ὁ τῆς ὕβρεως, εἰ τοίνυν ἀπέχρη τοὺς τοῖς Διονυσίοις τι ποιῶντας τούτων κατὰ τούτους τοὺς νόμους δίκην δίδόναι, οὐδὲν ἂν προσέδει τοῦδε τοῦ νόμου, ἀλλ’ οὐκ ἀπέχρη. σημείον δὲ ἔθεσθ’ ἱερὸν νόμον αὐτῷ τῷ θεῷ περὶ τῆς ἱερομηνίας. Parker, *Greek Sacred Laws*, 70, n. 53, comments: “with the obvious rhetorical intent to play up Meidias’ guilt”.

41 Plato, *Leges*, 759c.

42 *Ibid.*, 759c–d, noting particularly the complex phrase: ἔτη δὲ μὴ ἔλαττον ἐξήκοντα ἡμῖν εἴη γεγωνός ὁ μέλλων καθ’ ἱεροῦς νόμους περὶ τὰ θεῖα ἱκανῶς ἀγιστεύσειν.

*nomos* in particular stresses that cultic precepts are to be derived directly from the sacred authority of the Delphic oracle.

Emphasis on the oracular or exegetical character of *hieroi nomoi* suggests a particular way of reading the phrase.<sup>43</sup> Another inscription which clearly refers to itself as a *hieros nomos* is the famous stele of Isyllos.<sup>44</sup> This is a complex text from Epidauros, which contains verse ritual prescriptions, an aitiology, an oracle, and the *paian* composed by this individual. It is not especially clear if *hieros nomos* refers to a specific part of the inscription, or more likely, to the ensemble of the fruits of Isyllos’ poetic activity and exegetical consultation. *Nomos*, of course, can also mean a song or melody, a sense which readily suits the verse inscription and *paian* composed by Isyllos.

One might then also compare Isyllos with Kraton the son of Zotichos, a member of the inner circle of the Attalid kings. This individual made testamentary dispositions benefitting the Attalists of Teos or of Pergamon, whom he had served as priest.<sup>45</sup> This is evidenced by a decree of the Attalists, which refers to a letter that Kraton wrote, and to a *hieros nomos* he left behind (probably after his death) and which King Attalos II forwarded to the group.<sup>46</sup> Regrettably, only the beginning of their decree is preserved, since this probably went on to cite (in full?) the letter and the *hieros nomos* of Kraton.<sup>47</sup> This *hieros nomos* may have perhaps been comparable in character to the one “discovered” or “invented” by Isyllos. According to the current identification, Kraton, besides having been the priest of the *synodos* of the Attalists, was also a musician (*auletes*) originally from Chalkedon, and a priest of Dionysos who was honoured by the Dionysiac artists at Teos during his long career.<sup>48</sup> One could imaginatively suppose that the *hieros nomos* contained, in addition to his testament, a poetic or melodic composition to be performed in his honour during the gatherings of the Attalists. Also relevant are a few other references in inscriptions from the end of the first century B.C., namely the cult prescriptions of Antiochos I of Kommagene

43 Cp. Georgoudi, *Theia pragmata*, 47: “On a [ . . . ] l’impression que, dans certains cas, un *hieros nomos* est conçu par les Grecs comme une loi inspirée, d’une certaine façon, par la divinité”. But she does not think that this sense was primary; instead, she argues that *hieroi nomoi* were normally treated like any other civic laws.

44 IG IV<sup>2</sup> 1, 128 (Epidauros, ca. 280 B.C.E.), particularly lines 10–11: τόνδ’ ἱερὸν θεῖαι μοῖραι νόμον ἤρην Ἴσυλλος | ἄφθιτον ἀέναν γέρας ἀθανάτοισι θεοῖσιν. Cf. Kolde, *Isyllos d’Épidaure*.

