

Ἄγραπτα Θεῶν Νόμιμα IN SOPHOCLES'
ANTIGONE 450-457 AND
OEDIPUS TYRANNUS 863-872

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Corrected

ὅταν γὰρ ἔθνη τὰ μὴ νόμον ἔχοντα φύσει τὰ τοῦ
νόμου ποιῶσιν, οὗτοι νόμον μὴ ἔχοντες ἑαυτοῖς εἰσιν
νόμος· οἵτινες ἐνδείκνυνται τὸ ἔργον τοῦ νόμου
γραπτὸν ἐν ταῖς καρδίαις αὐτῶν...

- Romans 2:14,15
Novum Testamentum Graecae

In Bernard Knox's powerful study *The Heroic Temper: Studies in Sophoclean Tragedy* he devotes a significant section of his examination of the *Antigone* to an analysis of Antigone's reference to ἄγραπτα κάσφαλῃ θεῶν νόμιμα - "the unwritten and firm customs of the gods" (454-5). While Knox (in this writer's estimation) does an excellent job of showing the context into which this "noble and deservedly famous passage" was written, he overlooks a similar passage in lines 863-872 of *Oedipus Tyrannus* which touch on a number of the same issues (Knox, p. 94).¹ In this study we will briefly analyze, compare and contrast these two passages, considering where appropriate additional primary texts that may have a bearing upon their interpretation.

I. Text One: Antigone 450-457.

The first passage, which Knox suggests has generated a "jungle of interpretation, refutation and generalization" (ibid.) comes in the initial dialogue between Creon and Antigone following her arrest. Having established that Antigone knew the κηρυχθέντα "proclamations" he had made forbidding the burial of Polynices (*Antigone*, 446-48), Creon accuses her of τούσδ' ὑπερβαίνειν νόμους "overstepping these laws" (449). In response Antigone states...

οὐ γάρ τί μοι Ζεὺς ἦν ὁ κηρύξας τάδε,
οὐδ' ἡ ξύνοικος τῶν κάτω θεῶν Δίκη
τοιούσδ' ἐν ἀνθρώποισιν ὥρισεν νόμους.
οὐδὲ σθένειν τοσοῦτον ὥομην τὰ σὰ
κηρύγμαθ', ὥστ' ἄγραπτα κάσφαλῃ θεῶν
νόμιμα δύνασθαι θνητὸν ὄνθ' ὑπερδραμεῖν.
οὐ γάρ τι νῦν γε κἀχθές, ἀλλ' αἰεὶ ποτε
ζῆ ταῦτα, κούδεις οἶδεν ἐξ ὅτου ῥά φάνη.

For Zeus was not, at any rate, the one who ordered me,
nor Justice, who dwells with the gods below
[who] marked out such laws among men.
Nor did I think your proclamations so strong, so as
to be able to over-run the unwritten and firm
customs of the gods, being mortal.
For these live, not only now and yesterday, but forever;
and no one knows when they were revealed (450-457).

A few significant points may be outlined from this passage:

¹ Knox does cite *Oedipus Tyrannus* 865 in a footnote about Ehrenberg's treatment of the this text but even so, he does not relate the two texts to one another (p. 183).

A. The Purpose of Antigone's Statement.

It must first be observed that Antigone is not actually giving a discourse on ἄγραπτα θεῶν νόμιμα but only mentions them to show the authority for her actions. She seeks to make it clear that Creon's orders are not of equal status with such laws. She does so by contrasting his commands with the type of commands that might be made by either Zeus (i.e. the Olympian authority) or Justice ἡ ξύνοικος τῶν κάτω θεῶν "the one who lives with the gods below" (i.e. a Hadean authority). This establishes the cosmic parameters of divine authority in order to show that the instructions forbidding the burial of Polynices fall outside of such authority. Creon's commands cannot ὑπερδραμεῖν "overrule" (Lloyd-Jones, Vol. II, p. 45) divine laws, because they are merely mortal.

