

# The Vatican Fragments of Greek Political Theory

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WALY published in *Studi e Testi* 104 (1943) two folia (A and B) of a palimpsest (*Vat.gr.* 2306) and called the underlying work, after the subject of B, *Fragmentum Vaticanum de eligendis magistratibus*. It seems to have come from a lost work of Theophrastus, in fact his *Laws*, and to presuppose familiarity with Aristotle's *Politics* and *Constitutions*. Aly's edition contained text, diplomatic transcript, Latin translation, commentary and some photographs. Since Aly's (reviewed by R. P. Oliver, *CP* 45 [1950] 117–19), the chief studies are those of F. Sbordone, "Le pergamene vaticane 'De eligendis magistratibus'," *ParPass* 3 (1948) 269–90; J. J. Keaney, "Theophrastus on Greek Judicial Procedure," *TAPA* 104 (1974) 179–94; and J. J. Keaney and A. Szegedy-Maszak [hereafter, K/Sz], "Theophrastus' *De Eligendis Magistratibus*: Vat. Gr. 2306, Fragment B," *TAPA* 106 (1976) 227–40.<sup>1</sup>

The work has an extraordinary interest, as Aly pointed out and R. P. Oliver emphasized, not only for students of Greek institutions but for those of Roman as well. The *cursus honorum*, the trial in two phases, the senatorial commissions with members of differentiated

<sup>1</sup> The identification of the author as Theophrastus goes back to Aly and is confirmed by Sbordone, who made an analysis of the vocabulary and noted the reflection of Aristotle's *Politics*. R. P. Oliver pointed out the similarity to fr.97 Wimmer, which is from the *Laws* of Theophrastus, and D. M. Lewis (in J. Keaney, *TAPA* 104 [1974] 181 n.8) proposed recognizing the Vatican fragments as from the *Laws*. The arguments for Theophrastus are summarized by Keaney. One could always refuse to accept the authorship of Theophrastus because of the lack of direct attestation, for none of the previously known fragments coincides with any part of the Vatican fragments. On the other hand, no one has formally proposed a different authorship, and the importance of the *Laws* of Theophrastus, which W. S. Ferguson, *Hellenistic Athens* (London 1911) 40, called as epoch-making as the *Politics* of Aristotle, could easily have caused its survival to the sixth century, the date to which Aly assigned the hand. Aristotle, who is not here named even when contradicted or reworded, was vividly present in the mind of the author. This connection, the fact that no event later than the fourth century B.C. is mentioned and finally the style provide strong support for the identification of the author as Theophrastus, while B 98–101 strongly suggests that the subject of the work is how the conduct of community affairs can be improved by good laws.

rank had their foundation in Greek political theory of the fourth century B.C.

The two folia A and B clearly contain parts of the same work, but it is not possible to say whether A precedes B or B precedes A, though Crönert (see Aly) and Sbordone thought that A followed B with the loss of only two columns between them. Any discussion will fall automatically into two sections corresponding to fragments A and B. There is no advantage in changing the order.

We here present, though without dots,<sup>2</sup> an edition which incorporates changes of wording at A 20, 54–55, 64, B 40a, 54 (already anticipated by D. M. Lewis in K/Sz), 98, 113, 131, 179, 223, 224, 226, 240, 246–48, 249a, and changes in punctuation at A 65–73, B 8, 146–47, 235, 249. A new English translation is offered, and a new commentary which takes the discussions of the last thirty-four years into account and especially brings forward new considerations and corrections. Restorations and emendations, unless otherwise stated (as in commentary to A 54), are by Aly.<sup>3</sup>