45 See Le Guen, *Kraton, Son of Zotichos*, on the whole complex dossier surrounding this individual.

46 CIG 3069 (Teos, ca. 146–138 B.C.E.), lines 16–18: καὶ γράψας ἐπιστολὴν | πρὸς τοὺς Ἀτταλιστὰς καὶ νόμον ἱερὸν ἀπολιπὼν, | ὃν ἐξαπέστειλεν ἡμῖν βασιλεὺς Ἀτταλος; 26–27: καθὼς αὐτὸς ἐν τῇ νομοθεσίᾳ περὶ ἐκάστων | δια<τέ>ταχεν; and 28–29: ἃ κατὰ μέρος ὑπὲρ πάντων ἐν τῷ καθιερωμένῳ ὑφ’ ἑαυτοῦ νόμῳ δεδήλω<κ>εν. Cf. Le Guen, *Associations*, no. 52, who offers a recent commentary on the text, but merely translates the relevant expression as “loi sacrée”. Let us only remark that the expression καθιερωμένῳ ὑφ’ ἑαυτοῦ νόμῳ clearly refers to a consecration of the *nomos* on the part of Kraton: this is what lends a sacred character to it. For a helpful survey on the dossier of Kraton and the Attalists, see now Harland, *Greco-Roman Associations*, 324–331, no. 141 with bibliography.

47 Lines 34–35: δεδῶχθαι τοῖς Ἀτταλισταῖς κυρῶσαι μὲν τὸν | ἱερὸν νόμον τὸν ἀπολελειμμένον ὑπὸ Κράτωνος.

48 See CIG 3068 (Teos, ca. 167–159 B.C.E.), on which see now Le Guen, *Associations*, no. 48 (part A), and Aneziri, *Vereine*, no. D11a–b. Several other documents refer to Kraton’s lengthy and wide-ranging professional existence, from the beginning of the second century B.C.E. (I. Iasos 163, ca. 193/192 B.C.E.) to his death shortly after 146 B.C.E.; cf. now Le Guen, *Kraton, Son of Zotichos*, 247–251.

and the verse aretology of Isis from Andros.<sup>49</sup> Both of these texts, along with those of Isyllos and Kraton, share common characteristics of poetic inflection and divine inspiration or exegesis.

However, a few inscriptions do appear to suggest that *hieroi nomoi* were a recognisable category of documents in certain cities.<sup>50</sup> Aside from Kos, the only major case is Pergamon, where Kraton the son of Zotichos, besides his musical affinities, may well have adopted the concept, since it is clear that a cult closely associating Kraton with the Attalid rulers was established by his bequest. Indeed, it is primarily in decrees and letters concerning Attalid ruler cult from the second century B.C.E. that we find the indication that these texts are to be classified or deposited “among the *hieroi nomoi*”.<sup>51</sup> Did this category include decrees concerning sacred matters of a varied sort or specifically those concerned with ruler cult? It is impossible to tell. There is also an incidental reference to such a classification at Korkyra in a decree accepting the invitation of Magnesia-on-the-Maiander to the Leukophryena and giving honors to the *theoroi* sent by that city. Unfortunately, only the copy of the decree set up at Magnesia is preserved, and the Korkyran ‘sacred laws’, whatever they were, are lost.<sup>52</sup> These few cases come perhaps the closest to revealing an ancient category of texts which might in some way parallel the contemporary appellation ‘sacred laws’.

Still, most of the remaining references to *hieroi nomoi* are vague and intriguing. An inscription recording the arbitration between Itanos and Hierapytna held by the Romans at Magnesia-on-the-Maiander states that the parties adduced as evidence ancient *hieroi nomoi* and imprecations and sanctions protecting the disputed sanctuary of Dictaeon Zeus from pasturing, cutting of wood and other acts that were potentially destructive to its natural en-

49 The cult established by Antiochos I of Kommagene (ca. 69–36 B.C.E.) is explicitly said to be governed by a *hieros nomos*, about which the king makes the following claim: “my voice proclaimed (it) but the mind of the gods determined (it)”, cf. here *OGIS* 383 line 111, and also lines 121–122. A comparable use of the phrase, with reference to the stele of Isis erected at Memphis, is found in the verse aretology of the goddess from Andros (IG XII 5, 739, Augustan period). The stele, so the text tells us (line 5), was inscribed with a φιλοθρέσκων ἱερὸς νόμος ἐκ βασιλῆων (“a sacred law/custom/song? from pious kings”).

50 Cp. the hesitations of Parker, *Greek Sacred Laws*, 66: “Several hellenistic cities speak of recording decisions about festivals and sacrifices ‘among the sacred laws’, as if they were a recognised sub-category”. However, on p. 67, he writes: “Though in different places these diverse types of rule are all called sacred, it is not established that any individual city brought them together into a single classification”.

