

A LAW IN THE CITY ELEUSINION CONCERNING THE MYSTERIES

(PLATES 69–73)

OVER A LONG PERIOD, from 1936 to 1963, the Agora Excavations uncovered in or near the Eleusinion fragments of an opisthographic stele of the 4th century B.C., on which are inscribed extensive regulations for the Eleusinian Mysteries.¹ Several fragments have already been published by B. D. Meritt, including the beginning of Side A, lines 1–19 (I 5733).² Two large (unpublished) fragments were found in 1957 and 1963 (I 6794 and I 6974); when combined with I 5733, they produce on one side (A) a continuous text of 54 lines, *stoichedon* with minor variations, and on the other side (B) a non-*stoichedon* text of 24 lines. The other fragments³ add apparently 5 lines to Side A and *ca.* 90 lines to Side B; so we have a total of possibly 173 lines, at any rate certainly more than 150 lines. In size therefore the document resembles the famous Law on the Mysteries from Andania, which has a text of 194 lines.⁴ In addition, both documents contain the same wide variety of regulations, including details of the public cult and festival and legal procedures for dealing with infractions. The Eleusinion inscription is probably (like the one from Andania) a law, the work of a committee of nomothetai, rather than a decree.

¹ I am grateful to Benjamin D. Meritt and Homer A. Thompson for assigning this inscription to me for publication. Colin Edmonson, who excavated the opisthographic fragment I 6794, gave me, several years ago, his preliminary text of Side A, *a + b*, and discussed with me observations he had made from his careful study of the stones; the present edition owes a great deal to his generosity. B. D. Meritt kindly sent me his preliminary notes on all the fragments, as well as R. O. Hubbe's preliminary text of Side B, *a. C.* Edmonson read a draft of this article and made helpful comments. Later, in the summer of 1978, when I was in Athens, Edmonson put his notes and his drafts of his description of the stones at my disposal, including his epigraphical commentary and his text of Side B. Some of his description is quoted at various points below. He convinced me that all the fragments that are described below are from the same stele, about which I was previously uncertain. With his epigraphical commentary in hand I restudied the stones and made a number of changes in my readings, mostly on Side B. Thus I profited again from his kindness. In addition, I am grateful to C. Habicht, B. D. Meritt, P. J. Rhodes, R. S. Stroud, H. A. Thompson, and L. L. Threatte for their comments on the article at various stages. For the errors and deficiencies that remain, I, of course, am solely responsible.

References cited frequently in this work have been abbreviated as follows:

LSCG = F. Sokolowski, *Lois sacrées des cités grecques* (École Française d'Athènes, *Travaux et Mémoires* XVIII), Paris 1969.

LSS = F. Sokolowski, *LSCG* Suppl. (*Travaux et Mémoires* XI), Paris 1962.

Sacred Officials = K. Clinton, *TAPS*, n.s., LXIV, iii, *The Sacred Officials of the Eleusinian Mysteries*, Philadelphia, 1974.

² *Hesperia* 26, 1957, pp. 52–53, no. 9.

³ Side A, *c*, however, could conceivably be part of one of the lacunas of I 5733 + I 6974 or I 6794.

⁴ *IG* V 1, 1390 (= *LSCG*, no. 65).

It is hard to say for sure whether the *stoichedon* or (largely) non-*stoichedon* side was written first; thus the order of the present edition (A and B) is a bit arbitrary,⁵ but the vacant space which starts at the bottom of Side B at a point corresponding roughly to just below line 47 on Side A makes this order a reasonable assumption.

Side A does not have the prescript we should expect of a law.⁶ There is no room for a prescript above line 1, and the top of the stone, which is preserved, is flat and provides no indication that another stone containing the prescript might have been set on top of it. If the prescript was originally on Side B, the largely non-*stoichedon* side was prior; if it was not, then the law may have been written on more than one stele (though our fragments all seem to belong only to a single stele). Or we may have two laws, one on each side: the prescript on Side B is not preserved and the one for Side A was for some reason never inscribed. There is, however, a more likely solution. Since Side A, which seems prior, has no prescript, we probably ought to assume that neither side had one, and that Side B, at a slightly later date (the writing is very similar to that of Side A), simply received new regulations, as additions to those already inscribed on Side A (and, perhaps, to some already on the upper part of Side B). The original authorization for the law must then be sought in a document that is now lost; this document would have ordained that a new set of laws concerning the Eleusinian festival be inscribed on a stele and set up in the Eleusinion. (The regulations that we have from Side B were included either in this authorization or a later one.) Such a procedure, i.e., with the authorization separate and not included in the inscription of the law, seems to have been fairly common. Andocides (*On the Mysteries*, 116) mentions that Kephalos, as he cited a law, referred to it not as a *law* but simply as “the stele next to which you are standing”: ἡ δὲ στήλη παρ’ ἧ ἕστηκεας χιλίας δραχμᾶς κελεύει ὀφείλειν, εἰάν τις ἰκετηρίαν θῆ ἐν τῷ Ἐλευσινίῳ.⁷ We can easily imagine someone, fifty years later, citing our stele in the same way. To people who cited laws in this way the form of monument would serve, to a large extent, as a formula of authorization. Nikomachos in his Code drew some of his regulations concerning sacrifices from documents described only as stelai, ἐκ τῶν σ[τηλῶν].⁸ So it seems that if a stele did not have a formula of authorization, the stele itself, in position, was authority enough. Evidently the Code of Niko-

⁵ We also cannot be sure whether the entire Side A was *stoichedon* and how much of Side B was non-*stoichedon*.

⁶ For the form of these prescripts see P. J. Rhodes, *The Athenian Boule*, Oxford 1972, p. 275, Table H; R. S. Stroud, “An Athenian Law on Silver Coinage,” *Hesperia* 43, 1974, pp. 157, 161–163; and D. M. MacDowell, “Law-making at Athens in the fourth century B.C.,” *JHS* 95, 1975, pp. 62–74.

⁷ Some other examples of laws (either *nomoi* or *psephismata*) referred to only as stelai: Dinarchos, II.24–25 and Demosthenes, XIX.271–272 (decree); *IG* I², 77, line 19 (late 430’s) (cf. now E. J. Morrissey, *GRBS* 19, 1978, p. 125); *IG* I², 25, line 7 (420/19); Demosthenes, XX.159 (the stele of Demophantos, i.e. the decree of 410/9, which refers to itself as a *psephisma* but is called a *nomos* by Andocides, *On the Mysteries*, 96); Demosthenes, XX.127. Some (perhaps all) of these carried a prescript. The point is only that their authority was linked to their form, so that “stela” meant the same as “decree” or “law”. A prescript was not indispensable.

⁸ *LSS*, no. 10, line 77, and Lysias, XXX.17. For the restoration see S. Dow, “The Athenian Law Codes,” *Proceedings of the Massachusetts Historical Society* 71, 1953–1959, pp. 19–20.

machos itself did not have a formula of authorization; its authority, like that of the stelai, was obvious to all; Lysias could refer to it too as “stelai”: . . . κατὰ τὰς στήλας ἄς οὗτος ἀνέγραψε (XXX.21); and for a non-Athenian example of an extensive law without a formula of authorization, we can point again to the law concerning the Mysteries at Andania. When a stele’s regulations were superseded, it may have been destroyed or relegated to a less conspicuous position in the area to which it related. Our stele surely superseded the stele of *IG I², 6*, for at least some of the regulations of the latter are incorporated in the text of our stele.

The difficult and crucial task of identifying the fragments which belong to this inscription was accomplished by Colin Edmonson; the joins here recorded were also the result of his meticulous study.⁹

Side A: Five fragments of dull white marble with gray streaks; two of them, found separately, join to form *a*; another two, found together, are mended to form *b*.

Height of letters (*a*, *b*, and *c*) 0.006–0.007 m.

a: Inv. Nos. I 5733 + I 6974 (Pl. 69). Only the top and left side are preserved (the smooth surface was dressed with a toothed chisel [Edmonson]). *Editio princeps* of I 5733: B. D. Meritt, *Hesperia* 26, 1957, pp. 52–53, no. 9 (= *SEG XVI*, 50).¹⁰ I 5733 was found on March 23, 1939 in a Turkish lime-pit at the west side of the Panathenaic Way opposite the southwest corner of the Eleusinion (Agora grid S 20).¹¹ I 6974 was found on July 10, 1963 in Area S 22; “it had been reused as a doorsill; there is a round hole in its top for the lower pivot of the door and the lower part of the lettered surface is worn by traffic.”¹²

Height, 0.59 m.; width, 0.325 m.; thickness, 0.171 m.

b: Inv. No. I 6794 (Side A: Pl. 70). Opisthographic. Two joining fragments; the whole is broken on all sides except the back, which contains part of the same inscription (see Side B, *a*). The larger fragment was found on July 16, 1957 in a well of the 4th century after Christ (Q 19) in the area just west of the Eleusinion; the other fragment was found “in a Byzantine repair to a gate of the Post-Herulian Wall, just outside the market square to the southeast, ca. 30 m. northwest of the Eleusinion (S 17) on March 13, 1959” (Edmonson).

Height, 0.51 m.; width, 0.43 m.; thickness, 0.18 m.

c: Inv. No. I 4007 (Pl. 72). Broken on all sides. Found on April 16, 1936 in an early Byzantine context north of the Eleusinion (T 17).

Height, 0.065 m.; width, 0.082 m.; thickness, 0.03 m.

The end of the next to last line shows possible departure from *stoichedon* order. Thus it may belong to line 17 of Side A, as Edmonson suggested.

Side B: Thirteen fragments of dull white marble with gray streaks.

Height of letters, 0.006–0.008 m.

a: Inv. No. I 6794 (Side B: Pl. 71). See above, Side A, *b*.

⁹ He considered but rejected as belonging to this stele the following Agora fragments: I 1815, I 1844, I 3854, I 5565, I 6065, I 6582, I 6868, I 6874, I 6987.

¹⁰ Re-edited by F. Sokolowski, *TAPA* 88, 1957, pp. 131–134 (= *SEG XVII*, 21), and *LSS*, no. 12 (= *SEG XXI*, 257).

¹¹ Meritt, *loc. cit.*

¹² Agora Records.

- b*: Inv. No. I 6877 a (Pl. 72). Broken on all sides. *Editio princeps*: B. D. Meritt, *Hesperia* 32, 1963, p. 2, no. 2. Found on April 29, 1959 in the area of the Eleusinion, U 19. Height, 0.19 m.; width, 0.20 m.; thickness, 0.05 m. Edmonson noticed that the lower right corner fits neatly with the upper left corner of Side B, *a*, although the two pieces do not interlock. It seems not to be a true join, however, since the texts of lines 12–13, and Side B, lines 4–5, are not compatible. The interlinear space varies in height, sometimes compatible with that of Side A, sometimes with that of Side B, *a*.
- c*: Inv. No. I 6877 b (Pl. 72). Broken on all sides. Found on June 6, 1959 approximately four meters east of the southeast corner of the Archaic “temple”¹³ in Late Roman fill (U 19–20), i.e. in the Eleusinion. Height, 0.089 m.; width, 0.095 m.; thickness, 0.028 m.
- d*: Inv. Nos. I 4739 + I 6915 a (Pl. 72). Broken on all sides. I 4739 was found on April 14, 1937 in fill for a late Roman road, west of the southern part of the Stoa of Attalos (O 11). *Editio princeps* of I 6915 a: Meritt, *Hesperia* 32, 1963, pp. 40–41, no. 41 (= *SEG XXI*, 346). For its finding place see below, *e*. Height, 0.125 m.; width, 0.124 m.; thickness, 0.027 m.
- e*: Inv. No. I 6915 e + f (Pl. 72). Broken on all sides. *Editio princeps*: *ibid.* Found on June 6, 1959 along a wall about four meters east of the southeast corner of the Archaic “temple”, in Late Roman fill (U 19–20), in the Eleusinion, together with I 6915 a (see above, *d*) and I 6915 b–d, g–i (see below, *f–k*). Height, 0.12 m.; width, 0.138 m.; thickness, 0.020 m.
- f*: Inv. No. I 6915 b (Pl. 73). Broken on all sides. *Editio princeps*: *ibid.* For finding place see above, *e*. Height, 0.11 m.; width, 0.15 m.; thickness, 0.004 m.
- g*: Inv. No. I 6915 c (Pl. 73). Broken on all sides. *Editio princeps*: *ibid.* For finding place see above, *e*. Height, 0.09 m.; width, 0.11 m.; thickness, 0.045 m.
- h*: Inv. No. I 6915 d (Pl. 73). Broken on all sides. *Editio princeps*: *ibid.* For finding place see above, *e*. Height, 0.10 m.; width, 0.07 m.; thickness, 0.055 m. Edmonson noticed that this fragment probably should be placed above and to the right of *a* because of similar markings on its (unoriginal) sides.
- i*: Inv. No. I 6915 g (Pl. 73). Broken on all sides. *Editio princeps*: *ibid.* For finding place see above, *e*. Height, 0.03 m.; width, 0.035 m.; thickness, 0.008 m.
- j*: Inv. No. I 6915 h (Pl. 73). Broken on all sides. *Editio princeps*: *ibid.* For finding place see above, *e*. Height, 0.023 m.; width, 0.041 m.; thickness, 0.010 m.
- k*: Inv. No. I 6915 i (Pl. 73). Broken on all sides. For finding place see above, *e*. Height, 0.07 m.; width, 0.06 m.; thickness, 0.058 m.
- l*: Inv. No. I 3854 (Pl. 73). Broken on all sides. Found on March 27, 1936 in an early Byzantine context north of the Eleusinion (T 17). Height, 0.095 m.; width, 0.12 m.; thickness, 0.049 m.
- m*: Inv. No. I 4140 (Pl. 73). Broken on all sides. Found on May 14, 1936 in a Byzantine context over the Eleusinion (T 19). Height, 0.045 m.; width, 0.057 m.; thickness, 0.016 m.