B. Justice and Hades.

While Antigone's reference to Justice is offered to establish a Hadean contrast and discredit Creon's mortal orders, it is curious that she refers to Δίκη "Justice" rather than Hades, claiming she lives with the gods below. In *Oedipus at Colonus* Oedipus declares ...ἔστιν ἡ παλαίφατος Δίκη ξύνεδρος Ζηνὸς ἀρχαίοις νόμοις. "...the old story in the ancient laws is [that] Justice sits with Zeus." (1381-82). Hesiod identifies Δίκη as the daughter of Zeus and Themis (*Theogony*, 901). Sophocles may draw from Hesiod's *Works and Days* as authority for his words in *Oedipus at Colonus* which claims αὐτίκα παρ Διὶ πατρὶ καθεζομένη Κρονίωνι γηρύετ' ἄνθρώπων ἄδικον νόον "now she sits by [her] Father, the son of Cronos and speaks for herself the unjust thought of men" (260-61). Δίκη is one of the ῥῶραι *Horae* whom Homer claims controlled the gates of the Heavens (*Iliad*, 8.392-395).² A latter tradition places her on earth during the Golden age, returning to heaven afterwards (Virgil,

² Ἡρῇ δὲ μάλιστα θοῶς ἐπεμαίετ' ἄρ' ἵππου, αὐτόμαται δὲ πύλαι μύκον οὐρανοῦ ἃς ἔχον ῥῶραι, ἡ τῆς ἐπιτέτραπται μέγας οὐρανὸς Οὐλυμπός τε ἡ μὲν ἀνακλῖναι πυκινὸν νέφος ἤδ' ἐπιθεῖναι (*Iliad*, 8.392-395).

Eclogue IV. 6-7).³ What we do not find is the tradition which has Δίκη living in Hades. Jebb sees this as simply “their personified right to claim from the living those religious observances which devote the dead to them” (Vol. III, p. 89). While it may be accurate to see this as a personification, Jebb is a bit premature in connecting Antigone’s reference to Δίκη with the ἄγραπτα θεῶν νόμιμα which demand burial of the dead. References to Zeus and Δίκη show the weakness of Creon’s commands not the origin of the unwritten laws.

C. The Origin of ἄγραπτα θεῶν νόμιμα.

In this text Antigone admits no origin of the ἄγραπτα θεῶν νόμιμα but claims κούδεις οἶδεν ἐξ ὅτου φάνη “no one knows when they were revealed” (457). Only later in the play will she claim ὁμῶς ὃ γ’ Ἄιδης τοὺς νόμους τούτους ποθεῖ. “nevertheless, Hades desires such laws” (519). Vernant sees in Antigone’s actions a conflict between Chthonic (i.e. Hadean) and Celestial (i.e. Olympian) powers, claiming “the *dike* of the dead is opposed to celestial *dike*: Antigone comes into violent conflict with the throne of the latter because she wished to recognize only the former” (p. 40). While this might be argued from other passages in the play, lines 450-457 do not support this conclusion. On the contrary it presumes (with Jebb) that Antigone’s reference to Δίκη is connected with the ἄγραπτα θεῶν νόμιμα. We must note: 1.) the references to Zeus and Justice precede Antigone’s reference to unwritten laws, and 2.) Antigone’s reference to Zeus is not given as an expression of conflict, but to demonstrate an Olympian parameter of divine authority, in order to discredit Creon’s commands.

D. The Meaning of νόμιμα.

Knox draws a distinction between the use of νόμιμα (Antigone, 455) and νόμοι (*The Heroic Temper*, p. 97). While he admits that “the history of this word has not yet been written” (ibid.)

³ iam redit et Virgo, redunt Saturnia regna; | iam nova progenies caelo demittitur alto. (Virgil, *Eclogue* IV. 6-7).

some observations beyond those of Knox can be made. First, in support of Knox, Plato in his *Laws* has the character known as “the Athenian” offer the very distinction which Knox suggests. He claims τὰ καλούμενα ὑπὸ τῶν πολλῶν ἄγραφα νόμιμα “the things called unwritten customs by many” are merely πατρίους νόμους “paternal laws.” He then goes on to claim that it is argued that only laws which are written and enacted should be called νόμους “laws.” In a second reference to these “paternal laws” he changes the wording calling them ἀρχαῖα νόμιμα “ancient customs” (793a-c).⁴ While this does give an early authority for making such distinctions, it also shows that we must be careful how far we take this distinction. Not only does Plato use the words interchangeably but Sophocles allows Antigone the same latitude using νόμιμα (455) and νόμους (519) in reference to the same thing.

II. Text Two: Oedipus Tyrannus 863-872.

Our text from *Oedipus Tyrannus* comes after Iocaste has revealed that she and Laius had exposed their child (707-725), and Oedipus has revealed his departure from Corinth and conflict with the stranger on the road (771-833). As they await the arrival of the sole survivor of the encounter on the road, the chorus sings...