## TEXT, FRAGMENT A

	[ἐὰν κατ' ἐξέτα]–	15	το πλεονεξίαν
FOL. A <sup>r</sup>	[ς]μόν, ὅπερ καὶ		[τινὰ] ποιεῖ τοῖς
COL. iii	δαιτητῆς ποι-		φιλονικούσιν,
	[εἰ] χρόνιον <ὄν> καὶ ἐρ-		ὅπερ φασι συμβαί-
	[γ]ῶδες, ἕκαστον		νειν καὶ ἐν τῇ
5	[ἀ]νακρίνη, καθά-	20	Σπάρτη· τοιγαρο[ῦ]ν
	[π]ερ ἐν Λακεδαίμο-		σκυτάλη ἀνα-
	[ν]{ε}ι ποιοῦσιν·		κρίνουσιν οὕτως
	[δ]ιὸ κρ<ε>ῖττον ἴσως		καὶ ἀνακρίναντες
	[ἄ]τε <τὸ> ἀκριβὲς ζη-		ἐκκαλοῦσιν τῇ
10	τοῦντας πολλὰς	25	ᾠρα τοὺς ἄλλους,
	ἀδικάστους ποι-		ὁ καὶ Κλεομένης
	εἶν ἢ ἄνευ τῆς ἀ-		ἐποίησεν ὁ βα-
	νακρίσεως δικά-		ς[ι]λεὺς ἐν τῇ
	ζειν, ἐπεὶ καὶ τοῦ-		κρίσει τῇ ἐς Κλε-

<sup>2</sup> Whole words are seldom in doubt, though Aly had to dot many letters, likewise K/Sz.

<sup>3</sup> For letters no longer visible square brackets are used; for those omitted by the scribe and supplied by the editor angle brackets are used; for letters deleted by the editor braces {} are used.

<p>30 ὅλαν. πάντα δὲ ταῦ- τα συλληπτέον εἰ [ . . . . . ] μὴ τοὺς διδόντας (?) ΑΛ[-----] [Ten lines missing]</p> <p>FOL. A<sup>v</sup> COL. i ἡμέρας ἀκροᾶ- σθαι καθάπερ [ἐν] Λακεδαίμονι· καὶ τῷ πλήθει[ι ἔ]- νι τῶν ψήφω[ν]-</p> <p>50 ὑπεραίρειν, ὥ[ς]- περ ἐν Μεγάλῃ πόλει περὶ τῶν φθινηχῶν. ἐν[ια]- χοῦ δὲ καὶ ὑπο[τε]-</p> <p>55 λοῦσιν τῷ κρι- νομένῳ, καθά- περ ἐν Λοκροῖς φα- σι τοῖς Ἐπιζεφυ- ρίοις. χρὴ δ' ἐν γ[ε]</p>	<p>60 τοῖς τοιούτοις ἰ- έναι εἰς ἀψυχίαν τε καὶ πάθος τὰ πολλὰ τοῖς δράσα- σιν, ὥσπερ ἐν τοῖς ἀρχαίοις &gt;</p> <p>65 χρόνοις. καὶ ὅσα δὴ χρονηζόμε- να μὲν βλέπτει τὴν πολιτείαν, ἐνίων δὲ κἂν' ἀ-</p> <p>70 ποφυγὴν πολ- λάκις ἀκροασαμέ- νων καὶ ἀνακρι- νάντων ὁσίως, ὑπεύθυνόν πως</p> <p>75 πάλιν ποιητέον, ὥσπερ ἐν Λακε- δαί[μον]ι· διὰ βίσι[ν] δ[ὲ] . . . ]νται πα[ρὰ] [-----]</p>
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A 53 fortasse φθιν<οπω>ρικῶν. 61 "ex eve enai correctum esse videtur"  
Aly. 64 ἀρχαίοις supplevi.

TRANSLATION OF FRAGMENT A

RECTO. [- - - if by examination], which an arbitrator also does, a lengthy and laborious process, (the magistrate) interrogates each (party), as they do in Lacedaemon. Wherefore, perhaps it is better for them, inasmuch as they are seeking <the> whole and exact truth, to leave many (cases) undecided than to decide them without the examination, for to decide without examination gives a [certain] unfair advantage to the contentious, and contentiousness, they say, exists even at Sparta. Precisely to be fair they hold an examination at once by (issuing) a peremptory order (to the parties), and having made an examination, they call out the others when the trial season comes. That is what Cleomenes the king did in the trial of Cleolas. All these factors must be taken into account, unless [- - -]

VERSO. [- - -] days to hear as in Lacedaemon, and it is possible for the

Assembly to override the votes, as at Megalopolis (to reverse decisions) on the cases heard at harvesttime. Sometimes they make payments to the one being tried, as at Epizephyrian Locri, they say. But in situations like this it is usually necessary (for the proceedings) to become discouraging and punishing for those who did wrong, as in the <olden> days. And while all affairs which are dragged out injure the polity, there are, on the other hand, some (situations in which an affair) must somehow again be made liable to scrutiny, as in Lacedaemon, even after they have listened many times up to an acquittal and investigated scrupulously. As long as they are alive [- -]