¹³ The excavators have called this building in the Eleusinion a “temple”, but considering the incomplete state of excavation in the Eleusinion and the ambiguity of the statements that Pausanias made (I.14.1) on the Eleusinion and on a temple of Demeter and Kore and a “temple of Triptolemos” in this area (perhaps he is describing temples within the Eleusinion), it may be best to suspend judgment on the nature of this structure (cf. H. A. Thompson and R. E. Wycherley, *The Athenian Agora*, XIV, *The Agora of Athens*, Princeton 1972, pp. 150–152). It may have been a temple, or it may have served simply as a repository for the *hieria*.

Edmonson made the following measurements, actual and estimated, of Side A:

The width of fragment A from its preserved left edge to the last preserved letter in line 31 (upsilon in the 30th *stoichos*) is 0.29 m. The corresponding line of fragment B is 0.339 m. wide, the lacuna of 12 letters should occupy 0.114 m., and the 19 letters needed at the right require 0.1805 m. The margin between the left edge and the first *stoichos* is only 0.005 m. where it can be measured on fragment A; if it was the same at the right edge, the width at line 31 (0.43 m. from the top of the stele) would be $0.29 + 0.114 + 0.339 + 0.1805 + 0.005 = 0.9285$ m. The stele tapers very slightly: only 0.001 m. in 0.10 m. of height. The width at the top would therefore have been 0.924 m.

Homer Thompson has pointed out (in a letter to me) that the original thickness of the stele, 0.18 m., which is unusually large for a stele, would be an argument for supposing that the stele was taller than the Attic Stelai, for which Pritchett calculated a height of *ca.* 1.50 m. (and a width of *ca.* 1.00 m.); the Attic Stelai varied in thickness from 0.114 to 0.152 m. (*Hesperia* 22, 1953, pp. 239–240).

[αἷ]ς εἶναι ζῆμῶν τὸς ἀκοσμηδόντας μέχρι [. . . δραχμῶν· εἶαν δὲ μείζονος δοκῆι ζημίας ἀξίος εἶναι, εἰσάγειν τούτους εἰς τὴν Ἑλλ[α]δα] προσκαλεσαμένους κατὰ τὸν νόμον· ἐπιθέσθω δὲ ἡ] Ἥλιαία ὅτι ᾧν δοκῆι ἀξίος εἶναι παθεῖν ἢ ἀποτείσθαι· ὕ εἶναι δὲ τῶι βασι[λ]εῖ [ε]λέτ τῶιμ πρακτόρων εἶνα καὶ τῶν γραμματέων ἀπὸ νομη[τ]ίας ἀρξάμενον μέχρι ὃ ἂν μύσται λυθῶσιν, καὶ γράψαι τούτους τὰς ζῆμ[ι]ά[ς] αἷς ἂν ὁ βασιλεὺς ἐπιβάλῃ ἢ τῶ[ν] ἡρ[ι]μένων μετὰ β[α]σιλευ[σ]θαι· τὸ δὲ ἀργυρί[ον] ὅτι ἂν ἐπιβέβ[η]λη τούτων τις ἐ[ε]ρ[ὸν] εἶναι τοῖν Θεοῖν· ἕαν δὲ ὁ βασι[λ]εὺς καὶ οὖς χρῆ] μετ' αὐτῷ ἐπιμελεσθαι μὴ ζημῶσιν τὸς ἀκοσμηδόντας κ[α]τὰ τὸν νόμον ἢ ἐά[ν] μὴ ἐπι[θ]ῶσιν κατὰ τὸ εἶκος, εὐθυνέ[σ]θω . . . δραχμαῖς] ἱεραῖς τοῖν Θεοῖν ἕκαστος αὐτῶν· τὰς δὲ [δ]ίκας δι[κ]αίειν¹⁰ . . .]
 [. . . ἕ]ννέα ἄρχοντας τὰς μετὰ τῆμ [έορτῆν⁸ . . .]ενα περὶ ἕκαστου αὐτῶν· Ἐὐμολπιδῶν δὲ τὸς ἔξηγη[τ]ὰς¹² . . .]
 [. . . ἕ]ννέα ἀρ[ι]ξ[α]μ[έ]νοις ἀπὸ νομη[τ]ίας τῶ[ν]¹⁵ . . .] ἐξηγέσθαι Ἀθηναίων καὶ τῶν ξί[ε]ρων τῶι δεομέν[ω]ι¹⁴ . . .]
 [.¹⁶ . . .]ε παρὰ τὸς ἐπι[μ]ελητὰς⁸ . . .]σθαι κατὰ ταυτά· ἕαν δὲ μὴ ποιῶσι[ν] οἱ] αἰρεθέντες [τὰ ἀναγραφέντα, εὐθ]· ἕνεσθαι . . . δραχμαῖς]· περὶ τῶ ἀφ' [έστίας χρῆ] τὸμ βασι[λ]εῖα προσαγορεύειν γράφεσθαι τὸμ β[ο]λ[ο]όμενον Ἀθην[α]ίων¹³ . . .]
 [.¹⁸ . . . ἡ]μέραις [.⁷ . . . ἕκ δὲ τῶν γρα[μ]ματέων κληρούτω ὁ βασιλεὺς τῆ[ς] νομηνία τοῖν ἀφ' ἑστίας⁹ . . .]
 [.⁴¹ . . .] τὸς ἱερεῦσι καὶ ταῖς ἱερείαις ο[ἷ]ς] πάτριον τη[ρ]¹⁹ . . .]
 [.⁴¹ . . .] ποιέσθαι ἅπαντα· ὕ ἕαν τις ποιῆι παρὰ τὰ ἀναγρ[α]φέντα¹³ . . .]
 [.⁴¹ . . .] τῶς χαλκοῖς γραμματέοις· ἕνδειξ[ε]ς αὐτο[ἷ]ς]¹⁹ . . .]
 [.⁴¹ . . .]όντος περὶ τὰ Μυστήρια· οἱ δὲ θεοσηθέται [.²² . . .]
 [.³⁷ . . . τὸς μ]εμημένος καὶ τὸς ἐπιπτευκότας δέκα ἡμ[ε]ρ²¹ . . .]
 [.²⁵ . . . τὸς ἐπιστάτας Ἑλευσι]νόθεν ἀπὸ τῶ ἀργυρίου τοῦ τοῖν Θεοῖν²⁴ . . .]
 [.³⁹ . . . ἕαν κατ]αργῶι ἡ Ἥλιαία ποιέν τι παρὰ τὰ γεγραμμένα¹⁷ . . .]
 [.⁴¹ . . . ὁ βασιλεὺς ὁ ἀ]εὶ βασιλεύων· ὕ ἕγ δὲ τῶν χρη[τ]μάτων²² . . .]
 [.⁵³ . . .]σθαι δὲ τῶν γραμματέων [.²⁸ . . .]
 [.⁴¹ . . . ἐσφραγισμ]έων τῆι δημοσίαι σφ[ρα]γίδι²⁴ . . .]
 [.⁵⁰ . . .]κ τῶν γενῶν τούτῶ[ν]³¹ . . .]
 [.⁵⁷ . . .] ΑΣΤΟΝΤΕ[. . .]³⁵ . . .]

C

[. . .]ΕΛΛΑ[. . .]
 [. . .]α τὸς ν[. . .]
 [. . .]τὸμ μέρο[. . .]
 [. . .]ων ἄ ἕστι[. . .]
 [. . .] ἡ Ἥλιαία τ[. . .]

SIDE B

a

NON-ΣΤΟΙΞΕ.

	[	ca. 43	.....]	].	ca. 44
	[	ca. 42	.....]	].	ca. 44
	[	ca. 40	.....]	].	ca. 43
	[	ca. 37	.....]	].	ca. 39
5	[	ca. 38	.....]	].	ca. 42
	[	ca. 38	.....]	].	ca. 42
	[	ca. 35	.....]	].	ca. 41
	[	ca. 33	.....]	].	ca. 39
	[	ca. 32	.....]	].	ca. 38
10	[	ca. 29	.....]	].	ca. 40
	[	ca. 8	.....]	].	ca. 41
	[	ca. 17	.....]	].	ca. 8
	[	ca. 23	.....]	].	ca. 39
	[	ca. 22	.....]	].	ca. 40
15	[	ca. 17	.....]	].	ca. 40
	[	ca. 15	.....]	].	ca. 38
	[	ca. 15	.....]	].	ca. 38
	[	ca. 15	.....]	].	ca. 36
	[	ca. 9	.....]	].	ca. 40
20	[	ca. 13	.....]	].	ca. 40
	[		.....]	].	ca. 40
	[		.....]	].	ca. 37
	[	ca. 12	.....]	].	ca. 28
	[	ca. 12	.....]	].	ca. 39

The following fragments should be placed above or to the right or left of *a*. Fragment *b*, to judge by the two *stoichedon* arrangements (the first in lines 1–5, the next in lines 6–14), belongs above *a*.

b

ΣΤΟΙΧ., lines 1–5, 6–14

 [-.....⁹.....Ο[.]ΕΛΩ[. . ἄ]ρχοντ[-.....]
 [-.....⁷.....]Ε[. .] , ΕΣΤ[. .]ΦΕΤΕΡ[-.....]
 [-.....μεγ]άλα Μυστήρια τ[.]ε[-.....]
 [-.....⁵.....] μηνὸς ἀπὸ δι[χ]ομ[η]ν[ί]ας -----]
 5 [-..... δίκας] ἄς ἂν δικάσωσιν στ[-.....]
 [-..... ἐὰν ----- . . . ἀπ]ογνώσιν ἔναι τῶι [.] | [-.....]
 [-..... . . . ἄ]λλων δικῶν εἴρηται παθ[έ]ν -----]
 [-..... . . . κ]αθάπερ εἴρηται ἐν τῶι [νόμ]ωι -----]
 [-.....⁵.....] Πυανοψιδῶνος μηνὸς ε[-.....]
 10 [-.....⁶.....]ον· ἐὰν δέ τι προσδεξ[-.....]
 [-..... . . . εἰ]ς τὴν εἰσαγωγὴν τῶ[ν] -----]
 [-..... . . . εἰσά]γωγῶν οἱ ἐπ[ι. . .] | [-.....]
 [-.....¹⁰.....]ες κατὰ[-.....]
 [-.....¹².....]ατ[-.....]

c

NON- ΣΤΟΙΧ.

 [-.....]ἄ[-.....]
 [-.....]ας [-.....]
 [-.....]πλε[-.....]
 [-.....]ἄομ πρ[-.....]
 5 [-.....]ισαί τη[-.....]
 [-.....]ν ἄλλας [-.....]
 [-.....]καὶ του[-.....]
 [-.....]ὑπὸ ἄ[-.....]

d

 [-.....]ΥΝΩ[-.....]
 [-.....]ον δ' ἐτάζει γ[-.....]
 [-.....]νη ἀποτινέτ[ω] -----]
 [-.....]νν ρι τ[ῶν] ἄλλ[ων] -----]
 5 [-.....]τὸ ἀφ' ἰστ[ί]ας μ[ύ]ομενο -----]
 [-.....] ἄ|ΕΠΙΣΧΟΙ|ἄ [-.....]
 [-.....]κ]ριθῶν ΗΤΕ[-.....]
 [-.....]ἐκάτερος [-.....]
 [-.....]Εὐ]μολπιδῶ[ν] -----]
 10 [-.....]τ]οῖς πατρ[ί]οις -----]
 [-.....] ἄ| ὈΣΟ|ἄ [-.....]

e

 [-----] σνκ[-----]
 [-----] ≍ σαμμϛ [-----]
 [-----το]ιν Θεοῶν κ[-----]
 [-----]ς τὸ καθῆκο[ν] -----
 5 [-----]ω τεῖχος ἐγ [-----]
 [-----κ]ατατίθη[-----]
 [-----]ιοντες [-----]
 [-----Ἐλ]ευσιν[-----]
 [-----ἔ]ξεστ[ι] -----
 10 [-----]ΕΣΚ[-----]
 [-----]Σ[-----]

f

 [-----]δ[-----]
 [-----]ες προ[-----]
 [-----]ετριον κϛ [-----]
 [-----τῶι ἐπ]ὶ βωμῶι ἱερεῖ κ[-----]
 5 [-----]Ε]ὐμολπίδαις [-----]
 [-----π]λήθος τῶμ μ[νομένων] -----
 [-----χιλ]ίας δραχμ[άς] -----
 [-----]ητρίας ε[-----]
 [-----Ἐλευ]σίνι ἐν [-----]
 10 [-----] ≍ ΕΠ[-----]

g

 [-----] ≍ Σ[.] ≍ [.]Ϟ[-----]
 [-----]ων ἢ ὁδὸς ἐς [-----]
 [-----]εν δὲ τὸς ὄχο[ς] -----
 [-----]ρα ὑπὲρ ΤΕΤ[-----]
 5 [-----]ζημιῶσα[ι] μέχρι [-----]
 [-----προσκα]λεσαμένους [-----]
 [-----]θειν ΗΠΟΤ[-----]
 [-----] ἢ ἰδιωτ[-----]

h

 [-----]Κ[-----]
 [-----]ΟΤΑΣ[-----]
 [-----] ἡρημέ[ν] -----

[------ γρ]αφέτω δέ [------]
 5 [------]ι Εὐμόλπ[ιδ ------]
 [------ ἦμ]ρημένοι ζ[ημιούντων ------]
 [------ τοῖς δὲ]λίζωσιν [Μυστηρίοις ------]
 [------] ἐξ Ε[------]

i

[------] ἱεργ[------]
 [------]ρω[------]
 [------]ϋϋ^v [------]

j

[------]Ω[------]
 [------]ΟΣ[------]

k

[------] ϋϋ [------]
 [------] Κ Ο [------]

l

[------]νο[------]
 [------]ποτε ϋϋ [------]
 [------] παρεδρ[------]
 [------] ἐὰν γ δέ περι ἐϋϋ [------]
 5 [------] τῶ]ι νόμωι τῶ]ι [------]
 [------] π]ροπυλαίω]ν [------]
 [------] ριον συνϋϋ [------]
 [------] δα]ιδοχος π[------]
 [------] ϋϋ ΝΤΑΙ [------]

m

[------] ϋϋ Υ [------]
 [------] ΣΑΝ [------]
 [------] Ε ΙΛΟ [------]
 [------] νωι κ [------]

RESTORATIONS

Unless otherwise indicated, the restorations are my own. I have not included all of Sokolowski's (see below, p. 275).