51 The phrasing of two Attalid documents is quite clear in this regard: IvP I 248 (cf. Welles, RC 65–67, 135/134 B.C.E.), a decree, the substance of which is mostly lost, followed by three royal letters concerning cultic matters; cf. the extant lines 2–4: [ἐγγρά]ψαι δὲ καὶ εἰς [το]ῦς ἱεροῦς νόμους τοῦ[ς] τῆς π[ί]λ[ε]ως τόδ[ε] τὸ] | ψήφισμα καὶ χρῆσθαι αὐτῶι νόμοι κυρίωι εἰς ἅπαντα τὸν χρόνον. The final letter also makes reference to this, lines 59–60: τὰ γραφέντα ὑφ’ ἡμῶν | προστάγματα ἐν τοῖς ἱεροῖς νόμοις φέρεσθαι παρ’ ὑμῖν; and most importantly IvP I 246 (138–133 B.C.E.), a cultic foundation in honour of Attalos III and Eumenes III, which concludes, lines 62–63: τὸ δὲ ψήφισμα τόδε [κ]ύριον εἶναι εἰς ἅπαντα τὸν χρόνον | καὶ κατ[α]τε[θ]ῆναι αὐτὸ ἐν νόμο[ι]ς ἱε[ρ]οῖς (the text was found at the Asklepieion of Pergamon). Cf. also the somewhat less clear mentions at IvP I 163B (197–159 B.C.E., Col.III, lines 1–2) and IvP III 1 (46–44 B.C.E., lines 11–12), which appear to distinguish *hieroi nomoi* from (documents concerning?) *asylia* and ‘customs’ respectively.

52 I. Magnesia 44 (ca. 200–150 B.C.E.?), lines 34–35: περὶ δὲ πάντων τούτων γράψαι τοὺς αἰρημένους | νομοθέτας καὶ κατατάξαι ἐς τοὺς ἱεροῦς νόμους.

vironment.<sup>53</sup> Again, one cannot be sure if these *hieroi nomoi* were a codified body of texts (as the penalties probably were) or part of a rhetorical appeal to ‘sacred traditions’ which protected the sanctuary. The analogous agreement between the Akarnians and the Anaktoreis concerning the cult and festival of Apollo Aktios, as recorded at Olympia, also makes an appeal to *hieroi nomoi*.<sup>54</sup> The decree claims that “concerning the games and the festival and all the matters with regard to the Aktias, the Akarnians must use the *hieroi nomoi* which the *polis* of the Anaktoreis possessed, as these have been adapted by both parties”. In this case, one is clearly dealing with two ‘stratigraphic’ levels: a body of sacred traditions or regulations which have now been recodified and are designated as *hieroi* to indicate at the same time their ancestry, their subject matter, and their nearly absolute definitiveness.<sup>55</sup> It is disappointing that one cannot know what they contained and how this content related to the current body of evidence included in the corpus of ‘sacred laws’. Yet another frustrating case comes from Metropolis in Ionia where a late Hellenistic decree (πρόγραμμα) augmenting the cult of Ares was to be inscribed “below the *hieros nomos*” on the entrance pillar to the sacred place of the god.<sup>56</sup> Only the latter half of the decree is preserved on a single block, and so, again, we cannot know what the text inscribed above it may have contained.

The expression *hieros nomos* was first mentioned as evidence of the existence of a category called ‘sacred law’ in the Greek world by Hans von Prott, the editor of the earliest collection of *leges sacrae*.<sup>57</sup> But from the analysis offered here, it will be clear that Parker’s argument is valid: the infrequent and often nebulous expression *hieros nomos* cannot be viewed as a straightforward equivalent to the various groups of inscriptions collected as ‘sacred laws’ in modern times. Except in cases where one is explicitly told that the document in question was a written one, it is difficult to rule out ‘sacred custom’ or ‘sacred tradition’ as an interpretation for the phrase. It is certainly plausible to infer, and it is sometimes apparent, that several codified *hieroi nomoi* have been lost.<sup>58</sup> But the extant evidence

53 IC III iv 9 (Itanos, cf. I. Magnesia 160B, 112/111 B.C.E.), lines 81–82: νόμοις γὰρ ἱεροῖς καὶ ἀραῖς καὶ ἐπιτίμοις ἄνωθεν διεκεκόλυτο ἵνα μηθεὶς ἐν τῷ ἱερῷ τοῦ Διὸς τοῦ Δικταίου μήτε ἐννέμη μήτε ἐναυλοστατῆ μήτε σπεῖρη μήτε ζυλεύη . . .