#### COMMENTARY ON FRAGMENT A

Keaney argues convincingly that A does not concern the audit of magistrates. His argument is based on the word ἀνακρίνω (21–23), never used of the audit, and on the phrase τοῖς δράσασιν in A 63–64. He shows also that ἀνάκρισις and εὐθύναι are not limited to magistrates, and that the difficulty of enough time was one fault in capital cases. But when he interprets the new word φθινιχῶν in A 53 as referring to capital cases, he does not convince the present writer. As if φθίνω could mean ‘be killed’, he contends that this previously unknown word refers to cases with execution as a penalty. The photograph does not disprove the reading of a *chi* as the sixth letter of this word but does not support it either. Keaney, who personally checked Aly’s reading, accepts the *chi*, though not explicitly. If the letter were *kappa*, the writer would assume an omission and emend to φθιν<οπωρ>ικῶν. Cases heard in the autumn or waning summer would occur during the hectic harvesttime; they might be or include capital cases, but we could not build on any such assumption. Some judicial procedure, however, is indeed the subject of A, more specifically the desirability of a trial in two phases and the necessity of allowing sufficient time.

A 9–10: The phrase [ᾗ]τε <τὸ> ἀκριβές ζητοῦντας Aly translates “verum quaerentes” and Keaney “in as much as it is accuracy which is being sought.” These translations have the advantage of rendering the word ἀκριβές with a single English or Latin word. The etymology ἄκρ- + εἶβω<sup>4</sup> implied something like allowing the liquid to drip

<sup>4</sup> Ed. Schwyzer, *Glotta* 12 (1923) 12–14. See also H. Herter, “Die Treffkunst des Arztes in hippokratischer und platonischer Sicht,” *Kleine Schriften* (Munich 1975) 175–211.

until the container or measuring cup was full to the top. That is, the Greek implies not only an accurate measure but full measure.

A 20: Sbordone (p.283) read *τοιγαρο[Ϝ]ν*. The *omicron*, not seen by Aly and Keaney, appears clearly in the photograph, and so does the horizontal line indicating a final *νι*.

A 21–22: Aly and Sbordone were misled by the word *κυτάλη* as defined by late writers. There is no emphasis on secrecy; rather *κυτάλη* refers to a peremptory order of a Spartan type to appear, as in Thuc. 1.131: *πέμφαντες κήρυκα οἱ ἔφοροι καὶ κυτάλην εἶπον τοῦ κήρυκος μὴ λείπεσθαι, εἰ δὲ μὴ, πόλεμον αὐτῷ Σπαρτιάτας προαγορεύειν*. As for the examination, Keaney (n.29) compares the public arbitration procedure at Athens (Arist. *Ath.Pol.* 52, 2–3); he suspects “that the allusion in the text is to the inadmissibility of further evidence after the ephors have completed their investigation.” Questions at issue may have been delimited, as in the phase *in iure* of a Roman trial, where the praetor grants a formula and gives an order (for the judge whom the parties accept): *si paret . . . condemnato, si non paret, absolvito*. For the adverb *οὐτως* ‘without delay’, see LSJ s.v. IV.

In A 25 Aly and Keaney read *ἄρα*, Crönert and Sbordone *ἄκρα*, “al momento culminante.” “The others” are the witnesses.

In A 26 the reference to the unknown trial of Cleolas leaves uncertainty as to which Cleomenes is meant. The probabilities point to Cleomenes II, but, even so, 309 B.C., when Cleomenes died, need not be assumed as a *terminus ante quem* for the treatise.

A 32–34: Sbordone restores *εἰ[κρότως ἵνα] μὴ τοὺς διδόντας μ[όν]ον [ἀλλὰ καὶ - - , but the reading is very uncertain.*

A 45, *ἡμέρας*: either singular (*[ἐντός] ἡ.*) or plural.

A 50–53: Nothing is known about this institution at Megalopolis, but it may be suggestive that cases were divided into *εὐθειαι δίκαι* (see B. Helly, *Gonnoi II* [Amsterdam 1973] nos. 78 and 90) and *βόλιμοι δίκαι* (*Gonnoi* nos. 75, 77, 79 and 80). The former had to be tried without delay. The “*φθινηχαί*” may have been *εὐθειαι δίκαι* which could be appealed to the People, priority cases heard perhaps in the autumn.