M = Meritt, S = Sokolowski, E = Edmonson, C = Clinton, H = Hubbe.

Side A, *a + b* 1 [περι μὲν ἀ]παγγέλσεως M [περι τῆς ἐ]παγγέλσεως S καὶ στ M καὶ σπ[ονδοφορίας S 1–2 ἐκ τῶν χρησιμῶν τῶν γε]γονότων S 2 μ[υστήρια E 4 παραλ]αβόν[τες M παρα- [λ]αβόν[τας S 5 εἰ δὲ] μῆ, ὅταμ πρώτον ρ[ῖόν τε ἦι S 5–6 ἐπειδὰν] δοκιμασ<θ>ῶσι θύεν τ[ῆι Δήμητρι καὶ Κόρηι καὶ τοῖς ἄλλοις θεοῖς S 7 M 8–9 ἐπαγγέ]λλεν S 9 μ[υστηριώτιδας σπονδὰς M 10 τ[οῦ Ἀπόλλωνος M 10–11 τῶν πόλ]ῳ S 12 M 14 [- - - σπονδὰς εἶναι τοῖσι μύστησιν καὶ τοῖς ἐπ]- M 15–16 [ό]πτησιν καὶ τ[οῖς ἀκολουθοῦσιν καὶ χρήμασιν τῶν ὀθνεῖων καὶ Ἀθηνα]ῖοισιν M 17 [.]λλα τὸ Ἐκατ[ομβαιῶνος M 19 χρω]νται τ[ῶ]ι ἐρωῖ E 20 E 21 *init.* E 22–23 προσ- αγέτ]ω E 25 οἷς ἕξεστι E 26 E 27 μ[η]δένα E Ἐϋμολ[πιδῶν E εἰδῶς E *fin.* E 28 E, *fin.* C 29 E, *init.* διοικῆ] C 30–31 E 32 E, *fin.* C 33 E, *fin.* C 34 ζημ] E 35 E, τούτων τυς C 36 E, *fin.* C 37 E, *fin.* C 38 E 39 *fin.* E 40 E, *fin.* C 41 E, *init.* C 42 E, *fin.* C 43–45 E 48 Ἐλευσ]ινόθεν E 49 *fin.* E 50–53 E

c *restituit* E

Side B, *a* 7 δοκῆι αὐ[τοῖς E 8–9 H 11 δραχμὰς ἱερ]ᾶς H 16 *fin.* H 17 οὐ[το]ι E, *fin.* H 20–22 H 23 *init.* H 24 H

b 3 M 6 ἀπ]όγνωσιν M 7 ἄλ]λων M 10 προσδέση[ι M 11]ι τῆν M 12 ἀπά]γωσιν M

d 6 ἐπισχόν]τες M 7 M 9–10 M

e 3 M 6 κ]ατατίθη[μι M 8 Ἐλ]ευσῖν[ι M

f 4 ἐπ]ὶ M 6 *init.* M μ[υ]θηθέντων M 7 *fin.* M 9 M

g 5 M 6 κα]λεσάμενος M

h 3 M 5 M 6 *init.* M 7 δ]λίζωσιν M

EPIGRAPHICAL COMMENTARY

I have not attempted to explain all letters with subscript dots, but only those where it seemed to me that it might be useful for a reader to know on what my reading is based and those whose reading differs significantly from that of a previous edition.

Side A, *a + b*

Line 1: The trace of the last letter is uncertain. Pi is impossible. Tau is unlikely: what one might take to be the left tip of the horizontal does not continue to the right. I suspect that this tip is the upper end of the left oblique stroke of an upsilon; its downward continuation is obscured by wear and traces of cement.

Line 2: In the eighth space tau is possible in addition to gamma.

Line 3: The left vertical stroke of the nu is discernible.

Line 4: In the fifteenth space there is a trace of the lower part of the left leg of the lambda.

Line 5: For the last letter the left half of a circle is preserved; there is no possibility of omega.

Line 6: The stone has omicron for theta in the eleventh stoichos.

Line 8: The uppermost part of a vertical stroke in the center of the stoichos is barely visible for the last letter; it cannot be regarded as a certain part of a stroke.

Line 9: The tip of an oblique stroke is preserved at the bottom right of the second stoichos; alpha, delta, and chi are possibilities in addition to lambda.

Line 11: In the first space the vertical stroke of the epsilon is not preserved; xi is also possible. The last preserved letter is omicron or theta.

Lines 17–18 are non-*stoichedon* and *in rasura*. Some traces of the earlier text are visible.

Line 17: At the top of the second space only the apex of an angle is preserved.

Line 18: In the tenth space the tip of a vertical stroke is preserved at the upper left corner of the stoichos: eta, epsilon, beta, kappa, nu, pi, and rho are possibilities as well as gamma.

Line 19: In the eleventh space the lower tip of a vertical stroke at the left is preserved. Of the last letter preserved there is visible the bottom part of a vertical stroke in the center of the stoichos; for the next to last, part of a circle on the right side of the stoichos.

Line 21: The lower part of the right leg of the alpha is preserved in the fifth stoichos. For the last letter preserved we have the bottom parts of the legs of the alpha.

Line 26: Of the last letter preserved we have the uppermost part of the left diagonal stroke.

Line 27: In the twentieth space the lower tip of a vertical stroke in the center is visible. In the twenty-third space the bottom part of an oblique stroke is preserved at the lower left; chi and alpha are possible in addition to lambda.

Line 34: In the second space the bottom part of an oblique stroke is visible at the lower right.

Line 38: In the twenty-ninth stoichos the tip of a vertical stroke at the lower left is visible. I can see nothing in the forty-third stoichos that can be described as a clear trace of a stroke. In the forty-fourth stoichos the three horizontals of epsilon are visible at the right; xi is also possible.

Line 39: In the tenth space the upper horizontal stroke of the xi seems to be preserved but may not be original. In the thirteenth space a faint trace of a horizontal stroke seems to be visible at the top of the stoichos. In the twenty-ninth stoichos the left edge of a circular letter, theta or omicron, is visible.

Line 40: In the seventeenth space a horizontal stroke is preserved at the top of the stoichos: gamma, xi, and epsilon are possible, not pi.

Line 47: Of the last preserved letter there is a trace of an oblique stroke at the left of the space, with the proper direction for mu.

Lines 52–53: The first two letters in each line, read by Edmonson, were lost when a chip broke off after the fragment was discovered and the first photographs were made.

Line 54: In the fifty-eighth space there is what seems to be the apex of a triangle at the top of the stoichos; this was evidently quite clear when the chip mentioned above was still in place. In the sixty-fourth space a horizontal stroke at the top and vertical stroke on the left are preserved. Of the dotted pi in the sixty-sixth space only the horizontal stroke and what appears to be part of the right vertical stroke are visible.

Side A, *c*

Line 3: For the first letter gamma is the only other possibility; the right tip of the horizontal is visible.

Line 5: For the first preserved letter alpha is the only other possibility; for the third, delta and lambda.

Side B, *a*

The number of letters in the lacunas at either side can only be roughly calculated; there may be an error of about three letters.

Line 1: The legs of lambda or alpha are perceptible.

Line 3: Of the first letter, the bottom stroke of a sigma is barely visible. Of the fourth letter, the top stroke of a sigma is barely visible but not certain.

Line 5: The first trace is part of the bottom horizontal stroke of an epsilon, delta, zeta, or xi.

Line 7: A faint trace of a circle, taken for the first letter, may be spurious. For the next omicron, omega is also possible. The two oblique strokes of the kappa are barely discernible at the edge of a damaged spot; as in the other kappas on this side they do not join the vertical stroke; in this respect they are unlike the kappas on the other side.

Line 10: In the first space preserved there is a trace of a vertical stroke at the lower right. The legs of the lambda are preserved; what appears to be a horizontal stroke at the bottom of the space is probably spurious.

Line 11: In the first preserved space the tip of an oblique stroke is visible at the lower right.

Line 14: The left and right legs of the mu are fairly visible under cement: alpha, lambda, or delta are theoretically possible. For the last letter pi and gamma are possible.

Line 15: In the tenth preserved letter space there is some damage; kappa is also possible.

Line 16: An angle of a triangle at the lower right is barely perceptible in the first space preserved. In the second there is a trace of the bottom horizontal of an epsilon. In the eighteenth space the left vertical stroke and the left side of the middle horizontal stroke of epsilon are preserved; eta is also possible.

Line 17: The second lacuna can hold one or one and a half letters. A trace of a circle is visible after this lacuna.

Line 18: For the last letter preserved gamma and pi are also possible.

Line 19: Of the eleventh letter preserved the bottom part of the vertical of phi is visible.

Line 24: In $\epsilon\upsilon\theta\upsilon\nu\alpha\varsigma$ the cross bar of the alpha is not inscribed, and only the lowermost and the uppermost strokes of sigma are inscribed. Line 24 corresponds approximately to line 47 on Side A.

Side B, *b*

There are two *stoichedon* arrangements, one for lines 1–5, the other for lines 6–14. Iota is frequently written at the left of the stoichos.

Line 1: The last four letters are very faint; some of the traces may not be original.

Line 2: The vertical strokes of the phi are very faint; I cannot be completely certain of their being original.

Line 5: Of the next to last letter only the vertical is (barely) visible.

Line 10: Of the xi the left and right tips of the two upper horizontal strokes and the whole bottom horizontal stroke are visible.

Line 11: Of the first letter preserved there is the tip of the uppermost stroke of the sigma in the upper right corner of the stoichos. Of the next to last letter preserved only the bottom part of a vertical stroke in the center of the stoichos is visible; of the last, a trace of a circle at the left.

Line 12: A dot in the middle of omicron is probably not original. Of the pi the left vertical is preserved but the top horizontal and right vertical are damaged. Of the following letter I cannot read any trace with certainty. Of the final letter the better part of a left diagonal is visible.

Side B, *c*

Line 8: The last letter is a beta or rho, the top of which is visible.

Side B, *d*

Line 1: For the third letter the bottom of an omega seems to be visible, but this is uncertain.

Line 11: The last letter is pi, gamma, or epsilon.

Side B, *e*

Line 1: The tips of the top and bottom strokes of a sigma are visible, but may possibly be part of an epsilon.

Line 3: For the last letter nu cannot be ruled out.

Line 5: The left half of the nu is visible, but it is uncertain whether the diagonal is original.

Side B, *g*

Line 1: Of the first letter preserved there is the bottom part of a vertical. In the fifth space there is the bottom half of a vertical. The last letter is omicron or theta.

Line 3: For the last letter theta or omicron is possible.

Line 7: For the last letter zeta is also possible.

Side B, *h*

Line 2: The very tips of the two left apices of sigma are preserved; but chi cannot be ruled out.

Line 7: For the first letter mu is also possible.

Line 8: For the last letter gamma and pi are also possible.

Side B, *k*

Line 1: There is a vertical stroke at the left edge of the stone.

Line 2: Kappa or chi is possible.

Side B, *l*

Line 3: Only the vertical stroke of the second rho is preserved.

Line 4: The upper part of the right vertical of nu is preserved; iota and eta are also possible.

Line 9: Of the fourth letter the apex of an angle is visible; of the sixth there is a horizontal stroke at the top of the space and at the left the upper part of a vertical; epsilon, gamma, and pi are also possible.

DATE AND PURPOSE

The spelling of the spurious diphthongs EI and OY and the style of the lettering place the inscription approximately in the period 380–350.¹⁴ The appointment of the ἐπιμεληταὶ τῶν Μυστηρίων, lines 29–31 is described in similar terms in the *Athenaion Politeia*, 57. The earliest date for which these officials are otherwise attested in an inscription is 334/3 (*IG* II², 1496, line 75). Demosthenes in his speech *Against Meidias* mentions that the Athenians had elected Meidias ἐπιμελητῆς τῶν Μυστηρίων (XXI. 171). He delivered the speech, as H. Erbse argues, in 347.¹⁵ If the epimeletai were established for the first time in the present law, then 347 must be this law's *terminus ante quem*. But unfortunately we cannot be sure that the epimeletai were indeed set up here for the first time; they may owe their existence to a previous law. A *terminus post quem* for the document can be deduced from the office of γραμματεὺς mentioned in line 34 (Side A), if this secretary is identified with the γραμματεὺς τῆς βουλῆς. Since the duties of the secretary in line 34 imply a tenure that is longer than a single prytany, and we know that the term of the γραμματεὺς τῆς βουλῆς was lengthened from a single prytany to a year sometime between 368/7 and 363/2, it follows that the law's *terminus post quem* is 368/7.¹⁶ It can be argued, however, that the secretary in line 34 is not the γραμματεὺς τῆς βουλῆς (see the Commentary), though I myself do not find the argument to be persuasive.