εἴ μοι ξυνείη φέροντι
μοῖρα τὰν εὖσεπτον ἀγνείαν λόγων
ἔργων τε πάντων, ὧν νόμοι πρόκεινται
ὑψίποδες, οὐρανίαν
δι' αἰθέρα τεκνωθέντες, ὧν Ὀλυμπος
πατήρ μόνος, οὐδέ νιν
θνατὰ φύσις ἀνέρων
ἔτικτεν οὐδέ μή ποτε λάθα κατακοιμάσῃ·
μέγας ἐν τούτοις θεὸς οὐδέ γηράσκει.

May fate be present with me, keeping
reverent purity in all words and deeds,
for which are set forth high-footed laws,
born from the heavenly aither,
Olympus being [their]
only father.
No mortal nature of men begot them, nor at any
time can forgetfulness lull [them] to sleep
[because] god is great in these, nor does he age.(863-72).

⁴ Ἀθηναῖος. ὅτι ταῦτ' ἔστιν πάντα, ὅσα νῦν διεξερχόμεθα, τὰ καλούμενα ὑπὸ τῶν πολλῶν ἄγραφα νόμιμα· καὶ οὓς πατρίους νόμους ἐπονομάζουσιν, οὐκ ἄλλα ἐστὶν ἢ τὰ τοιαῦτα σύμπαντα. καὶ ἔτι γε ὁ νυνδὴ λόγος ἡμῖν ἐπιχυθεὶς, ὥς οὔτε νόμους δεῖ προσαγορεύειν αὐτὰ οὔτε ἄρρητα ἔαν, εἴρηται καλῶς· δεσμοὶ γὰρ οὗτοι πάσης εἰσὶν πολιτείας, μεταξὺ πάντων ὄντες τῶν ἐν γράμμασιν τεθέντων τε καὶ κειμένων καὶ τῶν ἔτι θησομένων, ἀτεχνῶς οἷον πάτρια καὶ παντάπασιν ἀρχαῖα νόμιμα, ἃ καλῶς μὲν τεθέντα καὶ ἐθισθέντα πάσῃ σωτηρίᾳ περικαλύψαντα ἔχει τοὺς τότε γραφέντας νόμους, (*Laws* 793a-c).

While this “song does not repeat the striking mention of the unwritten laws” seen in our text above from the *Antigone*, “their spirit could hardly be made more manifest” (Ehrenberg, p. 35) Let us observe a few points about this text:

A. The Source and Purpose of the Statement.

Unlike our text from *Antigone* it is the chorus who declares these words about νόμοι ὑψίποδες “high-footed laws” (865-6). How significant that may be stands to question. The chorus is not defending any actions, nor (yet) faced with the dilemma of Oedipus’ crime. Instead there is hope in their words that justice will be done. Oedipus is seeking to discover the murderer of Laius. Immediately after our text the chorus will condemn ὕβρις *hybris* (872) and pray that the gods will continue to bring good to the city (879-881). Yet their hope is tempered by concern. The chorus ends on two dire notes, asking the audience first, τί δέῃ με χορεύειν “why is it necessary for me to dance” (i.e. to worship the gods) if such deeds are honored (895-6). In other words, if the murderer of a king is allowed to prosper, what good is piety to the gods. Then, finally expressing fear that Apollo may be dishonored, the chorus ends with the ominous words ἔρρει δὲ τὰ θεῖα “the things of the gods are perishing” (910).

B. Political Overtones.

Knox sees in this text a direct appeal to the political circumstances of fifth-century Athens. Suggesting that Athens herself had become unjust, while esteeming the concept of law, he writes:

As the fury and passion of the war spirit mounted, the actions of Athens became more overtly violent and unjust; the contradiction between the laws of the city and a higher law beyond the one man has made, a contradiction already explored in the Sophoclean *Antigone*, became more open, insistent, and oppressive. The appeal of the chorus of the *Oedipus Tyrannus* to laws “whose father is Olympus alone” which cannot “be deceived, forget, or sleep” is, like the *Antigone*, a reminder that there are standards beyond those of the *polis*, that Athens, righteous in its own eyes and vindicated in its own courts, may yet have to face a higher and impartial judge. (*Oedipus at Thebes*, p. 102).

This is an interesting hypothesis which may have some bearing. It is impossible to interpret either the *Antigone* or *Oedipus Tyrannus* as merely mythic dramas told in a political vacuum. Both tragedies explore issues of power and its limits. Both of our texts touch on the fact that human laws (sic. governments) are inferior to a higher, more enduring standard, whether it is visible or not.