54 IG IX 1<sup>2</sup>, 2:583 (cf. LSS 45, Olympia 216 B.C.E.), lines 68–70: ποτὶ δὲ τοὺς ἀγῶνας καὶ τὰ μ πανάγυριν καὶ τὸ καθόλου περὶ τῶν κατὰ | τὰς Ἀκτιάδας χρῆσθαι τοὺς Ἀκαρνάνας τοῖς ἱεροῖς νόμοις, οὐδὲ εἶλε ἅ | πόλις τῶν Ἀνακτοριέων, καθὼς διώρθωσαν οἱ παρ’ ἑκατέρων. Note that this text apparently uses occasionally the plural form “Ἀκτιάδας” for the celebration otherwise known as the Aktias, perhaps to distinguish between an individual instance of the festival and the costly succession of celebrations. On this text see now Lupu, NGSL, 91–93; also Georgoudi, *Theia pragmata*, 45, who suggests some sort of ‘stratigraphy’: that the *hieroi nomoi* recorded the *patria* of the Anaktoreis. It would be more cautious to suppose that *hieroi nomoi* both referred to traditional practices and codified or adapted them.

55 Indeed, there follow various clauses preventing the alteration of these recodified *hieroi nomoi* except in the very special circumstance of a *nomothesia*: cf. LSS 45, lines 71–77.

56 I. Ephesos 3418A (cf. SEG 32, 1167), lines 9–11: τὸ δὲ πρόγραμμα τότε ὑποταγέτω ὑπὸ τὸν | ἱερὸν νόμον καὶ ἐπιγραφέτω ἐπὶ μίαν τῶν παρασ[τάδων] | τῶν ἐν τῷ ἱερῷ τόπῳ τοῦ Ἄρεως.

57 LGS I, p. 1 (in 1896). Note that, unfortunately, the Latin phrase *lex sacra*, customarily used in this original collection and still found in contemporary scholarship, remains even more problematic when applied to a Greek context.

58 Cp. the not dissimilar problems raised by the expression *hieros logos* and related terms: Henrichs, *Hieroi Logoi*, esp. 234.

is too varied to support a systematic interpretation, as is the case with Chaniotis' stratigraphy.<sup>59</sup> Parker's conclusion has again paved the way: " 'Sacred law' was not so much a fixed category of thought for the Greeks as a form of expression that they sometimes fell into".<sup>60</sup> There was, in fact, a fluid middle ground between the two. Just as one would probably not have expected an overarching classification of religious documents or a firmly 'fixed' category of thought, so one also finds certain cases where *hieroi nomoi* were, to a certain degree, formalised and codified as 'sacred laws'. Indeed, we can envisage a diversity of structure, terminology and categorisation in these documents, partly because of the lack of uniformity that characterised Greek polytheism, but also because of the heterogeneity of the various city-states and sanctuaries.

### 3. Exceptional or Normative?

Lastly, we should briefly examine the extent to which epigraphic sources known as 'sacred laws' can be said to codify ritual norms rather than exceptions to the norm. It is now practically commonplace to affirm that most Greek rituals, such as sacrifice or purification, largely followed unrecorded norms or traditional practices handed down by priests or religious practitioners. Several scholars have observed that, in many cases, no detailed instructions for how a ritual was performed are given, except to specify that it was to be accomplished "according to custom" (*kata ta patria*). Such expressions are usually taken to refer to an oral tradition, the contents of which were relatively obvious to the Greeks but are now lost. Conversely, in the inscriptions collected in the current corpus of sacred laws, most of the specified ritual details are thought to have been noteworthy because they were exceptions to standard practice rather than subsumed by *kata ta patria* or a similar expression. Without disagreeing entirely with these conclusions, this final section of our analysis will attempt to add nuances to the interplay between oral and recorded tradition as it relates to Greek ritual norms, by singling out some potential problems in interpreting the ancient sources.<sup>61</sup>

