

XX. A New *Lex sacra* from Athens

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J. H. Oliver published a fragment of an Athenian decree which seems to contain regulations concerning cults.¹ This small inscription was reedited as a *lex sacra* by Hondius in *SEG* 10.42.

The first editor restored hesitantly in line 1 the formula usually found in Athenian decrees: ἔδοχεν τῇ βολῇ καὶ τοῖ δέμοι. Since the restoration is very probably correct, we can estimate how much of the text written *stoichêdon* has been lost. Accordingly I should like to restore and comment on a document which seems to bring us new information on Athenian cult practices.

The mention of *poletai* (line 2) and the expression ἐς χσύλα (line 5) suggest that we have to do with a law regulating the terms of the contract for supplying wood for a sacrifice. A similar subject is treated in a *lex sacra* from Epidaurus: the priest of Asclepius was to furnish the materials necessary for a sacrifice called the *prothysis*.² In return he was authorized to levy the following charges: (1) one-half obol for barley-corn and for a garland, (2) one-half or one obol for wood, and (3) three obols for other items. Elsewhere payments on the occasion of a sacrifice were made for services, for skins and for certain parts of the victims which were taken home by worshippers and not left to the sanctuary.³

Such contracts were usually let by the state to private individuals. Accordingly the regulations of the cult of Aphrodite of Cos contain a provision which authorizes the leasing of the taxes of the cult.⁴ The contractor had the right to seize and exact what was due if the fees were not paid.

According to our decree a charge was to be paid for wood and for other items needed at the cleaning of victims. Wood is

¹ *Hesperia* 4 (1935) 32-34, No. 3.

² *SEG* 11.419a.

³ Cf. *IG* II².1363; *Syll*³.1106.39; *BCH* 63 (1939) 183 ff., line 25; *Hesperia* 7 (1939) 1 ff., No 1, 88-91; L. Ziehen, *Leg. Gr. sacrae* (Leipzig 1906), Nos. 113.4, 114.1-2; *BCH* 37 (1913) 195, No. 20, 4-5, 225, No. 31, 5-6.

⁴ R. Herzog, *Arch. für Religionsw.* 10 (1907) 201 ff.

frequently mentioned in cult regulations, the cleaning of victims or of their parts, rather seldom.⁵ The grouping of wood, pig and cleaning in this inscription suggests that we have to do with a special kind of operation, namely, the singeing of the slaughtered pigs in the fire. Indeed such a cleaning is attested by Homer and the inscriptions.⁶

Wood and other items needed at the ceremonies could be brought by persons who wanted to offer a sacrifice. This is clearly stated in the above *lex sacra* of Epidaurus: ὅσα κα μὴ ἱκωντι ἔχοντες. Our regulation seems to foresee such a case. Persons who brought wood and other requisites had to pay for the operation of cleaning only (lines 9–10). In an Athenian general regulation concerning cult taxes, we find charges for wood (*phrygana*) and other items, and for services.⁷

The slaughtering and cleaning of victims at a sacrifice were performed by a special aide to the priest called a *thytês* or *mageiros*.⁸ He received for his work a reward in kind or money. Papyri from Egypt mention a tax, *mageirikê*, which was leased from the state. Rostovtzeff thought that it was a tax imposed on meat dealers.⁹ Wilcken on the other hand supposed that it was a tax levied on butchers.¹⁰ The Athenian decree suggests that the tax in question was paid on the occasion of a ritual slaughtering for cleaning and sacrificing of animals. *PGies.* page 7, No. 2 reveals that a certain Aphresius slaughtered pigs without paying the tax. The verb *parathyein* seems to allude to the slaying of animals in an improper manner.

The slaughtering of animals in antiquity was nearly always linked with the ritual display which we call sacrifice. This custom is still observed in the Jewish slaughterhouses. Various taxes were customarily levied on slaughtering. The lease of cults, so frequent in Greece in later Hellenistic times, was in reality a renting of the charges paid on the occasion of a sacrifice. The present decree discloses that this practice already existed in Athens in early classical times.

⁵ Cf. F. Sokolowski, *Lois sacrées* (Paris 1955), Nos. 54, 59, 70, 72.

⁶ *Od.* 1.388, 14.75 and 426; *IG* II².1356.6 and 12; F. Sokolowski (above, note 5) No. 46, 5; *Hesperia* 7 (1938) 3, line 33.

⁷ *IG* II².1356.

⁸ Cf. *RE* 11 (1922) 354; 14 (1928) 394; 17 (1939) 599.

⁹ *A Large Estate in Egypt* (Madison 1922) 121.

¹⁰ *Archiv. für Papyrusforschung* 8 (1923) 179.

In the light of the forgoing discussion I propose to restore the fragment of the Athenian decree as follows:

[᾽Ἐδοχσεν τῇ βολῇ καὶ τῷ] δέμο-
 [᾽ ἀποδιδόναι μὲν τὸς π]ολετὰς κ-
 [ατὰ τὸν νόμον ἐν ταῖς] πρυτανεί-
 [αις τὰ κατὰ τὸ hierēi]ον hékast-
 5 [ον διατεταγμένα] ἐς χσύλα καὶ τ-
 [ἄλλα τὰ ἐπὶ καθά]ρματι λαμβάνε-
 [ν δὲ δύο ὀβολὸ] κατὰ τὸν χοῖρον ἡ-
 [έκαστον· πρὸς δ]᾽ ἐ τὰ καθάρματα ἐ-
 [μβαλῆν ὀβολὸν τ]ὸς [ἐ]πενέγκοντ-
 10 [ας πάντα ἡδὼν δεῖ· εἰ] δὲ μέ, κατὰ κε-
 [φαλὲν καὶ ἄ]ποτίνεν δέ-
 [κα δραχμὰς hékα]στον
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1 Oliver 4 κατὰ τὸ hieri]ón Hondius 6 δέ]ρματα a slip of Hon. 9 [ἐ]πέ-
 νεγκον Hon. 10-11 κατακέ]φαλα Hon.

Translation

It was decreed by the council and by the people. The *poletai* shall lease according to the law in the time of the (remaining) prytanies the stipulated charges on each victim for wood and other items at cleaning. One shall levy two obols on each pig. For the cleaning, those who have brought what is needed shall pay one obol. If they do not, they shall be fined ten drachmae a head and . . .