A 53–59: The main problem is the verb in lines 54–55. Aly read the first letters of line 55 as *λουειν* and with an emendation edited the verb as *ὑπο<δ>ουειν*. Keaney interpreted this as a reference to fettering, which seems to have no connection with the subject of delays in judgements. The solution offered by Sbordone, who assumed the loss of two letters at the end of line 54 and read *ὑπο[τε]λουειν*, seems

superior palaeographically and in subject. They made small payments to those whose trial dragged on or was postponed. They did so to ease the strain. The photograph seems to support the assumption of a loss of two letters at the end of line 54.

A 64–65: No modernisation is recommended in certain types of cases. The phrase *ὥσπερ ἐν τοῖς χρόνοις*, as Keaney rightly says, makes no sense. Arist. *Pol.* 1303b20–21, *οἷον συνέβη καὶ ἐν Συρακούσiais ἐν τοῖς ἀρχαίοις χρόνοις* strongly suggests that the word *ἀρχαίοις* has fallen out. The phrase *τοῖς ἀρχαίοις χρόνοις* occurs also at *Pol.* 1278a6 and 1305b20.

A 65–77: A new sentence begins with *καὶ ὅσα δή*. Aly's failure to recognize this led to several misconceptions and to Sbordone's unlikely emendation *κα<θ>' ὅσα* and to Keaney's proposal to delete the particle *μέν* in line 67. The *μέν* of 67 and the *δέ* of 69 are coordinate. In 69–70 Keaney rejects the reading *κάν' ἀποφυγήν*, which made sense to Aly and Sbordone, partly because the meaning 'acquittal' is not elsewhere attested, but surely it can be carried over from the verb *ἀποφεύγειν*. The emendation *κᾶν ἀποφύγη{ν}*, which tempted Keaney, would depart from the text without any clear gain. The comma which Aly placed before *ὁσίως* in A 73 might better follow the word.

A 77–78: If *[δέχο]νται* could be restored in line 78, the sense might be that such cases could be reopened as long as the suspect(s) lived.