It has been affirmed, for instance, that brief inscriptions found on or around altars as well as boundaries for sanctuaries were primarily concerned with providing only the most basic information for worshippers, in addition to preventing prohibited behaviour. This idea, almost a principle, was first formulated by Henri Seyrig in the context of discussing certain inscriptions from Thasos that contained interdictions exclusively.<sup>62</sup> It is interesting

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59 The terminology was, to a similar extent, quite varied; cf., for example, a *hieron dogma* concerning the cult of Aphrodite mentioned in an inscription from Amathous (ca. 180–145 B.C.E.): Pirenne-Delforge, *L'Aphrodite grecque*, 353–354.

60 Parker, *Greek Sacred Laws*, 67, accepted by Georgoudi, *Theia pragmata*, 46.

61 In a recent article, entitled *Epigraphy and Greek religion*, Robert Parker addresses this question and its importance for the study of "sacred laws"; cf. esp. 19, where he more strongly argues that: "texts are needed only for untraditional rites, rites that have something to prove". He distinguishes three types of ritual knowledge, 27–28: 1) ritual knowledge held in common by most people, 2) expert knowledge, and 3) specialised knowledge which sometimes needed to be published or consulted for the benefit of non-experts. Our observations here share much common ground with Parker's conclusions, though we feel that the "reasons for inscribing" a given epigraphical document are often more murky than usually accounted for, and that they are therefore resistant to absolute categorisation.

62 Seyrig, *Cultes de Thasos*, esp. 197: "tous les rituels découverts à Thasos à ce jour [ . . . ] contiennent exclusivement des prescriptions négatives, jamais le moindre terme positif. Cela laisse entrevoir très



to note that this is no longer the case concerning Thasos, since there are more than a few comparable inscriptions from the island framed in positive rather than negative terms.<sup>63</sup> Still, scholars more often than not assume that exceptional rather than normative practice was thus codified.

More substantial and detailed texts are also seen in this light. The dossier of inscriptions from Selinous, perhaps the best preserved example of an inscribed Classical 'exegetikon' (aside from the later oracle from Cyrene), provides detailed ritual instructions, while apparently still appealing to unrecorded tradition.<sup>64</sup> Without addressing the full complexity of this remarkable set of texts inscribed on a lead tablet, we should note that the sacrificial process (though of a very detailed kind) still necessitates a basic formulation: "as to the gods" or "as to the heroes".<sup>65</sup> One cannot readily discern the full and precise implications of these expressions.<sup>66</sup> The paradoxical character of Greek ritual norms is that no matter how explicit they are, they nonetheless refer to traditions we no longer have access to or understand. But while this frequently rehearsed argument is indeed compelling, it usually leads despairing scholars to state that Greek religion simply "did not specify such details". A more positive emphasis would be that sacrifice, for example, was never truly made explicit because it involved at a fundamental level such a basic series of actions that they were part of common knowledge and did not need to be spelled out. This is notably confirmed by prescriptive texts which take into account the fact that Greek worshippers regularly sacrificed without need of a ritual expert or a priest.<sup>67</sup>

Seyrig's 'principle' can be applied to the majority of prescriptive or prohibitive inscriptions. However, it perhaps cannot be consistently applied to the study of Greek 'sacred laws'. Of course, it remains true that altars and boundaries inscribed with pithy interdictions represent small and noteworthy variations from standard practice; the same

clairement la préoccupation des législateurs: pour eux, il n'était pas question de prescrire un rituel donné, mais uniquement de prévenir le sacrilège. Bien entendu, on ne pouvait songer à mentionner tous les sacrilèges possibles: il fallait se borner à ceux que le fidèle aurait pu commettre par inadvertance". This astute inference has been well noted, for example by Parker, *Greek Sacred Laws*, 62, and Lupu, *NGSL*, 58 with n. 294.

63 Cf., e.g., LSCG 113 (ca. 450 B.C.E.): Ἀθηναίων Πατροίηι : ἔρδεται τῶ|τερων ἔτος τέλιη : καὶ γυνᾶκες : λα|[γ]χάνωισιν. See, for example, Cole, *Gunaiki ou themis*, for the idea that the exclusion of women from the cult is exceptional rather than standard practice.