This law is not the same as the law of Chairemonides referred to in *IG* II², 140 (353/2). Chairemonides' law is there called [τὸ]ν Χαίρημονίδο νόμον τὸν περὶ τῆς ἀπαρχῆς (lines 9–10); it was written on a single stele and set up in front of the Metroon (lines 34–35). Ours was set up in the Eleusinion (as the finding places indicate), and its subject matter was much broader than the *aparche*.

The preserved fragments of this law cover a great variety of matters. Those that can still be determined or roughly conjectured are the announcement of the Mysteries and the selection and sending of spondophoroi to the other Greek cities (A, lines 1–13), the limits and nature of the Sacred Truce surrounding the festival (lines 14–17), the behavior of the cities toward the spondophoroi and the report of the latter on their mission (lines 20–26), regulations concerning *mysis* (lines 27–29), the appointment of the epimeletai, their duties and those of the basileus in managing the festival (lines 29–38), the duties of the exegetes before the festival (lines 38–40), the selection of the hearth-initiate (lines 41–42), and (after a long lacuna) regulations pertaining to the initiates (B, *d*, *f*) and procession (B, *g*), legal procedures and penalties for various infractions (B, *b*, *a*), and the general responsibilities of the epistatai (B, *a*, lines

¹⁴ On the phonology see L. L. Threatte, *The Phonology of Attic Inscriptions*, Berlin, forthcoming, 9.0121, Tables A.1–A.3; 9.0122, Tables B.1–B.3; 13.021, Table A; 13.022, Tables B.1–B.3; 13.023. I am very grateful to him for allowing me to consult his manuscript.

In the present inscription the spellings E and EI for [e] are approximately equal in number, while O for [o] is approximately twice as frequent as OY for [o].

¹⁵ H. Erbse, "Midiana," *Hermes* 84, 1956, pp. 135–154.

¹⁶ See below, commentary to line 34.

23–24). When we compare this law to others on the subject of the Mysteries, it soon becomes apparent that it seems to constitute the most extensive set of regulations we possess from antiquity concerning this famous cult. Indeed, the original document may have covered every aspect of the Mysteries on which it was appropriate at this time for the Athenian State to legislate. The other laws that have come down to us are much more limited in scope. *IG I*², 6, dating *ca.* 460 (= *LSS*, no. 3), contains on its sides B and C regulations concerning the Sacred Truce, initiates' payments to the priests and priestesses, *myesis*, and financial management. *IG I*², 76 (= *LSCG*, no. 5), of *ca.* 415,¹⁷ and *IG II*², 140 (= *LSS*, no. 13), of 353/2, concern the *aparche*. The most extensive set of regulations later than our document is *LSS*, no. 15 (ed. J. H. Oliver, *Hesperia* 10, 1941, pp. 65–72, no. 31), from the 1st century B.C., but it seems to have to do only with the conduct of the sacred procession to Eleusis. Most of these matters are treated in the preserved part of the present law; so it seems not unreasonable to conclude that they *all* formed part of the original, especially since our law starts fairly methodically, in a temporal sequence: first we have the announcement of the Mysteries and the Sacred Truce, then the over-all administration of the festival, then preliminary events, at which point it breaks off. This then gives us some reason for assuming that our law may have been passed between 353/2 and 348/7: *IG II*², 140, of 353/2, refers to the previous law on the *aparche* as the "Law of Chaerimonides on the *Aparche*," which we have seen cannot be identified with our law. If our law preceded *IG II*², 140, we might expect the latter to refer to it, since it probably covered the *aparche* (cf. Side B, *a*, line 13),¹⁸ rather than to Chairemonides' Law. But this line of reasoning of course is not foolproof; Chairemonides' Law may have been a revision of the present law's regulations concerning the *aparche*.

At any rate we have here a major piece of legislation on the Mysteries. In fact, it may have been the most comprehensive law on the Mysteries that had been issued since the time of Solon. We know that the Mysteries (apparently) figured in Solon's Laws, though we do not know to what extent.¹⁹ The other laws on the Mysteries mentioned above which were passed between the time of Solon and the mid-4th century were not nearly so comprehensive,²⁰ and there is no evidence as far as I know which suggests that a single law as comprehensive as this one existed in this interval of about

¹⁷ On the date cf. *Sacred Officials*, pp. 14–15, note 24; M. H. Jameson, *AJP* 93, 1972, p. 479; and for arguments in favor of a date in the 430's see now M. B. Cavanaugh, *Eleusis and Athens: Documents in Finance, Religion and Politics in the Second Half of the Fifth Century B.C.*, diss., Cornell University, 1980.

¹⁸ This passage, of course, does not give us details but may imply that the *aparche* was treated earlier, since the Sacred Truce, also mentioned here without details, was indeed treated earlier.

¹⁹ Cf. Andocides, *On the Mysteries*, 111, for one law of Solon concerning the Mysteries, but whether or not it is one of Solon's original laws is disputed; cf. D. M. MacDowell, *ad loc.*, E. Ruschenbusch, *Σόλωνος Νόμοι*, Wiesbaden 1966 (= *Historia Einzelschriften* 9), p. 105, F 95, and R. S. Stroud, "State Documents in Archaic Athens," in *Athens Comes of Age: From Solon to Salamis* (A.I.A., Princeton Society and the Dept. of Art and Archaeology, Princeton University), Princeton 1978, p. 27, note 35.

²⁰ In addition to those cited above, we should not omit *LSS*, no. 1, which is very fragmentary, and *SEG* X, 24, concerning the appointment of the epistatai (evidently here for the first time).

240 years, unless such a law or group of laws formed part of the Code compiled by Nikomachos between 410 and 399.²¹ But this seems unlikely. In the first period of Nikomachos' activity as anagrapheus, 410/9–404/3, he was charged with compiling and publishing "the laws of Solon" still in force (Lysias, XXX.2) and apparently, in addition, any laws that superseded specific Solonian statutes (*ibid.*, 11–12).²² In the second period of Nikomachos' anagraphic activity, Lysias, XXX does not tell us the specific charge that he was given, other than that he was supposed to publish more laws (nothing is said as to whether these are the laws of Solon), but from the speaker's description of them we assume that these laws concerned only (or mainly) sacrificial matters; this is confirmed by the preserved fragments of this part of the Code: they are in Ionic script, date therefore from 403/2 and later, and only contain lists of sacrifices, in calendar form.²³ This part of the Code surely included all the sacrifices at the Mysteries which at that time were regulated by the State.²⁴ Now the laws of Solon as revised by Nikomachos in 410/9 to 404/3 probably included some statutes concerning the Mysteries, but to judge from the various laws mentioned above from the late 6th century to the mid-4th which dealt with many aspects of the Mysteries, it was probably very difficult and may have been impossible for the revised Solonian code to exhibit a complete set of existing statutes on the Mysteries. For some of the existing laws surely must have gone well beyond the scope of Solon's laws on the subject and so represented true additions to Solon's Code which were not in conflict with it and therefore not relevant to the revision.²⁵ The need for a complete set, it seems, was finally fulfilled by the present series of regulations, although Nikomachos' sacrificial calendar may have been definitive enough so that it remained essentially intact, at least where it concerned the Mysteries, and so no major revision of the sacrifices was attempted in the present document.

We may justifiably wonder why this new code on the Mysteries was so long in coming. The answer, I suspect, is probably related to the increased popularity of the cult

²¹ For the Code and Nikomachos' activity see J. H. Oliver, *Hesperia* 4, 1935, pp. 5–32 (= *LSS*, no. 10); Dow, *op. cit.* (footnote 8 above), pp. 3–36; *idem*, "The Athenian Calendar of Sacrifices: The Chronology of Nikomachos' Second Term," *Historia* 9, 1960, pp. 270–293; R. S. Stroud, University of California Publications: *Classical Studies*, III, *Drakon's Law on Homicide*, Berkeley and Los Angeles 1968, pp. 24–26.

²² Thus I reconcile Nikomachos' actions as described in Lysias, XXX.11–12, i.e. exhibiting a non-Solonian law, with his general charge, mentioned *ibid.*, 2, "to publish the laws of Solon," for those actions were evidently within the scope of his legal activity (he passed a *dokimasia* and was re-elected anagrapheus), which was, as the speaker would have us believe, defined fairly narrowly.

²³ See footnote 21 above.

²⁴ Some of these sacrifices are preserved on a new fragment, Agora I 7471, to be published by S. Dow.

²⁵ In this regard it is probably worth noting that Kephalos (Andocides, *On the Mysteries*, 116) cites a stele in the Eleusinion (for the law on the suppliant's branch) but not the Code of Solon, though Andocides did cite a law of Solon earlier (*ibid.*, 111). If the revised Solonian Code included a complete set of laws on the Mysteries we might expect Kephalos to have cited it with all its authority rather than a "stele" in the Eleusinion.

in the early part of the 4th century.²⁶ After the Peloponnesian War many years must have passed before once again people from throughout the Greek world came to Eleusis in large numbers to see the Mysteries. Indeed, most of the preserved statutes on this stele can be seen as reflecting a need for legal remedies to cope with difficulties created by very large numbers of initiates; i.e., they reflect a desire to attract them and they reflect a concern for their well-being after their arrival. If the initiates were treated properly they would be more likely to encourage others to attend this Panhellenic festival. The announcement of the Mysteries (*epangelia*), selection of the spondophoroi, extension of the Sacred Truce by several weeks over its former length, the report of the spondophoroi on how they were treated during their mission, the regulations concerning false *myesis*, the appointment of additional officials, called epimeletai, to help the basileus in managing the public part of the festival and in maintaining order, the statute making exegesis available at specific times to Athenians and foreigners, are among the best preserved statutes that support this hypothesis.

The task of drawing up this code for the Mysteries was undoubtedly given to the nomothetai.²⁷ The present stele represents the results of their deliberations, which, as I suggested above, may have been inscribed in stages.

COMMENTARY

SIDE A, *a + b*

F. Sokolowski's text assumes a line of 56 letters; and since many of his restorations are based on that length, now shown to be too short (by 41 letters), I think there is no need to discuss any but those of his restorations that still remain possible or probable.

Line 1: ἀπάγγελσις (= ἀπαγγελία) is attested (*Anecdota Graeca*, ed. Bekker, 438; *LSJ*, s.v.), but since ἐπαγγελία seems to have been the regular term for the announcement of the truce of the Mysteries (*IG II²*, 1235, line 7), J. H. Oliver and F. Sokolowski plausibly restored ἐπάγγελσις, which is otherwise unattested.

Sometimes, perhaps always, the ἐπαγγελία was written by the hierophant; the writing undoubtedly required rhetorical and diplomatic skill; and in each city which the spondophoroi visited they read the ἐπαγγελία written specifically for that city.²⁸

There is no compelling reason for restoring μέν at the beginning of the line. Also possible is [καὶ περὶ ἐ]παγγέλσεως: a new regulation in line 29 is introduced by καί. The last word is a noun, apparently beginning with σπ[-]. Sokolowski's restoration σπ[ονδοφορίας makes good sense but seems not to be supported by the stone.

²⁶ On the increased exegetical activity in this period see *Sacred Officials*, pp. 91–92. For a survey of the new construction activity and construction plans at Eleusis in the second quarter of the century see G. E. Mylonas, *Eleusis and the Eleusinian Mysteries*, Princeton 1961, pp. 130–139.

²⁷ On the nomothetai see Stroud, *op.cit.* (footnote 6 above), pp. 162–163; MacDowell, *op.cit.* (footnote 6 above); *idem*, *The Law in Classical Athens*, Ithaca, N.Y. 1978, pp. 48–49.

²⁸ Cf. A. Wilhelm, *Wiener Anzeiger* 61, 1924, pp. 101–103; *Sacred Officials*, p. 23.

Line 2: Spondophoroi had to be chosen to take the *ἐπαγγελία* throughout the Greek world. These lines probably concern their selection. A *dokimasia* (for them) is mentioned in line 6. The Sacred Truce is the subject of lines 9–20.

Restoration of an age qualification for the spondophoroi, such as we have in line 31 for the epimeletai, seems more appropriate than Sokolowski's *ἐκ τῶν χρησμών γε]γονότων*. So we may restore: *ἐκ τῶν ὑπὲρ τριάκοντα ἔτη γε]γονότων* or perhaps a greater minimum age. *IG II², 1236 (ante med. saec. II a.)* indicates that the spondophoroi were taken from the Eumolpidai and Kerykes; it refers to these clans as *genē ēx ōn oī spon-dofōroi ἐκπέμπονται*. A possible restoration of lines 1–2 to fit what appears to be the sense would be: [περὶ τῆς ἐ]παγγέλσεως καὶ συ[. . . !¹⁰. . . . Εὐμολπίδας καὶ Κήρυκας αἰρέσθαι σπονδοφόρους ἐξ ἑαυτῶν ἐκ τῶν⁹. . . . ἔτη γε]γονότων. Then perhaps: ἐς μὲν τὰ μ[εγάλα Μυστήρια, the date when the spondophoroi for the Greater Mysteries are to be chosen, ἐς δὲ τὰ μικρὰ Μυστήρια, the date when the spondophoroi for the Lesser Mysteries are to be chosen] *ἰσταμένον*.

Lines 4–7: Here the process of *dokimasia* for the spondophoroi is described. The thesmothetai are to bring the *dokimasia* before a dikasterion. The law seems to urge (line 5) that it be done by a specific time, but if it cannot be done by that time ([εἰ δὲ] μῆ), then as soon as possible thereafter (ὄταμ πρώτον ο[ἰόν τε ἦι]).²⁹ After the *dokimasia*—we might restore *ἐπει[δὰν] δοκιμασ<θ>ῶσι*—the spondophoroi are to make a sacrifice. (The stone has omicron instead of theta.) τ[ὸς σπονδοφόρος or the names of the deities (certainly Demeter and Kore, perhaps others as well) may follow *θύειν*.

