

Response to Constantin Pop, Review of *Early Greek Lawgivers*. [CJ Online 2009.02.04](#)

Note: CJ Online Policy is to publish responses to reviews only when (as in this case) specific matters of fact are in question.

I have only now seen this review of my book, hence my tardiness in responding. *Early Greek Lawgivers* is very short—74 pages of text, not including a timeline, map, study questions, bibliography and index—but the 37 pages (pp. 11–47, not 50 pages as stated by Pop) concerning the sources and context necessary to understand the lawgivers are not as neglectful of the issues, or as sloppy in their explanation, as Pop maintains.

Pop states that the “meanings of the two Greek words [*nomos* and *ethos*]” are not given and that their functions are blurred. We can argue about the blurring of their functions—which in the archaic period may not have been as clear as Pop thinks—but here is what I wrote about their meanings. Early on (p. 14) I described some problems involved in discussing the narrow and wide senses of *nomos*, of *nomos* as “law” versus “a law,” as “custom,” etc. Later, regarding Hesiod, I wrote (p. 30):

*Nomos* means “law,” but this too has wide and narrow meanings. Widely, it means certain standards, or broad norms from which particular decisions may be derived; it is the customs on which a society is based, which may or may not be written.... In later times, however, *nomos* will take on a narrower meaning. The *nomoi* are general principles and rules, arrived at by an accepted process of deliberation, carved into stone in public view, enforced as laws, and immutable except by special act.

I go on to note that there are many problems associated with *dike*, *themis*, and *nomos* that could not be covered, and that there are

many complexities and qualifications to be grasped, but in broad terms *themis* is the overall order governing the community which is established by the gods and the decrees of rulers; *dikê* is the balance between disputing parties, as well as a way to resolve actual disputes, under an order proper to human beings; and *nomos* (or a *nomos*) is the law (or a law) that is instituted to accomplish this.

I follow this with a brief mention of the genealogy of the gods in the *Theogony*, so that students might know where to turn for Hesiod’s views. Then, on p. 32, I state:

There is a sense of order in Homer’s men, for instance, but it has not been defined in a set of laws. On a deep level it is not in *nomos*, but rather in *ethos*: the unwritten customs and habits that underlie human life and action.

One may disagree with these formulations, which would require one to read the text associated with them, but it is not the case that I have not given the meanings of the words.

Pop is also wrong when he states that I described *sophrosune* as “good cheer” (p. 33). In fact, I thus described *euphrosune*, a different word entirely. Pop also claims that I describe *hubris* as “harm done to another person” (p. 29). But I actually describe *hubris* as an “‘outrage,’ an attack on the honour, possessions or status of another person.”

If readers are interested in my views on my topic—the Greek law-givers, not Greek law—I urge them to consult the book itself rather than Pop’s review.

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