## TEXT, FRAGMENT B

FOL. B <sup>r</sup> col. i	καὶ ἄπειρον εἰ- ναι στρατηγόν· ἢ γὰρ βλάβη καὶ οὕτως μεγάλη 5 πλὴν οὐκ ἀπὸ κα- κίας. ἀλλὰ δῆλον ὡς ἀμφοῖν δεῖ στοχάζεσθαι. κρά- τιστον δ' εἶ τις. 10 ἐκ τῶν βίων καὶ τῆς ἀγωγῆς, ἀλλὰ μὴ ἐκ τῆς οὐσί- ας, λαμβάνοι τὴν πίστιν, ὅπερ ἢ 15 παιδεύει καὶ τὰ ἔ-	θη τὰ χρηστὰ τῆς πολιτείας ἀπο- τελεῖ. δοκεῖ γοῦν ὡς ἐπὶ τὸ πᾶν ἀρ- 20 χαϊκώτερος ὁ τῶν τιμημάτων νόμος εἶναι δ[ι]- ἀ τὸ κωλύειν ἂν πολλάκ{ε}ις τοὺς 25 ἀληθ{ε}ινοὺς ἢ- γεμόνας. οὔτε γὰρ Ἐπαμ<ε>ινώνδας οὔτε Πελοπίδας οὔτε Ἀθήνηθεν
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- 30 Ἴφικράτης καὶ Χα-  
βρίας ἐστρατήγη-  
σαν <ἄν> οὐθ' οἱ τού-  
των ἔτι πρότε-  
ρον καὶ ἀμείνους,  
35 Ἄριστ<ε>ίδης καὶ Θε-  
μιστοκλῆς. φαί-  
νεται δ' οὖν καθό-  
λου τινὰ σκέψιν  
ἔχειν, τίνας δεῖ  
40 κατὰ πλοῦτον καὶ  
40a <ἀρετὴν αἰρεῖσθαιῆ  
μᾶλλον κατ' >  
ἀρετὴν μόνον  
ἢ πλοῦτον. ἐν  
μὲν γὰρ τῇ ταμι-  
44 εῖα, καθάπερ εἴ-  
col. ii ρηται, τὰς οὐσίας  
τηροῦσιν· εἰς δὲ  
νομοφυλακίαν  
ἢ τινα τοιαύτην  
ἑτέραν δικαιο-  
50 σύνης δεῖ. πρὸς  
δὲ στρατηγίαν  
καὶ τῶν ἔξω καὶ  
τῶν ἐν τῇ πόλει  
κυρία<ν> πρὸς τῇ ἀ-  
55 ρετῇ καὶ χορηγί-  
αν ἔχειν ἰκανήν,  
ἐπὶ δὲ τρίτον, ὡς  
εἴρηται, τὴν ἐμ-  
πειρίαν. καὶ ἔστι  
60 τρία ταῦτα περὶ τὰς  
ση(μείωσαι)  
ἀρχὰς ἀρετῆς, κτή-  
σις ἀρκούσα, φρό-  
νησις — τὸ γὰρ τῆς  
εὐνοίας κοινόν —  
65 ὧν τὰ μὲν δύο [δ]εῖ πάσαις, τὰ δὲ  
τῆς φρονήσε-  
ως ἰδιώτερον ἐν  
ἐνίαις, ἀναγκαιό-  
70 τατον δ' ἐν ταῖς με-  
γίσταις. καὶ ἀρκε[ῖ]  
γέ πως, εἰ ἀδόλω-  
εἰς ἄμφω βλέ-  
πουσι — ἀγαθὰ  
75 γὰρ ὡς ἐπὶ τὸ πολὺ  
τ' ἐπιδεῖν καὶ ἄρι-  
στ[α] δὴ καιροῦς  
γνώ[ν]αι παρ' ἄλλο[ν] —  
ὥσθ' α[ῖρ]εῖσθαι [διὰ]  
80 τὴν εὐμοιρίαν  
καὶ τὴν δύναμιν,  
ἔνιοι δὲ πρὸς θά-  
τερα, ἀστοὺς ἀρί-  
στοὺς γὰρ κρίνου-  
85 σιν, οἱ δὲ πλείστοι  
καὶ χεῖριστα βου-  
λευόμενοι πρὸς  
τὴν οὐσίαν. ἀλη-  
col. iii θές δέ, ὅπερ ἐλέ-  
90 χθη πρότερον,  
ὡς αἰ μὲν δέον-  
ται μάλιστα πιστε-  
ως, αἰ δὲ φρονή-  
σεως καὶ δεινό-  
95 τητος, αἰ δὲ ἐπι-  
μελ<ε>ίας καὶ ἰταμό-  
τητος, ἄν ἔχθις-  
τον ἦ, οἷον πρὸς ἑ-  
καστα νόμῳ μὲν  
100 οὐ ῥάδιον κατα-  
νέμειν· αὐτοὺς  
δὲ δοκιμάζον-  
τας αἰρεῖσθαι χρῆ  
τοὺς ἐπιτηδ<ε>ιο-