Line 8: Sokolowski suggests that the banquet was of the same sort as the *eisiteria*, celebrated by magistrates before taking office, or the banquet celebrated by ambassadors before their mission.³⁰

Lines 9–11: The Sacred Truce of the Mysteries first appears in *IG I², 6*, where it is called simply *σπονδαί* (τοῖσι μύστεσιν, κτλ., B, lines 5ff.). It is called *αἱ μυστηριώτιδες σπονδαί* elsewhere in our inscription (lines 20, 26), and the same term occurs in a decree of 367/6 (*Hesperia* 8, 1939, pp. 6–7, no. 3) and in Aeschines, Aristides, and Pollux.³¹

Reference to the Delphic oracle probably indicates an innovation, sanctioned by Apollo either at this time or earlier.³² In *IG I², 76*, line 34, all the Greek cities are urged to give *aparchai* κατὰ τὰ πάτρια καὶ τὲν μαντείαν τὲν ἐγ Δελφῶν. Perhaps κατὰ τὰ πάτρια καὶ should be restored here at the end of line 11.

Sokolowski restored *παρέχειν δὲ ἐκάστην τῶν πόλ]εων ἐφόδια*. This may be the sense, though the exact wording is far from certain. The Athenians on occasion awarded *ἐφόδια* to foreign ambassadors (*IG II², 116, 124, 149*). But it seems unlikely that they would expect all cities honoring the truce to provide *ἐφόδια*. The city of Gon-

²⁹ For the phrase cf. Demosthenes, XXI.47; *IG II², 654*, lines 54–55.

³⁰ *TAPA* 88, 1957, p. 133; Demosthenes, XIX.189–190.

³¹ Aeschines, II.133: καὶ τοῖς σπονδοφόροις τοῖς τὰς μυστηριώτιδας σπονδὰς ἐπαγγέλλουσι μόνοι τῶν Ἑλλήνων Φωκεῖς οὐκ ἐσπέισαντο. Aristides, *Eleusinius*, 258; Pollux, I.36.

³² Cf. *Sacred Officials*, p. 15; M. P. Nilsson, *Geschichte der griechischen Religion* I, 3rd ed., Munich 1967, pp. 630–631.

noi in the 3rd century provided *θεωροδοκούντες*, but not *ἐφόδια*, for the Athenian spondophoroi.³³

Lines 12–13 may concern the accounting the spondophoroi have to make of their expenditures. A penalty appears in line 13.

Lines 13–14: Perhaps: τῶν ἱερῆ|ων τοῖν Θεοῖν.

Lines 14–16: The old spelling ἐπ|ό]πτησις looks like part of an excerpt from an old law, and so led Meritt (and Sokolowski) to restore:³⁴ σπονδὰς εἶναι τοῖσι μύστησιν καὶ τοῖς ἐπ|ό]πτησιν καὶ τ[οῖς ἀκολουθοῦσιν καὶ χρήμασιν τῶν ὀθνείων καὶ Ἀθηνα|]ί-οισιν ἅπασιν, from *IG I²*, 6, B, lines 4–13 (= *LSS*, no. 3) of ca. 460 B.C. The length of the line, established by the new fragments, now shows that this restoration must be either incorrect or incomplete. Perhaps additional information appeared after χρήμασι τῶν ὀθνείων.

Line 16: On the pattern of *IG I²*, 6 we should now expect, having just been told for whom the truce was established, its time limits. Thus we might restore: [ἄρχεν δὲ τὸν χρόνον τῶν σπονδῶν ἐς τὰ Μυστήρια τὰ με γ]άλα τῷ Ἐκατ[ομβαιῶνος ἀπό -- καὶ τὸν Μεταγειτιῶνα καὶ τὸν Βοηδρομιῶνα καὶ ---]. The truce therefore started several weeks earlier than was ordained in *IG I²*, 6.

This would then explain why on at least one occasion in the 3rd century Athenian spondophoroi apparently announced the Panathenaia, Eleusinia, and the Mysteries during the same mission.³⁵ The Panathenaia took place in Hekatombaion, the Eleusinia in Metageitnion, and the Mysteries in Boedromion. Much expense must have been saved by making the announcement of all three on a single mission.

Line 21: For δι]κας cf. Side B, *b*, line 7.

Line 22: In *Ἀρχ* Ἐφ, 1914, p. 168 (see footnote 33 above) we read: τοὺς δὲ σπονδοφόρους τοὺς ἐπαγγέλλοντας τὰ τε Ἐλευσίνια καὶ τὰ Παναθήναια καὶ τὰ Μυστήρια προσσποφῆρειν εἰς τὸ Μητρῶιον ἐν τοῖς λόγοις τὰ ὀνόματα τῶν θεωροδοκούντων πατρόθεν, ὅταν καὶ τὰς πόλεις τὰς ἀποδεξαμένας [τ]ὰς σπονδὰς ἀποφέρωσιν (lines 35–43); in *IG II²*, 847, the epimeletai of the Mysteries τοὺς . . . λόγους ἀ[π]εινενηόχασιν πρὸς τοὺς λογιστὰς καὶ εἰς [τὸ] Μητρῶιον (lines 27–29). Here ἀπογ]ραφόντων seems to be equivalent to ἀποφέρειν with the sense “put on record”. A good example of this use of ἀπογράφειν can be found in *IG II²*, 212 (346 B.C.), lines 60–63: [τοὺς δὲ πρ[έ]σβεις ἀπογράψαι τὰ ὀνόμα[τα τῶν ὑπ]ηρ[εσι]ῶν ὧν ἂν λάβωσιν τῷ γραμμα[τεῖ τῆς β]ουλῆς.

The beginning of line 23 demands a singular subject; the basileus, as the city's general supervisor of these religious matters, seems most appropriate.

The latter part of the line seems to refer to publication of some part of the report of the spondophoroi: e.g., ἂ ἂν] ἀπογράψωσι ἀναγρά[φειν].

³³ *Ἀρχ* Ἐφ, 1914, p. 168 (= B. Helly, *Gonnoi II*, Amsterdam 1973, pp. 121–122, no. 109).

³⁴ Following a suggestion of E. Schweigert, *AJA* 50, 1946, pp. 287–288.

³⁵ *Op. cit.* (footnote 33 above). In 169 B.C. the Athenians sent two missions to Egypt, one for the Panathenaia, the second for the Mysteries (Polybios, XXVIII.19). Cf. L. Robert, *Hellenica* XI–XII, p. 110, note 5.

Line 24:]νας: perhaps the same word as]ερομένας, line 26.

Lines 25–27: At first one might think that this section is concerned with bringing charges on various infractions, perhaps infractions related to the Sacred Truce and the behavior of the spondophoroi, but there seems not to be enough space for such a procedure to be expressed, if we compare lines 28–30.

For the phrase Ἀθηναίω]ν τῶι β[ο]λομένωι οἷς ἕξεσσι see *Hesperia* 43, 1974, p. 158, line 34. οἷς ἕξεσσι indicates that the privilege is restricted to those who have not been deprived of citizenship rights by ἀτιμία.³⁶ And additionally excluded, perhaps, are those who are not allowed to participate in the Mysteries; or charges are to be brought against such people for improperly participating.

μυσ[τηριώτιδας ἡμέρας is possible, as in *IG* II², 1338, line 9; but σπονδάς, which has been the subject in the preceding section, is more likely here.

Line 27–29: It is illegal for a person who knows that he is not a member of the Eumolpidae or Kerykes to perform μύησις. The phrase Κηρύκων ὄν, “member of Kerykes”, is used in Andocides, *On the Mysteries*, 116, and μὲν δὲ εἶ[ναι τοῖς] ῥῆσι Κερύκων καὶ Εὐ[μολπιδῶν] is an attractive restoration in *IG* I², 6.³⁷ *Myesis* was the preliminary *Einweihung* preparatory to participation in the Mysteries.³⁸

It may seem odd that someone might not *know* that he was not a member of the Eumolpidae or Kerykes. But it evidently could happen. We do not know how well the membership lists of these *genē* were maintained, or how strictly participation in a formal ceremony (as opposed to the simple fact of descent) was necessary for membership. From Andocides, *On the Mysteries*, 127, we learn that a ceremony of introduction was sometimes performed for a child who was relatively old (ἡδη μέγαυ ὄντα). But if a person was not formally made a member when he was an infant, the normal age of formal introduction (as Andocides implies), and if later the child was not informed of this, he and his relatives might well assume, without consulting the list of the *genos* (if it was available), that he was a member, since his father (or mother’s father) had been. In the late 2nd century after Christ Valerius Mamertinus believed that he was a member of the Kerykes, even though he was not, and the *genos* actually elected him *dadouchos*; but he was removed from the priesthood when a legal challenge proved that he was not a member of the *genos* (J. H. Oliver, *Hesperia*, Suppl. XIII, *Marcus Aurelius: Aspects of Civic and Cultural Policy in the East*, Princeton 1970, p. 4, lines 9–11). The present statute, if correctly restored, was presumably not aimed at a “Valerius Mamertinus” but at someone who had no reasonable pretext for membership or who had been advised by the *genos* that he was not a member.

The latter part of line 27 should be directed at the subject of προσάγηι as wrongdoer, just as the preceding clause is directed at the subject of μνη[ι] as wrongdoer. The

³⁶ Demosthenes, XXI.47, etc.; A. R. W. Harrison, *The Law of Athens: Procedure*, Oxford 1971, pp. 82–83. The phrase appears also in a decree of Roman date found at Pikerimi: where the editor, J. J. Pollitt, restored ἔστω κ[ατὰ] αὐτοῦ φάσις πρὸς τὴν βουλὴν καὶ τὸν βασιλέα Ἀθη[νησιν] τῷ βουλομένῳ οἷς ἕξεστων (*Hesperia* 34, 1965, p. 126, lines 7–10), we should read Ἀθη[ναίω].

³⁷ Lines 30–31 in my edition, *Sacred Officials*, p. 11.

³⁸ See the discussion *ibid.*, pp. 12–13, and literature there cited.

sense then must be that a person who introduces someone to be initiated is guilty, for some reason. This initiation cannot refer to the initiation proper at Eleusis, because if a person had undergone a legitimate *mysis*, there would normally be no legal impediment keeping him and his mystagogos from taking part in the Mysteries. So *μνησόμενον* ought to refer to *mysis*, about to be conducted improperly in some way. The impropriety, I suspect, is of the same type as was described in the preceding clause: the wrongdoer here is one who introduces a prospective initiate to a person who is not a member of the Eumolpidae or Kerykes, for the sake of obtaining *mysis*. Thus we have as a possible restoration: ἢ ἐὰν προσάγη τις μνησόμενον πρὸς τινα οὐκ ὄντα τῶν γενῶν τοῖν Θεοῖν. The closest parallel to the phrase τὰ γένη τοῖν Θεοῖν is τὰ γένη τὰ περὶ τὸ Θεῶ.³⁹ A prospective initiate, among the hundreds and thousands who came to Athens each year, had somehow, in the days before the Mysteries, to find someone who could give him *mysis*, and he usually had to pay for this service.⁴⁰ A 5th-century law forbade the Eumolpidae and Kerykes from initiating candidates in groups, which of course would have been quite lucrative.⁴¹ People were alert to the opportunities for taking advantage of the prospective initiates. There were men posing as members of either of these clans, and others were ready to introduce people to the impostors.⁴²

Phasis in cases of impiety was brought before the basileus.⁴³ The special advantage for the denouncer, if he succeeded, was an award of one half of the penalty (*τίμημα*). So in the lacuna we may expect to read that the Heliaia is to impose a fine if the man is found guilty. That should be the end of the matter. It is quite extraordinary to read that the Boule also has a role, [- - ἀν|τ]ὸ βουλευέτω ἢ βολὴ ὡς ἀδικῶντος—, which must occur after the Heliaia has acted, and must therefore have to do with additional sentencing. But we do not have one of the traditional formulae for sentencing, such as *ζημιούτω, περὶ αὐτὸ τιμάτω, ἐπιθέσθω ὅτι ἂν δοκῆι ἄξιος εἶναι ἀποτεῖσαι*, etc. It seems best, then, to regard the imposition of a fine as the work of the dikasterion, as was consistent with usual Athenian practice, and to understand that the Boule has the right to impose some further penalty if it so wished. As a possible restoration we may consider: καὶ[ν ἀλώη ζημιούτω ἢ Ἡλιαία καὶ περὶ ἀν|τ]ὸ βουλευέτω ἢ βολὴ ὡς ἀδικῶντος. (καὶν ἀλώη, θανάτω ζημιούτω occurs in Demosthenes, XX.135.) But in our document it is probably not a question of the death penalty; phasis normally demands a monetary fine,

³⁹ *IG* II², 2944; 1236, line 12; *Sacred Officials*, p. 23.

⁴⁰ Cf. *IG* II², 1672 (329/8), line 207; 1673, line 62 (= K. Clinton, *Ἀρχ'Ἐφ*, 1971, pp. 85–86).

⁴¹ *IG* I², 6 (= *Sacred Officials*, p. 11, lines 26–30).

⁴² Christian Habicht, upon reading my manuscript (minus the next to last paragraph above), suggested the following reading:

27 -- ἐὰν δέ τις μνη[ι Ε]ἰμολ[πιδῶν καὶ Κηρύκων συνειδῶς, ἢ ἐὰν προσάγη τις μνησόμενον τινα ὦν μὴ ὄσιόν ἐστι μνῆσθαι τοῖ]-

28 [ν] Θεοῖν, φαίνειν, κτλ.

