

Religion and writing in the invention of archaic Greek legislation

Rebecca Van Hove

Scholars have long recognized some distinct differences between the development of writing in archaic Greece and how writing developed in other, earlier Mediterranean cultures. For instance, the earliest surviving Greek texts, dated ca. to 750 BCE, are not administrative, bureaucratic or commercial in nature, nor do we find public inscriptions, set up by rulers, with historical accounts. Instead, the first century of extant Greek writing (from ca. 750-650 BCE) centred very much on the personal, in two respects: not only are these inscribed texts part of the private sphere, written by individuals, but content-wise they also highlight the personal by focusing on personal names (votive dedications, *kalos* inscriptions, 'speaking' inscriptions on objects, tomb stones, etc). Early writing in Greece is thus a social practice, which has as primary goal communication rather than record-keeping, and which retains a strong closeness to speech.

A century later, however, quite a change takes place in the practice of writing, with the advent of the first public inscriptions in various Greek city states, in particular on Crete. Texts on stone begin to be used to record laws: a type of discourse which is innovative, as it did not exist in oral or spoken format in these communities (on the non-existence of Greek 'oral laws', see Gagarin 2008). How did this change occur? How did writing, first so closely linked to communicative and personal speech, come to be used for the recording of a type of text which displayed a very different relationship to speech?

This paper attempts to answer this question by examining the use of religion as an anchoring element in the development of inscribed written law in archaic Greece. Focusing in particular on the material from Crete, which constitutes some of our best-preserved and earliest Greek legal texts, this paper will look at the way in which religion acts as a connection between the earliest Greek written texts and the development, circa hundred years later, of inscribed legal documents – an innovation which created not only a new type of inscribed text but also a new conceptualization of rules as law. Divine authority is referenced and invoked in different ways in these laws, in particular through the choice of sacred sites as places of display and the use of invocations. The idea of writing as a performative action which honours or addresses the divine, visible in the earliest eighth century writing practices (e.g. votive texts, speaking objects), thus anchors the new practice of inscribing law to earlier types of writing. This paper will therefore argue for religion's importance both in terms of the context and content of early Greek legal inscriptions.

Select bibliography

Gagarin, M. (2008). *Writing Greek Law*. Cambridge University Press.

Ostwald, M. (1973.) "Was There a Concept of Law in Classical Greece?" *Phronesis* Suppl. 1: 70–104.

Powell, P. (2002) *Writing and the Origins of Greek Literature*. Cambridge University Press.