- 105 τάτους. ἐπεὶ δὲ  
ἔνιαι, καθάπερ  
ἐλέχθη, καὶ ἐμπει-  
ρίας δέονται, πρὸς  
ταύτας ὀρθῶς ἔ-  
110 χει τὸ παραζευ-  
γνύναι τινὰς αἰεὶ  
τῶν νεωτέρων,  
ὅπως παιδεύ<ς>ον-  
ται παρὰ τῶν εἰδό-  
114 των μηδὲν χει-  
ρον διοικουμέ-  
νων τῶν τῆς  
πόλεως, ὅπερ  
καὶ Ἐργων ποτὲ  
120 συνεβούλευεν  
Ἀθηναίοις ἐπ{ε}ὶ  
τῶν στρατηγῶν  
παραδείγματι χρη-  
σάμενος τῷ πε-  
125 ρὶ τὰ κληγέσια·  
καὶ γὰρ ἐκεῖ σκύ-  
λακας ἔφη παρεμ-  
βαλεῖν αἰεὶ τοὺς  
φιλοκνηγούς.  
130 χρώνται δὲ καὶ νῦν  
ἔνιαι τῶν <ν>όμφ τα-  
κτῶν ἐλαττόνων  
FOL. B<sup>v</sup> πόλεων [κα]θάπερ  
col. i Καρυστίων καὶ Κυ-  
135 θνίων· τρεῖς μὲν  
γὰρ ἐπὶ τῶν ἐστρα-  
τηγηκότων ἦδη,  
δύο δ' ἐκ τῶν νε-  
ωτέρων καθι-  
140 στᾶσι. μάλιστα  
οὖν ἐν ταύτῃ δεῖ  
μεγίστους ἀνή-  
κειν καιρούς· οὐ  
μὴν ἀλλὰ καὶ ἐὰν  
145 ἄλλη τοιαύτη συγ-  
κατάμ<ε>ικτος ἦ ὁ-  
μοίως, ταῖς ἡλι-  
κίαις λεγομέναις  
ἅμα κόσμον καὶ  
150 ἅμα ταῖς ἀκμαῖς  
δύναμιν ὑπάρχειν,  
οἶον ἐν τῇ γυ-  
μνασιαρχ{ε}ία· τοῦ-  
το γὰρ οὐ κακῶς  
155 οἱ αἰρούμενοι δύο,  
τὸν μὲν πρεσβύ-  
τερον, τὸν δὲ νε-  
ώτερον, ὅπως  
ὁ μὲν εὐταξίαν  
160 παρέχῃ μεταδι-  
δούς, ὁ δὲ αὐτὸς  
συναποδύμε-  
νος ἡγεμῶν γ{ε}ί-  
νηται τῶν πό-  
165 νων. οὐ γὰρ δίκαι-  
ον ἄμφω ταῦτα  
τὴν αὐτὴν λατ[ρ]εῖ-  
αν ἔχειν· ἀμφο-  
τέρων δὲ ἢ ἐπ{ε}ι-  
170 μέλεια. δεῖται δὲ  
αἰσθής[εω]ς χρη-  
στῆς· ἀλλὰ δεῖ πρό-  
τερον ἄλλας προ-  
άρξαι τὸν μέλ-  
175 λοντα τὰς μεί-  
ζους ἄρξαι, ὅπερ  
col. ii κα[ὶ] ἐπὶ τῆς στρα-  
τηγ{ε}ίας ἐλέχθη.  
ἄτοπον γ<ὰρ> εἰ ὁ μὴ  
180 ταξιαρχήσας μη-  
δὲ φυλαρχήσας  
εὐθὺς εἶτα ἐστρα-