64 Lupu, *NGSL*, 27 (early 5th c. B.C.E.), and esp. the detailed commentary offered in the original edition, Jameson, Jordan and Kotansky, *Lex Sacra* from Selinus. For the oracle from Cyrene, see LSS 115. Cf. also now Robertson, *Religion and Reconciliation*, on both texts.

65 Cf. lines A10: *ἡόσπερ τοῖς ἡερόεσι* (to the impure Tritopatris); B12–13: *θύεν ἡόσπερ τοῖς | ἀθανάτοισι* (to the *elasteros*); as well as A17: *θυόντο ἡόσπερ τοῖς θεοῖς τὰ πατρία*.

66 Cf. Parker, *ὡς ἦροι ἐναγίζειν*.

67 Most conclusive in this regard are two celebrated examples. On the one hand, there is the priestly contract from Chios which states that the worshipper, upon coming to the sanctuary and finding the priest absent, must shout out three times before proceeding to sacrifice on his own: cf. LSS 129 (5th c. B.C.E.). Note that the primary concern here was not that the worshipper would make a mistake performing the sacrifice without the priest, but rather that the priest would not be alerted and present in time to receive his sacrificial perquisites (on this second point, see Dignas, *Economy of the sacred*, 248–249). On the other hand, one finds an inscription from Oropos (LSCG 69, 4th c. B.C.E.), which offers, at lines 25–28, the alternative of the priest being present or not during the sacrificial process. See Henrichs, *Greek Priest*; Parker, *On Greek Religion*, chap. 2.

can be said about the terse precisions offered in most sacrificial calendars. But to over-emphasise this principle, as some are seemingly inclined, creates some difficulties. For the most part, it is not the case that all of the extant inscriptions preserve only unique exceptions rather than traditional norms. Except in the case of the most basic forms of sacrifice, ritual norms could indeed be codified in some detail, such as one finds in the *patria* of the Praxiergidai, or at Selinous. That a background of oral, unrecorded norms still remained behind these texts need not imply that their content was always exceptional or new. Furthermore, other inscriptions known as ‘sacred laws’ can be attributed to more or less specific circumstances involving the reorganisation of cults.<sup>68</sup> For example, the sacrificial calendars inscribed as a result of synoikism on the islands of Kos and Mykonos are particularly significant of the need to codify ritual norms in new configurations.<sup>69</sup> The problem arising from all of these cases is one of context: one cannot often discern what is traditional and what, by contrast, needs to be made explicit.<sup>70</sup> To a large extent, then, the proposed dichotomy between deviations from the norm and the ritual norm itself may be too clear-cut given the available epigraphical evidence.

#### 4. Envoi: Toward a New Collection of Greek Ritual Norms (CGRN)

By way of conclusion and as a final example of the miscellaneous composition of the corpus of ‘sacred laws’, we turn to the suggestive case of a cultic foundation. Though its heading is fragmentary, this inscription appears to set the boundary for a sanctuary of Artemis, Zeus Hikesios and the Theoi Patroioi in the deme Isthmos on Kos.<sup>71</sup> It further records the (likely testamentary) dedication of a slave by Pythion the son of Stasilas and an unnamed priestess. This slave, named Makarinos, is to take care of various matters concerning the cult, such as overseeing sacrifices (lines 3–8). Importantly, Makarinos is also said to be responsible for “all matters, sacred and profane (ιερώων καὶ βεβάλων), according also to what is written in the sacred tablet (*hiera deltos*), as well as all the remaining things left behind by Pythion and the priestess” (lines 9–12). As noted in earlier examples, the ‘stratigraphy’ of the codification of this new cult is complex and escapes easy definition.<sup>72</sup>

68 For a theoretical approach focusing on the ‘negotiability’ and ‘dynamics’ of ritual norms, primarily through the legitimization of oracles and divine epiphanies, see Stavrianopolou, *Normative Interventions*. Stavrianopolou’s article forms a useful corrective to the Seyrig ‘principle’, though she is perhaps too categorical in affirming that “the *leges sacrae* document the changeability of rituals” (131). We should instead confess that in most cases we do not know the traditional or dynamic quotient of epigraphic ritual norms.