C. The Origin of the νόμοι ὑψίποδες.

Unlike our text in *Antigone*, which initially admits no origin of the ἄγραπτα θεῶν νόμιμα, the νόμοι ὑψίποδες of this text have a single source. They are οὐρανίαν δι' αἰθέρα τεκνωθέντες “born from the heavenly aither.” (866-7) with ὦν Ὀλυμπος πατὴρ μόνος “Olympus being [their] only father” (867-8). In this first phrase it is curious that Sophocles uses the preposition διὰ with the accusative, rather than the “verbally appropriate ἐν αἰθέρι” (Jebb, Vol. I, p. 95). Campbell suggests this “is probably used because the idea is not that of passing through, but of permeating” (p. 209). This is not to suggest that their jurisdiction is limited to the οὐρανίαν αἰθέρα but instead it is their “mother-element” (ibid.). In the second phrase we see another personification, as in the *Antigone*, in this case Olympus, the mountain home of the gods. It is the πατὴρ μόνος “only father” of these laws. We should note that Sophocles follows Homer, yet departs from the usual Attic form in making αἰθήρ feminine (LSJ, p. 37). Is this gender contrast intended to picture the union of *aither* and “Father Olympus” in order to generate these laws? In a monotheistic context we might expect πατὴρ μόνος to emphasize one deity alone.⁵ Yet, in this text it could be taken to affirm a polytheistic origin of the laws. That is to say “the gods of Olympus (as a whole) are their progenitors.” Campbell suggests, “Olympus, the seat of the Gods, is in Sophocles a sort of unseen heaven; and has almost lost the association of the place” (ibid.). If this is true the two phrases may simply be a type of epexegetis; repeating the same idea to explain further.

⁵ Cf. Περὶ δὲ τῆς ἡμέρας ἐκείνης καὶ ὥρας οὐδεὶς οἶδεν, οὐδὲ οἱ ἄγγελοι τῶν οὐρανῶν οὐδὲ ὁ υἱός, εἰ μὴ ὁ πατὴρ μόνος (Matthew 24:36).

D. The Significance of the Adjective ὑψίποδες.

Although the laws of which the chorus sings are not identified as ἄγραπτα, they are described as ὑψίποδες meaning “*high-footed*, i.e. *high-reared, lofty*” (LSJ, p. 1910). Campbell suggests “moving on high” (p. 209); Lloyd-Jones renders this “laws that *stand high*” (Vol. I, p. 413). How far to take the literal meaning of this word is hard to determine. The high “foot” could simply refer to where they were πρόκεινται “set forth.” As if to say their foundation stands on Olympus itself. Segal suggests that Sophocles may have something else in mind.

The adjective “high-footed” that describes Olympian laws (in the sense of “lofty” or “on high”) suggests a tragic contrast in this distance, for it reminds us of the recurrent image of feet in the play and especially of “Oedi-pous,” whose feet keep him very much on earth and among the mortal woes of birth and generation (p. 119).

We will remember that Οἰδίπους means “*the swollen-footed*” (LSJ., 1201). If Segal is correct Sophocles may play off the name of *Oedipus* in irony. That is, he who is “*the swollen-footed*” will be found in violation of laws that are “*high-footed*.” Our conclusions in this regard must be very cautious, however, in that the word may simply describe the high status of these laws.

E. μέγας ἐν τούτοις θεός.

Finally we must address in the last part of our text the phrase μέγας ἐν τούτοις θεός “the god [is] great in these” (872). The antecedent of τούτοις is clearly the laws themselves. Does this suggest then a single god who enforces them? Is Zeus the πατήρ μόνος? Why not Justice, or Hades? Jebb suggests another idea, explaining this to mean “‘mighty is the god (abstract) in them’; i.e. the divine virtue inherent in them is strong and unfailing.” (Vol. I, p. 95). This would have Sophocles using θεός in a manner more commonly reserved for the word δαίμων. This is not without precedence however. In the opening of the play speaking of the plague he writes ἐν δ᾽ ὁ πυρφόρος θεός σκήψας ἐλαύνει, λοιμὸς ἔχθιστος, πόλιν “but, the fire-bearing god, the most hated pestilence, having come down rushes upon the city” (27-28). If this is correct Sophocles allows the chorus to

tell the audience that these “high-footed” laws are not only eternal but they ever live with the power and strength of divine inspiration. This almost approaches the Christian concept of the living nature of Scripture,⁶ a key difference being, (if we can infer from the text) that these are ἄγραπτα,

III. Comparison of the Two Texts.

A. General Similarities.

Having examined some issues related to each text, let us now consider what the two texts have in common. The similarities can be broken down as follows: Both suggest: 1.) The gods establish laws or customs; 2.) Mortal laws are inferior to divine; 3.) There is strength in these laws; 4.) They are considered to be living (in some sense); and finally, 5.) They are eternal. The chart below illustrates these similarities.