(This gives line 27 a length of 98 letters, instead of the normal 97.) The sense is reasonable, and the restoration is possible. However, I am uneasy about the word *συνειδῶς*. It seems quite unnecessary to use (or restore) *συνειδῶς*, which implies connivance or conspiracy, when all that is required for the sense is *εἰδῶς*, awareness; and as far as I know, *εἰδῶς*, not *συνειδῶς*, is the normal legal term for this condition. I still prefer the restorations that I have discussed above.

⁴³ Demosthenes, XXII.27; cf. Harrison, *op. cit.* (footnote 36 above), pp. 218–220, especially 219, note 6.

and the process was sufficiently well known that there was no need here to state that the prosecutor is to receive one half of the fine imposed. The matter was sufficiently grave, however, that the Boule was given the right to deliberate afterwards about the wrongdoer and presumably to pass, if necessary, a decree that imposed a further penalty (which I assume would then have to be approved by the Demos), perhaps some form of *atimia*.⁴⁴ Improper *mysis* affected the integrity of the Mysteries, and as the Mysteries were the central Panhellenic cult at Athens, the honor of the city was at stake. We may recall the last sentence of the main decree in *IG I², 76*, concerning the donation of first fruits to Demeter and Kore: [τοῖς] δὲ ταῦτα ποιῶσι πολλὰ ἀγαθὰ εἶναι καὶ εὐκαρπίαν καὶ πολυκαρπία[ν, ἡού]τινες ἂν [μ]ὲ ἀδικῶσι ἌθENAΪΟΣ μεδὲ τὸν πόλιν τὸν ἌθENAΪΟΝ μεδὲ τὸ θεό.

This decree (*IG I², 76*, lines 21–23) and especially the traditional meeting of the Boule in the Eleusinion on the day after the Mysteries (Andocides, *On the Mysteries*, 110–116) attest to the Boule’s traditional concern for the Mysteries. The present passage is another example.

The Boule by itself did not have the power of imposing the death penalty. Nor could it normally impose fines above 500 drachmas. But in some spheres, e.g. naval matters, it could, as Rhodes points out, enact “an adjusting measure after a court had passed sentence,” and in this case, “specify in a decree a penalty more severe than it could on its own authority inflict.”⁴⁵ But the situation here does not seem to be the same; here the Boule is only given authority *βουλεύειν*, and we are probably to assume that a resolution passed by the Boule in this matter had to be approved by the Demos.⁴⁶ There seem to be no grounds for thinking that this might conflict with the statement in *Athenaion Politeia*, 45.1, that the Boule was not authorized to impose the death penalty, imprison, or impose a monetary fine (τὸ θανατοῦν καὶ δεῖν καὶ χρήμασιν ζημιοῦν).

One effect of *atimia* could be exclusion of a person from the Agora and religious sanctuaries. Since *mystai* probably underwent *mysis* at the Eleusinion at Eleusis or the one in the city,⁴⁷ even as limited an *atimia* as this would be especially appropriate for this type of offense.

Lines 29–31: This may be the initial authorization of new officials for the Mysteries who are called *epimeletai* (see above, under Date and Purpose). The law is re-

⁴⁴ According to Andocides, *On the Mysteries*, 76, some forms of *atimia* were imposed by decree. Aeschines, I.28, seems to imply that *atimia* can be imposed for impiety.

⁴⁵ Rhodes, *op. cit.* (footnote 6 above), p. 154. In the decree that Rhodes discusses in this connection, *IG II², 1631*, lines 350–403, we read in lines 401–403: τὸ δὲ ψήφισμα τόδε ἅπαν εἶναι εἰς φυλακὴν τῆς χώρας, ἐπειδὴ ἐστιμ περὶ χρημάτων εἰσπράξεως. Φυλακὴ τῆς χώρας may have been the justification for this practice. Rhodes has written to me concerning line 29 that he believes that here “the boule is to be invited not to impose an additional penalty but in a more general sense to decide (or advise) what should be done about the unfortunate occurrence.” He suggests *πρ]οβουλευέτο*. If he is correct, then perhaps the whole restoration should be: *περὶ δ’ αὐτῷ πρ]οβουλευέτο ἢ βολή*.

⁴⁶ In *IG I², 110* (= R. Meiggs and D. Lewis, *A Selection of Greek Historical Inscriptions*, Oxford 1969, no. 85), lines 39–45, the Boule is ordered *βουλεύσαι* but the most severe action open to it was to turn the parties in question over to a *dikasterion*.

⁴⁷ *Sacred Officials*, p. 11, lines 43–46 (= *IG I², 6*), and p. 12.

peated in summary form in the *Athenaion Politeia*, 57.1: [ὁ] δὲ βασιλεὺς πρῶτον μὲν Μυστηρίων ἐπιμελεῖ[ται μετὰ τῶν ἐπιμελητῶν ὧν] ὁ δῆμος χ[ειροτονεῖ, δύο μὲν ἐξ Ἀθηναίων ἀπάντων, ἓνα δ' [ἐξ Εὐμολπιδῶν, ἓνα] δ' ἐκ Κηρύκων. The activity of the basileus and epimeletai is described in the *Ath. Pol.* here as ἐπιμελεῖσθαι, and a few lines later in the *Ath. Pol.* that of the basileus as διοικεῖν, which justifies our restoration at the end of line 29. Their concerns were principally the administration of the festival and maintenance of order. The duties of the basileus during the Mysteries are described in more detail in Pseudo-Lysias, VI (*Against Andocides*). 4: ὑπὲρ ὑμῶν καὶ θυσίας θύσει καὶ εὐχὰς εὔξεται κατὰ τὰ πάτρια, τὰ μὲν ἐν τῷ ἐνθάδε Ἐλευσινίῳ, τὰ δὲ ἐν τῷ Ἐλευσίνι ἱερῷ, καὶ τῆς ἐορτῆς ἐπιμελήσεται Μυστηρίοις, ὅπως ἂν μηδεὶς ἀδικῆ μηδὲ ἀσεβῆ τὰ ἱερά. Sacrifices made by the epimeletai at the Greater and Lesser Mysteries are mentioned in honorary decrees.⁴⁸ Some epimeletai went considerably beyond what their duties demanded and donated various necessities for the festival, ranging from sacrificial victims to, in one case, a bridge.⁴⁹

We must assume, I think, that it was the popularity of the Mysteries in the 4th century that necessitated the appointment of these officials to help the basileus. The ἱεροποιοὶ Ἐλευσίνι⁵⁰ may have had similar duties, but by 408/7 their former principal duty, the administration of the sanctuary, was in the hands of the ἐπιστάται Ἐλευσίνι,⁵¹ and thereafter we have no evidence of the existence of officials called ἱεροποιοὶ Ἐλευσίνι. Whatever duties they may once have had in the maintenance of order and preparation of the festival are now to be carried out by the epimeletai. The earliest reference elsewhere to the epimeletai is from 347.⁵² Sometimes, as in 302/1, they were helped in their task of keeping order by the taxiarchs.⁵³

⁴⁸ *IG* II², 661, 683, 807, 847. They also served at the Lenaia (*IG* II², 1496, line 35; *Ath. Pol.*, 57.1).

⁴⁹ For the bridge, *IG* II², 1191, 2840, 2841; other significant documents concerning the epimeletai: *IG* II², 807 and 847, J. H. Oliver, *Hesperia* 10, 1941, pp. 65–72, no. 31, and S. V. Tracy, *Hesperia* 48, 1979, pp. 174–178, no. 1. The last decree (214/3), honoring the ephebes of the preceding year, reads in lines 10–13, as edited by S. V. Tracy: ἐν τε τῷ τελετῆ[?] τῶν Μυστηρίων ἐλειτούργησαν καλῶς καὶ εὐσεβῶ[ς - - - - -] αὐτοῖς ὃ τε βασιλεὺς καὶ οἱ τῶν Μυστηρίων ἐπιμεληταί. In the unrestored lacuna perhaps we should read: εὐσεβῶ[ς] συνελειτούργησαν δ' αὐτοῖς, κτλ. The importance of the ephebes is illustrated by describing them as performing some functions similar to those of the basileus and epimeletai. For the verb, cf. the examples mentioned in *LSJ*: *LSCG*, no. 65, line 115 and *IG* II², 1329, line 15. This new decree has led A. G. Woodhead (as reported by Tracy, *Hesperia* 48, 1979, p. 176) to restore the basileus and epimeletai in *IG* II², 700, line 13.

The epimeletai are mentioned in *IG* II², 1672, lines 243–246 as making contracts, together with the basileus, his paredroi, and the epistatai.

⁵⁰ *IG* I², 76, 311. The hieropoioi for the Hephaistia had the *epimeleia* of the procession in their charge (*IG* I², 84). There is no evidence, however, that the hieropoioi were responsible for the *epimeleia* of the Mysteries together with the basileus at that period (the end of the 5th century). On the hieropoioi see K. Clinton, “*IG* I² 5, the Eleusinia and the Eleusinians,” *AJP* 100, 1979, pp. 1–12. We are probably to assume that the basileus was solely responsible for the *epimeleia* of the Mysteries until the time of this law, when the *epimeletai* were established.

⁵¹ *IG* I², 313, 314.

⁵² See above, p. 272.

⁵³ W. K. Pritchett, *Hesperia* 9, 1940, pp. 104–108, no. 20.

It is curious to read first a general description of the duties of the epimeletai (lines 29–30) and then the manner of their election rather than the other way around, which would be normal. If we take *προσαιρέσθαι* to mean “choose in addition”, we might eliminate this difficulty by restoring the name of some other officials in the lacuna in line 29, such as *κα[ὶ τὸς ἱεροποιοῦ]ς*. But then we would, I think, create a more serious difficulty, namely that specific powers of the epimeletai would be described, in lines 31–33, but not those of these other officials. In addition, we would then have only a description of some of the duties of the epimeletai but no description of their general areas of responsibility, the *epimeleia* and the *dioikesis*; for these general responsibilities we would be left only with their name and the references to *epimeleia* in lines 33–34. Furthermore, we have no evidence of the existence at this time of hieropoioi in charge of the *dioikesis* and *epimeleia* of the Mysteria. The only hieropoioi attested at Eleusis in the 4th century were the *ἱεροποιοὶ κατ’ ἐνιαυτόν* who were in charge of the *dioikesis* of the Eleusinia (which is not to be confused with the Mysteria) and certain sacrifices (*Ath. Pol.*, 54.7; *IG II²*, 1672, lines 221, 251, 303), and the *ἱεροποιοὶ ἐν βουλῆς* (*ibid.*, lines 280, 284, 289, 295, 299) who were in this instance in charge of matters pertaining to the *aparche*. In 341/0 the prytaneis of Aigeis honored ten of their number who had served as *ἱεροποιοὶ οἱ τὰ Μυστήρια ἱεροποιήσαντες Ἐλευσῖνι* (*IG II²*, 1749, lines 80–84), but these men probably just represented the prytany at sacrifices at Eleusis during the Mysteria (which took place when this prytany was in office). The passage in the *Ath. Pol.* describing the duties and election of the epimeletai (57.1), strictly speaking, follows the same order as the present inscription: first duties, then election, though the syntax in the *Ath. Pol.* does not call attention to the anomaly as much as does the syntax here. The law here seems to be making a general statement about the *epimeleia* and the *dioikesis* of the Mysteries, and then goes on to describe the duties of the officials responsible for the *epimeleia*, especially the new ones, the epimeletai, who will assist the basileus. *προσαιρέσθαι*, I assume, means “choose an assistant” (to the basileus), a use that is well attested. In mentioning the *dioikesis* of the Mysteries the law implies, of course, that those Eumolpidai and Kerykes responsible for it and who are not epimeletai do not share in the *epimeleia* with the same legal powers that the epimeletai are to have.

Here and in the *Athenaion Politeia* there are four epimeletai. The following inscriptions, however, indicate that there were only two of them: *IG II²*, 661 (283/2), 807 (*med. saec.* III *a.*), 847 (215/4). In the late 4th or early 3rd century their number apparently was reduced; perhaps only those from the Eumolpidai and Kerykes were retained,⁵⁴ but it is not clear whether the men honored in these decrees belonged to either of these *genē*.

Lines 32–33: Fining the disorderly or bringing them to court was probably the most important function of the epimeletai. The fine they could impose seems to be either 20 or 200 drachmas, unless the sign for 50 occupied two spaces. The sum of 50

⁵⁴ Cf. J. Toepffer, *Attische Genealogie*, Berlin 1889, pp. 78–80.

drachmas is mentioned elsewhere as a fine that a magistrate could impose on his own authority.⁵⁵

Line 33: For the vacant space at the start of a new regulation cf. lines 36, 37, 38, 44.

Lines 34–35: “The basileus is to have one of the praktores and the secretary, starting on the first (of Boedromion) until the assembly of initiates is dissolved, and they (the praktor and the secretary) are to record the fines which the basileus or any of the epimeletai imposes.”

The praktores, ten in number, were responsible for registering and collecting overdue public debts.⁵⁶ The secretary is undoubtedly the *γραμματεὺς ὁ κατὰ πρυτάνειαν*, also called *γραμματεὺς τῆς βουλῆς*.⁵⁷ This is most likely not the old *γραμματεὺς τῆς βουλῆς*, whose term lasted for a single prytany (it would have been awkward to have to change secretaries approximately in the middle of the festival), but rather the annual secretary, an office which was introduced sometime after 368/7 but before 363/2.⁵⁸ This secretary is apparently the same as the one mentioned earlier in this law (line 22). P. J. Rhodes suggested (in a letter to me) that the Greek of line 34 implies that the praktores had a secretary, and that it is their secretary who is to record fines, not the principal secretary of the Athenian state. This is entirely possible. I would expect the text to make this clear, however, by saying *τὸν γραμματέα τούτων*, just as, for example. *Ath. Pol.*, 55.1 does not say simply *κληροῦσιν θεσμοθέτας μὲν ἔξ καὶ γραμματέα* but *καὶ γραμματέα τούτοις*, even where such clarity is not required. The Mysteries were of special importance to the Boule and the Athenian state (see above, p. 280); so to me it is not surprising to find that the task described here is one of the duties of the secretary of the Boule.