69 Kos: IG XII 4, 274–278 (cf. LSCG 151A–D, mid-4th c. B.C.E.); Mykonos: LSCG 96 (ca. 200 B.C.E.).

70 The inscription from Mykonos (lines 2–5) stipulates that: “. . . when the *poleis* were united by synoikism, it pleased the Mykonians to make these sacrifices in addition to the previous ones and adaptations were made concerning the previous ones” (ὅτε | συνωικίσθησαν αἱ πόλεις, τάδε ἔδοξεν Μυκονίοις ἱερ[ᾶ] | θύειν πρὸς τοῖς πρότερον καὶ ἐπινορθώθη περὶ τῶν προτέρων). But it is complicated to see among the rituals that follow, which ones are additional and which ones were restored or adapted. See Reger, *The Mykonian Synoikismos*, esp. 159. On Cos, see now Paul, *Cultes et sanctuaires*, *passim*.

71 LSCG 171, cf. now IG XII 4, 349 (ca. 200–150 B.C.E.), lines 1–3: τὸ τέ[μενος τόδε ἔστω] | ἱερὸν Ἀρτέμιτο[ς . . . . ca.8 . . . . ]ας καὶ Διὸς Ἰκ[ε]σίου καὶ Θεῶν Πατρώων. N. Cucuzza, *Parola del Passato* 52, 1997, 13–31 (cf. SEG 47, 1277), restores Artemis [Περγαί]ας, but this is not accepted by the editors of IG.

72 Cp. the similarly complex hierarchy of texts in the testament of Epikteta, LSCG 135 (ca. 210–195

The *hiera deltos*, again lost in the background, perhaps contained the full precepts of the cult for which we have only a few indications at the end of the inscription. It is, however, interesting to note that the tablet was apparently also concerned with more 'profane' subjects, perhaps an itemisation of property bequeathed by Pythion or similar matters. The adjective *hieros* may not have conferred an exclusively 'sacral' dimension to the tablet, at least not in its subject matter, though this perhaps remained predominantly sacred. The references are vague, for example the allusion to other materials which Pythion and the priestess had left behind. We may well wonder if the rare expression *hiera deltos* could parallel the plurality of senses in which one employed *hieros nomos*.

At any rate, it is clear from the present discussion that the appellation 'sacred laws' is both too precise and too misleading, and as such does not suit the diversity of the epigraphical material included under that rubric. It was therefore more accurate, in some of the discussion above, to speak of Greek ritual norms instead.<sup>73</sup> The advantage of such a designation is that it avoids the notorious pitfalls of the word 'sacred' and the word 'law'. As an alternative, the locution 'norm' has a capacious character, which can suit a wide variety of documents, including all of those surveyed above, whether they codify foundations or reorganisation of cults, exceptional or standard practices. In other words, it can encompass the whole 'stratigraphy' from unrecorded traditions to inscribed enactments, from *nomima* to *nomoi* and *psephismata*. More importantly, the term allows us to move beyond most of the conceptual and terminological problems of the codification of ritual practices that have been discussed here. The word 'ritual' is perhaps more problematic, but nonetheless helps to delimit the subject matter of the inscriptions. Many inscriptions, of course, discuss a wide variety of religious and ritual subjects, such as oaths or oracles. Nevertheless, the term is still more informative and explicit than the word 'sacred'. In a bid for even greater precision, the collection of Greek ritual norms under development by the present authors will, in its first phase, include only those inscriptions that offer detailed norms concerning sacrifice and purification. This will ensure that a circumscribed but useful collection of inscriptions is presented for the benefit of scholars of Greek religion, which can gradually be expanded to include texts concerned with other forms of ritual norms.

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B.C.E.), lines 280–284: ὅστις παραλαβὸν διὰ λοι[π]οῦ παρὰ τοῦ ἐπισσόφου τὰν τε δέλτον | ἔχουσιν τὸν νόμον καὶ τὰν διαθήκαν ἐξυλογραφημέναν καὶ τὸ γλωσσοκόμον | καὶ τὰ ἐν αὐτῶι | βυβλία φυλαξεί κτλ.

73 Cf. the inspiring introduction by Brulé, *La norme*; more recently, Carbon, Pirenne-Delforge, *Beyond Greek 'Sacred Laws'*.

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