Antigone 450-457		Oedipus Tyrannus 863-871
ῥοισεν νόμους (452)	◀ Divine Establishment of Law ▶	νόμοι πρόκεινται (865-6)
θνητὸν ὄνθ' (455)	◀ Inferiority of Mortal Law ▶	οὐδέ νιν θνατὰ φύσις ἀνέρων ἔτικτεν (868-70)
οὐδὲ σθένειν τοσοῦτον ῥόμην τὰ σὰ κηρύγμαθ' ὥστ' ...δύνασθαι ... ὑπερδραμεῖν (453-5)	◀ Strength of the Laws ▶	μέγας ἐν τούτοις θεὸς (871)
ζῇ ταῦτα (457)	◀ Living Laws ▶	μέγας ἐν τούτοις θεὸς οὐδὲ γηράσκει. (871)
οὐ γάρ τι νῦν γε κάχθές ἀλλ' αἰεὶ ποτε ζῇ ταῦτα (456-7)	◀ Endurance of the Laws ▶	οὐδὲ μὴ ποτε λάθα κατακοιμάσῃ (870-71)

⁶ Cf. Ζῶν γὰρ ὁ λόγος τοῦ θεοῦ καὶ ἐνεργῆς καὶ τομώτερος ὑπὲρ πᾶσαν μάχαιραν δίστομον καὶ διῆκνουμενος ἄχρι μερισμοῦ ψυχῆς καὶ πνεύματος, ἀρμῶν τε καὶ μυελῶν, καὶ κριτικὸς ἐνθυμήσεων καὶ ἐννοιῶν καρδίας (Hebrews 4:12).

With respect to the divine establishment of such laws, the words *ὥρισεν νόμους* in the *Antigone* are properly a part of the original statement about Zeus and Justice, and not related directly to the *ἄγραπτα θεῶν νόμιμα*. Even so, this very wording implies the possibility (if not the understanding) that the gods establish laws *ἐν ἀνθρώποισιν* “among men” (452). While *πρόκειται* is “the usual word for promulgation of a law” (Campbell, p. 209), as seen in Creon’s reference to *νόμους προκειμένους* in *Antigone* 481⁷, *ὀρίζω* is usually used of marking out property (LSJ, p. 1251). Perhaps Sophocles uses this word because Antigone’s illustration seeks to chart the boundaries of divine jurisdiction (i.e. Olympus and Hades).

While both texts address the inferiority of mortal law, the *Antigone* does so by identifying mortality as the reason Creon’s commands are of limited value. *Oedipus Tyrannus* speaks of the generative process that would create such laws. That is *θαντὰ φύσις ἀνέρων ἔτικτεν* “the mortal nature of men begot [them]” (869-70). The use of the word *φύσις* “nature” may have some significance here. Ehrenberg feels that Sophocles represents a type of traditional religious belief which the Sophists denied, appealing to “natural law” (p. 35). Carey suggests “the preference for *physis*, would probably suggest the sophistic movement to the average Greek” (p. 37). This may well indicate (with Knox) that Sophocles offers a political and religious commentary on the politics of his day. A century later Aristotle would quote Sophocles, classifying Antigone’s words as referring to *ὁ κοινός κατὰ φύσιν γάρ ἐστιν* “general [law], for it is in accordance to nature” (I.15.6).⁸ This classification likely says more about Aristotle’s times than Sophocles’ motive.⁹

⁷ αὕτη δ’ ὧς ὑβρίζειν μὲν τότε ἔξηπίστατο, νόμους ὑπερβαίνουσα τοὺς προκειμένους (*Antigone*, 480-1).