For *ἀπὸ νομῆ]*γίας compare line 39. The terminal date is the day the assembly of initiates breaks up, probably Boedromion 23 or 24.⁵⁹

One would expect *τις τῶν ἡρηγμένων*, but perhaps the genitive is to be construed with [*ζημιά*], “the penalties of (i.e., imposed by) the epimeletai.”

Lines 36–38: The *δίκαι* (line 38) would be directed, I suppose, at the epimeletai and the other officials, named above, who were charged with the imposition and recording of fines, since the dikai are *περὶ ἐκάστου αὐτῶν*. The accusations would concern improper official conduct in general, but perhaps more usually they would charge that inappropriate penalties were imposed or penalties were improperly recorded, or that penalties were imposed on people who were not disorderly. One possible restoration that we might consider is *δι[κάζειν τὴν βολὴν καὶ τοὺς ἐ]ννέα ἄρχοντας*, since the Boule could decide cases brought against magistrates which evidently did not involve an

⁵⁵ Cf. J. H. Lipsius, *Das attische Recht und Rechtsverfahren* I, Leipzig 1905, pp. 53–54.

⁵⁶ Cf. Rhodes, *op. cit.* (footnote 6 above), pp. 150–151.

⁵⁷ Cf. *ibid.*, pp. 134–137.

⁵⁸ *Ibid.*, p. 135.

⁵⁹ Cf. S. Dow, *HCSP* 48, 1937, pp. 111–120; J. D. Mikalson, *The Sacred and Civil Calendar of the Athenian Year*, Princeton 1975, pp. 60–61, 65.

eisangelia,⁶⁰ and it traditionally had a special concern for the Mysteries. There is no indication, however, that the nine archons might ever have presided over the Boule. A restoration that makes better sense is: τὰς δὲ [δ]ίκαας δι[κάζειν τὴν Ἡλιαίαν καὶ τὸς ἐ]ννέα ἄρχοντος. The difficulty with it, as P. J. Rhodes pointed out to me, is that *δικάζειν* would have two meanings: for the Heliaia, “decide the verdict”, and for the nine archons, “preside over”, though we may have a parallel in *Ath. Pol.*, 57.4: *δικάζει δ’ ὁ βασιλεὺς καὶ οἱ φυλοβασιλεῖς καὶ τὰς τῶν ἀψύχων καὶ τῶν ἄλλων ζώων*. It will be helpful to quote here Rhodes’ commentary on *δικάζειν* in *Ath. Pol.*, 52.3 (an excerpt, which he kindly sent me, from his forthcoming commentary* on the entire *Ath. Pol.*):

δικάζουσιν: Here the verb is used of the officials who preside at the trial and, presumably, are responsible for the declaration of the verdict (cf. 57. iv, of the basileus); but more commonly it is used of the men, whether magistrates or jurors, who actually decide the verdict (e.g. 53. i–ii, 63. iii; cf. *καταδικάζειν* in M&L 31, 18–19, with Wade-Gery, *Essays*, 182–5, Rhodes, *A.B.*, 204 n. 1). Presumably the word was used of magistrates in the days when they habitually did decide verdicts, but its use here is not simply a survival from that period, since the *εἰσαγωγεῖς* were a recent creation; the original meaning of the word may have been ‘state the right’. See H. J. Wolff, *Traditio* iv 1946, 75–6, D. M. MacDowell, *Athenian Homicide Law*, 37–8, Harrison, *L.A.*, ii. 38 n. 1; and cf. on *διαδικάζει* in 57. ii.

The restoration under consideration still, as Rhodes again pointed out, does not provide for an *εἰσάγουσα ἀρχή*. This difficulty may perhaps be overcome by modifying the restoration slightly and restoring, in addition, *εἰσάγειν* in the lacuna in line 38, in order to read in lines 37–38: *δι[κάζειν τὴν Ἡλιαίαν· | καὶ τὸς ἐ]ννέα ἄρχοντος τὰς μετὰ τὴν [έορτήν εἰσάγειν] ἕνα περὶ ἐκάστου αὐτῶν*: “The Heliaia is to decide the cases. The nine archons are to introduce the ‘post-festival’ cases, one (archon) concerning each of them (the magistrates).” There could be as many as nine defendants if one counts the four epimeletai, the praktor, the secretary, and the basileus and his two paredroi. The paredroi have not been mentioned earlier, but there seems to be no reason to assume that they would not have helped the basileus during the Mysteries. The basileus of course would not have been responsible for introducing a case concerning himself. For the phrase *τὰς μετὰ τὴν [έορτήν]*, as referring to a certain class of suits, compare, e.g., *τὰς τῶν ἀψύχων καὶ τῶν ἄλλων ζώων* (*Ath. Pol.*, 57.4, cited above). If the restoration *εἰσάγειν* is correct, this would represent the only situation, as far as I know, where an

⁶⁰ See Rhodes, *op. cit.* (footnote 6 above), pp. 169–171; Stroud, *op. cit.*, (footnote 6 above), p. 182, though M. H. Hansen, *Eisaggelia*, Odense 1975, p. 28, suggests the reading *εἰσαγγ[γελλέτω μὲν]* in lines 33–34; but cf. *ibid.*, pp. 112–113 and Antiphon, VI.49. It may be relevant to recall that the ekklesia when deliberating on ostracism was presided over by the Boule and the nine archons; cf. Rhodes, *op. cit.*, p. 18.

These suits do not seem to be the same as the ones mentioned in *Hesperia* 10, 1941, pp. 65–72, no. 31, lines 33–35.

*The following quotation contains abbreviations not generally used in *Hesperia*:

M&L = Meiggs and Lewis; see footnote 46 above.

A.B. = *The Athenian Boule*; see footnote 6 above.

L.A. = *The Law of Athens*; see footnote 36 above.

Also cited: Wade-Gery, *Essays in Greek History*, Oxford 1958, and MacDowell, *Athenian Homicide Law*, Manchester 1965. [Ed.]

individual could take his case to any of the nine archons, who could then become the *εἰσάγουσα ἀρχή* and who could even preside over one of these *δίκαι αἱ μετὰ τὴν ἐορτὴν*, though not necessarily the one that he introduced. The involvement of all nine archons would be unusual, but since the six thesmothetai were the *εἰσάγουσαι ἀρχαί* for certain kinds of cases, there seems to be no theoretical difficulty in the way of all nine archons' serving as *εἰσάγουσαι ἀρχαί*.

Lines 38–40: Some other officials seem also to be the subject of *ἐξηγῆσθαι*. For *ἀρ]ξ[αμ]ξ[νο]ς ἀπὸ νομηνίας* see line 34. The month, *τ[οῦ Μεταγειτινῶνος]*, may follow.⁶¹ Although the article is elsewhere spelled *τῶ*, we do have *ἐκάστων* in line 38. Ordering exegesis to start as early as the beginning of Metageitnion would be for the convenience of initiates who arrive early, to attend the Eleusinia. See the section concerning the Sacred Truce, above, lines 14–17.

On the exegetes of the Eumolpidai see my discussion in *Sacred Officials*, pp. 89–93. This is the first mention of officials called exegetes of the Eumolpidai, though references to Eumolpid exegesis occur earlier. These officials may have come into being fairly recently; the question is discussed in *Sacred Officials*, *loc. cit.* As to why they were needed I suggested the following:

If we regard Eumolpid exegesis as a developing institution, the following reconstruction of its development appears probable. Certain members of the *genos* were more knowledgeable and skilful in expounding than others, and they would naturally tend to be called upon with some regularity. The demand for exegesis steadily increased with the increasing litigation in the fourth century, which, in matters of exegesis, highly valued expertise and uniformity. The great throngs of initiates, who before the festival had to be carefully instructed in the *patria*, especially the foreigners, supplied another powerful impetus for uniformity of exegesis; for they surely needed to know some of the *patria* pertaining to the festival, and the question of whether they were completely free of pollution was probably of very great importance. The *genos* met this need by appointing as *ἐξηγηταί* members who were most knowledgeable in this speciality, thus regularizing and formalizing the institution. From now on, a person desiring exegesis knew exactly on whom he could call and that the exegete would not be occupied by other duties, as probably the regular priests of the *genos* were occasionally in the past. Moreover, the *genos* was now spared the embarrassment of faulty or illegitimate exegesis.⁶²

Lines 41–42: We have asyndeton also apparently in line 44; we can of course restore a vacant space before *περί*. The evidence elsewhere about the *παῖς ἀφ' ἑστίας* informs us that he was selected by lot. Here we learn that the basileus was involved, and therefore that the custom of the child initiated from the hearth was of considerable antiquity. We do not know which hearth is meant; perhaps the hearth in the Prytaneion. For a full discussion see *Sacred Officials*, pp. 98–114.

ὁ βουλόμενος Ἀθηναίων submits his name or the name of his child, and the basileus chooses the *παῖς* by lot. At the end of line 42 we may expect *τὸ[ν ἀφ' ἑστίας]* or the name of the month.

⁶¹ Rather than *τ[ὰ ἱερά καὶ πάτρια]*, as I suggested in *Sacred Officials*, p. 92.

⁶² *Ibid.*, p. 91.

SIDE B, *a*

Line 8: The epistatai are mentioned also on Side A, *a + b*, line 48.

Line 10: The initiates carried torches during the festival; cf. Mylonas, *op. cit.* (footnote 26 above), pp. 250, 264.

Line 11: Here begins a series of fines and punishments for various crimes. At the beginning of line 11, a monetary fine for a citizen, and then the penalty for a slave, probably a whipping.⁶³

Line 12: Cf. Side A, *a + b*, lines 32–33 and commentary on line 28. The penalties in line 11 must have been exacted by the epimeletai of the Mysteries (or similar officials) and could not exceed a certain amount; infractions deserving higher penalties had to be brought before the Heliiaia; if the court found the defendant guilty, it had to set the penalty immediately.

Line 13: Reference is to those delivering the *aparche* to Eleusis. *IG I²*, 76, lines 17–19, mentions a penalty to the hieropoioi if they do not accept delivery of the grain within five days after the announcement of its arrival.⁶⁴ At the date of the present document the epistatai would be the ones who received the grain.⁶⁵

Line 14: Cf. Demosthenes, XXI.214: *περὶ τὴν ἐορτὴν ἀδικήματα*.

Line 16: Perhaps, as Hubbe suggests: *εἰσ]όβδην καλέσ[αι*.

Line 20: Perhaps: *τοὺς [έννέα ἄρχοντας καὶ τὴν Ἡλιαίαν Βοηδρομιῶνος μετὰ]*; see Side A, *a + b*, lines 37–38.

Line 21: Why the line begins here I can only guess: the letters of the first part of the line may have been painted but not inscribed. If so, part of the restoration I suggested for line 20, at least *Βοηδρομιῶνος μετὰ]*, would belong instead to this line. Ἡ ἐβδόμη φθίνοντος is the twenty-fourth of the month. In Boedromion this happens to be the day after the festival, the day on which a special meeting of the Boule was held in the Eleusinion in Athens to discuss certain charges of misconduct during the festival and to hear a report from the basileus.⁶⁶ It makes sense that lawsuits would be conducted after Boedromion 24; this would be the same series of lawsuits, evidently, as the ones mentioned in Side A, *a + b*, lines 37–38: *τὰς δὲ [δ]ίκας . . . τὰς μετὰ τὴν [ἐορτὴν*.

Line 22: Before *ἀπλῆι*, either painted in this line or inscribed in the preceding, must have stood *ἀκούσια μὲν*; cf. *IG I²*, 6, B, lines 6–10: *τὰ μὲν ἠακόσι[α ἢ]απλῆι, τὰ δὲ [ἡε]κόσια διπλ[ῆι]*. Unfortunately, in both inscriptions no more is preserved than this. The noun which *ἀκόσια* (“unintentional”) and *ἐκόσια* (“intentional”) modify ought to be *ἀδικήματα* (cf. above, line 14); and *ἀπλῆι* and *διπλῆι, τιμῆι* (cf. *Kadmos*, Suppl. I, *The Law Code of Gortyn*, ed. R. F. Willetts, Berlin 1967, Col. I, lines 50–51, Col. VI, line 22).

⁶³ Cf. *Hesperia* 43, 1974, p. 158, lines 29–31.

⁶⁴ For discussion of the *aparche* see *Sacred Officials*, pp. 14–15.

⁶⁵ See above, p. 281.

⁶⁶ Andocides, *On the Mysteries*, 111; Mikalson, *op. cit.* (footnote 59 above), pp. 60–61.

Lines 23–24: These are the functions of the ἐπιστάται Ἐλευσινόθεν.⁶⁷ For Ἐλευσῖνι ἱεροῦ, see Pseudo-Lysias, VI.4, and O. Rubensohn, *Jdl* 70, 1955, pp. 2–3.

SIDE B, *b*

Line 4: Cf. *IG I*², 6, B, lines 22–24: Μεταγειτυνιδνος μενὸς ἀπ[ὸ] διχομενίας.

Line 9: The month indicates that these are trials after the Mysteries; cf. Side A, *a + b*, line 38.

Line 12: At the end ἐπ[ιμε]λ[ηται] makes good sense, but epigraphically ἐπ[ι-στ]ά[ται] cannot be excluded.

SIDE B, *d*

Line 4: The beginning of the line seems to be similar to that of *a*, lines 21 and 22. We must of course restore *περί*, the *πε* coming perhaps at the end of the preceding line.

Line 5: Perhaps *περὶ τὸ ἀφ' ἰστ[ί]ας μ[νο]μένο*. On this “official” see above, Side A, lines 41–42 and commentary. Here the “Ionic” *ἰστ-* (for *ἔστ-* in *ἔστια*) may actually owe its existence to the error of a stonemason who was looking at the iota directly above it, in line 4.

Line 7: Barley and wheat were the grains given as *aparche* at Eleusis (*IG I*², 76).

SIDE B, *e*

Line 1: A shrine called Sacred Fig Tree was connected with the Eleusinian cult. *IG I*², 313, lines 163–164, lists an expense of two drachmas ἐφ' ἱερῶν συκεῖ κέραμον σκε[υά]σαντι.⁶⁸

SIDE B, *f*

Line 4: On the altar-priest, see *Sacred Officials*, pp. 82–86.

Line 8: Perhaps: τῆς Δημ[η]τρίας ἐ[παρ]χῆς. Cf. *IG II*², 2957: ἐκ τῆς τοῦ Δημ[η]τρίου καρποῦ ἀπαρχῆς. ἐπαρχή = ἀπαρχή: *IG II*², 1672, line 263.

SIDE B, *g*

Lines 2–3: This section may concern the procession to Eleusis.

Lines 5–6: Cf. Side A, *a + b*, lines 32–33.

⁶⁷ See above, p. 281; *SEG X*, 24; Ἀρχῆς, 1971, p. 88 (= *IG II*², 1673); and Clinton, *op. cit.* (footnote 50 above).

⁶⁸ There may have been a place along the Sacred Way, before you reach the Kephisos as you come from Athens, which was called Sacred Fig (cf. Pausanias, I.37.2), but this seems to me to be uncertain.

SIDE B, *h*

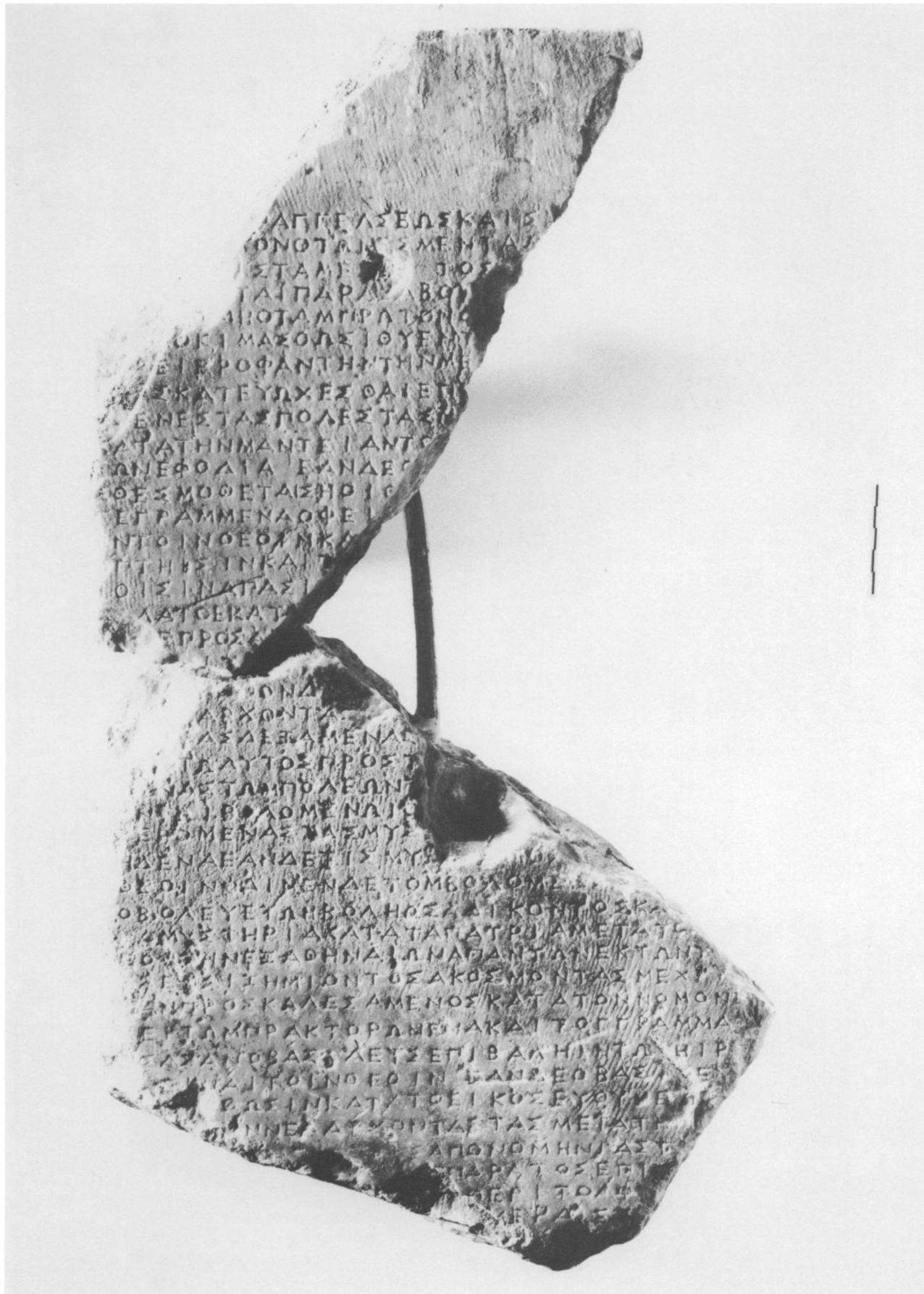
Line 7: Cf. *IG I²*, 6, c, lines 10–11 (= *Sacred Officials*, p. 10): $\mu\nu[\sigma\tau\epsilon]ρίους τ[ο]ῖς ὀ[λἐ]ζοσιν$. The spelling $-ι-$ for $-ει-$ is probably an error (Meisterhans-Schwyzler, *Grammatik der attischen Inschriften*, 3rd ed., Berlin 1900, p. 48, note 357).

SIDE B, *l*

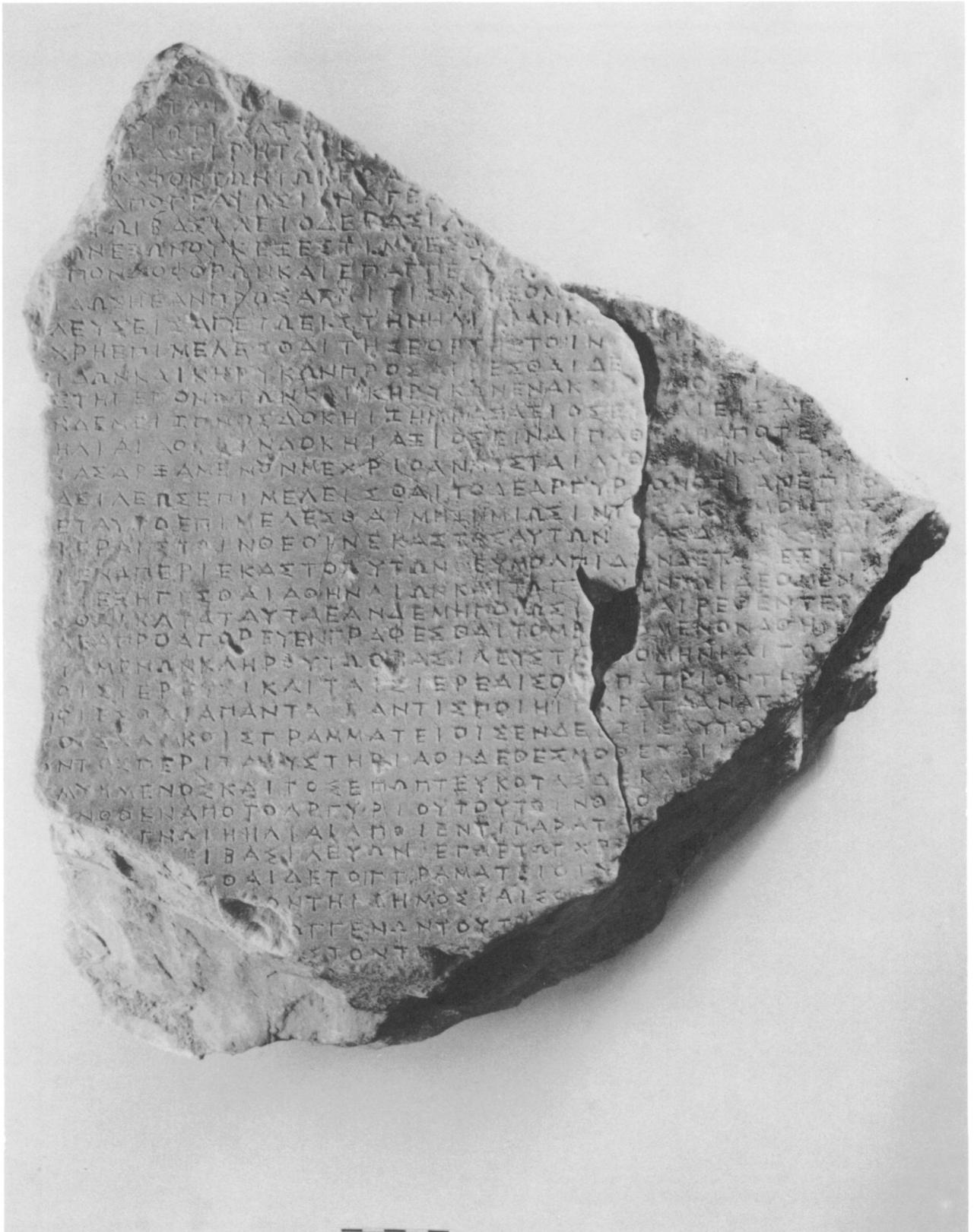
Line 8: On the *dadouchos* see *Sacred Officials*, pp. 47–68.

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Side A, fragment a (I 5733 + I 6974)



Side A, fragment *b* (I 6794)

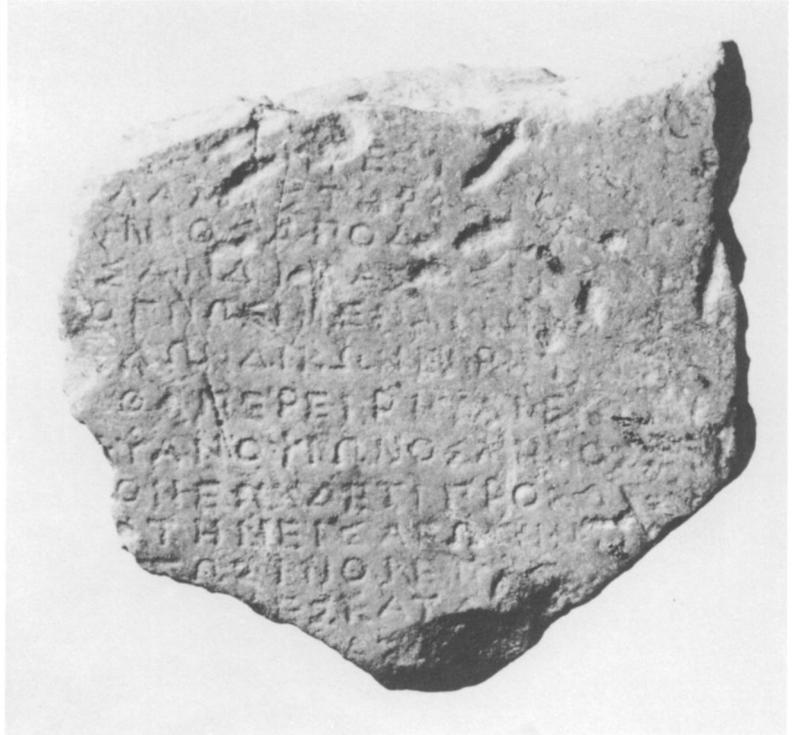


Side B, fragment *a* (= reverse of Side A, fragment *b* — I 6794)

KEVIN CLINTON: A LAW IN THE CITY ELEUSINION CONCERNING THE MYSTERIES



Side A, fragment *c* (I 4007)



Side B, fragment *c* (I 6877 b)



Side B, fragment *b* (I 6877 a)



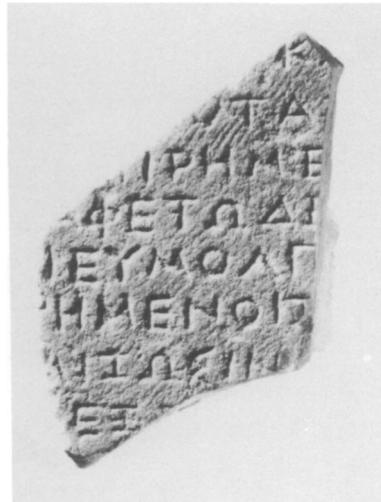
Side B, fragment *d* (I 4739 + I 6915 a)



Side B, fragment *e* (I 6915 e+f)



Side B, fragment *f* (I 6915 b)



Side B, fragment *b* (I 6915 d)



Side B, fragment *i* (I 6915 g)



Side B, fragment *g* (I 6915 c)



Side B, fragment *j* (I 6915 h)



Side B, fragment *k* (I 6915 i)



Side B, fragment *m* (I 4140)



Side B, fragment *l* (I 3854)