⁸ καὶ ὅτι τὸ μὲν ἐπιεικὲς αἰεὶ μένει καὶ οὐδέποτε μεταβάλλει, οὐδ’ ὧς ὁ κοινός (κατὰ φύσιν γάρ ἐστιν), οἱ δὲ γεγραμμένοι πολλάκις, ὅθεν εἴρηται τὰ ἐν τῇ Σοφοκλέους Ἀντιγόνη· ἀπολογεῖται γὰρ ὅτι ἔθαψε παρὰ τὸν τοῦ Κρέοντος νόμον, ἀλλ’ οὐ παρὰ τὸν ἄγραφον (*Rhetoric*, I.15.6 [1375a]).

⁹ Most of the scholarly work done on this issue (i.e. Knox, Ehrenberg, Ostwald, etc.) focus much of their consideration on classical sources as they relate to Aristotle’s classifications. This, not only ignores the generational gaps, but conceals when Aristotle himself “secularizes” (Knox, p. 96) a religious concept.

B. General Differences.

While the differences between our two texts are fewer, they can be outlined as follows: 1.) The speaker. Instead of a distraught, sibling, guilty of civil disobedience, in *Oedipus Tyrannus* it is a moralistic chorus who considers the state of affairs in relation to divine law. 2.) The type of law. Although the distinction between νόμιμα and νόμοι is not yet as significant as it would later become, it is evident that the particular prohibitions with which text deals are different. Antigone argues that requires burial of the dead, while the chorus of *Oedipus Tyrannus* appeals to divine law in its prohibition of murder or perhaps even its treatment of murderers. Finally, 3.) The source of the laws. Sealey suggests the Athenians looked to men like Solon and Draco as the *fontes iuris* “source of the laws” (p. 289, 293). The *Antigone* appeals to the gods, but claims uncertainty about when the revelation of these laws occurred. The *Oedipus Tyrannus* claims the personified Olympus as the source of these laws, which could be taken to include all of the gods (Hades and Δίκη included). The chart below illustrates these differences.

Antigone 450-457

ΑΝΤΙΓΟΝΗ
νόμους (452)
νόμιμα (455)

κούδεις οἶδεν ἐξ
οὔτου ᾿φάνη (457)

◀ Speaker ▶
◀ Type of Law ▶
◀ Source of The Laws ▶

Oedipus Tyrannus 863-871

ΧΟΡΟΣ
νόμοι (865)

οὐρανίαν δι’ αἰθέρα
τεκνωθέντες, ὧν ᾿Ολυμπος
πατήρ μόνος (866-8)

IV. Conclusion.

Martin Ostwald in a series of studies presented to Greek philosophy scholar Gregory Vlastos addressed the question “Was there a concept ἄγραφος νόμος in Classical Greece?” Ostwald follows (in much greater detail) many of the paths of investigation pursued by Knox, to whom he suggests “some disagreements notwithstanding,” his own “discussion owes much” (p. 83ff.). After considering

our text in *Antigone* together with the other ancient texts which address his question, he concludes:

Is there a concept or are there concepts of ἄγραφος νόμος in classical Greek literature? I believe that the evidence here presented compels us to answer the question in a modified negative. All that ἄγραφοι νόμοι, ἄγραφα δίκαια and related expressions have in common is that they are envisaged as different from those rules and regulations which form the valid and published code of laws of the state (p. 101).

Ostwald's objective appears to have been to identify a single common concept with which Sophocles, Thucydides, Plato, Aristotle, Xenophon and Demosthenes would all agree. Coming short of this he answers his own question in the negative. What if the question was asked more specifically, "was there a concept ἄγραπτα θεῶν νόμιμα that was known by Greeks in the classical period?" To this question, Sophocles' writings alone would demand that we offer a resounding "yes!" So far as our texts are concerned it is evident that: 1.) These laws concerned at least burial of the dead (*Antigone*) and punishment/prohibition of murder (*Oedipus Tyrannus*); 2.) These were referred to as either νόμιμα or νόμοι, without the precise distinctions that would come later. 3.) These laws were thought to have been revealed at some point in time, established by the gods, superior to mortal laws, and eternal in nature. Whether the ἄγραπτα θεῶν νόμιμα of *Antigone* and the νόμοι ὑψίποδες of *Oedipus Tyrannus* are to be viewed as the same may be impossible to answer. Were they viewed as an absolute unwritten code, revealed in the past by the gods and thought to be passed down to the time of Sophocles? Or separate, unrelated divine ordinances? Was this a common belief or, does Sophocles invent this notion for literary purposes? What is clear is that the concept of unwritten, divine laws existing in superiority to human laws was at the very least a valid literary theme, if not an active belief among the citizens of fifth-century Athens.

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