- 185 τήγησε. ταῖς μέ[ν],  
 ὡς ἔ[δ]οξε, ἀναπε[ι]-  
 ρᾶσθαι χρῆ πρότε-  
 ρον, ταῖς δ' ὕς[τ]α-  
 τα — δυοῖν ἔνεκα·  
 [τ]αύ[τ]η γ[ὰρ] τῆ  
 δ[ι]αθέ-  
 ρει τὸν προσδοκή-  
 190 σαντα [ἐ]πίτονον τ' ἀ-  
 παρ[τί]ζε[ι] καὶ φιλο-  
 τιμότερον πα[ρ]α-  
 κκε[υ]άζε[ι] πρὸ[ς] π[ε]ί-  
 ραν διὰ τ[ὰ]ς [θ]έσεις  
 195 τῶν μειζόνων ἢ,  
 ὅπερ ἦν καὶ ἐν Ἡ-  
 πείρῳ, διὰ τὴν μο-  
 νήν. τοῦτον δὲ  
 ἐκ τῶν ἐλαττό-  
 200 νων ἀρχῶν ἢ τῶν  
 ἐπὶ τὰς μείζους  
 ἀφορισθεῖσων  
 κ[αὶ] ἐν] νόμῳ ἐνια-  
 [χ]οῦ δ[εῖ] ἀν]ελ[έ]σθαι[ι]  
 205 κακθὰ >περ ἐν Φω-  
 κεύσιν· τοὺς γὰρ  
 στρατηγοὺς κα-  
 θιστᾶσιν ἐκ [τῶ]ν  
 πεφυλαρ[χ]ηκότων  
 210 κα[ὶ] τεταμειυκό-  
 των. χρῆ δ' ὅλως  
 οὐδένα ἀναρχον  
 [ἄ]ρχειν ἕως τὸν  
 ἀβούλευτον, ὡς-  
 215 περ ἐν Ἀμβρακίᾳ.  
 χορηγεῖ γὰρ ἐλ[έ]σθαι]  
 τὸν ἐμπειρ[ί]αν  
 λαμβάνοντα τῶν  
 κεκοινωμένων  
 220 ἀεὶ καὶ μετὰ νεω-
- col. iii τέρων. εἰ δὲ δὴ  
 ποτ' ἐπ' αὐτῷ ἢ π[ο]-  
 [λιτ]εία, δεῖ οὖν ἔ[να]  
 ἀεὶ ἄνδρα πολλο[ί]ς  
 225 [ἀ]πα[ξ]ά[πα]σιν ἀνα-  
 [μίξ] προσάρχειν  
 τὰς μεγίστας ἀρ-  
 χάς, οἷον καὶ ἔν  
 [γ' Ἄ]ργει, κἄν μὴ  
 230 πρότερον, καὶ ἐν  
 Καρχηδόνι βασι-  
 λεῦσαι καὶ στρα-  
 τηγῆσαι· ἐκ τού-  
 των γὰρ ἢ γερον-  
 235 τία παρ' αὐτοῖς ἦ[ν].  
 ἀλλὰ γὰρ ἴσως αὐ-  
 τοὶ μὲν οὐχ ἦτ-  
 τον ἅμα τῆ ἀρχῆ  
 [τι]μὴν ἔχουσιν  
 240 τά[ξει], ἔτι δὲ ἐν ἰ-  
 [εροῖς] σιτήσον-  
 ται. τοῦτο πειρα-  
 τέον ἀνατρέπειν.  
 δο[κεῖ] δὲ ἔχειν ὁ  
 245 [εἰρημ]έν[ος] τιμῆ[ν]  
 ἀσ[κῶν] τὰ ἐ[πι]θέμισ-  
 τα [κ]α[ὶ] διὰ τὸ ἀνέγ-  
 [κλητο]ν εἰς τὰ κοι-  
 νὰ διατηρεῖν. Ὡς  
 249a <δ' ἀρχὴν μετιόντες οἱ >  
 250 λόγον ἀποδιδόν-  
 τες τριακονταε-  
 τεῖς δεχθήσονται,  
 ἐφ' ἃ διατ<ε>ίνωσι ἄν·  
 οὐ γὰρ ἔξεστι τὸν  
 255 ἐπαιτιώμενον  
 ὑπὸ τῆς πόλεως,  
 ἀρχ[ε]ικῶς οὐθὲν  
 δυνάμενον οὐ-

τ' ἐξετάζειν οὔτε  
260 κολάζειν, καὶ κα-  
ταπλήττεσθαι

τοὺς ἄλλους τὸν  
ἑαυτῷ τι συνει-  
δότα φλαῦρον

B 54 κύρια Aly, κυρία[ν] Lewis. 113 παιδεύ<ω>ν- Aly. 179 ΓΕΙ cod., γ<ἀρ> εἰ  
supplevi. 224-26 πολλο[ῦ] [ἀ]πα[ξ]α[π]ᾶσιν <ἄξιον> ἀνα[τεῖ] (?) Aly, πολλο[ῦ]  
πα[ρὰ] πᾶσιν ἂν ἄ[ξιον] Sbordone. 249a supplevi.

#### TRANSLATION OF FRAGMENT B

RECTO. [- - -] and a general be inexperienced. The harm here is just as great but not from vice. Well then, it is clear that we ought to aim at both.

It is best when one wins trust from his life style and education rather than from his property. His culture and the good record of his public career bring that about. On the whole, the law (restricting office to men) of the (specified) census ratings seems to be too old-fashioned, because it would often keep out the true leaders. For instance, neither Epaminondas nor Pelopidas nor, from Athens, Iphicrates and Chabrias <would> have been generals, nor still earlier than these and better, Aristides and Themistocles. Altogether then it is a delicate question apparently who should <be chosen> on a basis of wealth and <excellence or more on a basis of> excellence only, or of wealth. For instance, in the post of treasurer, as has been said, they retain the property qualifications. But for the guardianship of the laws or some other such post justice is needed. For a magistracy that has supreme control of things, both outside and inside the city, (the candidate) must have sufficient means in addition to his personal excellence. In third place, as has been said, (put) experience. In fact, in connection with the (elective) offices there are these three (requirements)—for (we assume) that of goodwill in all (candidates)—moral excellence, financial independence, judgement. Of these (qualifications) the two first are necessary to all offices. As for the advantages of judgement, (this qualification) is a rather exceptional one in some offices but is most imperatively necessary in the greatest offices. And it suffices in a way if, since the (advantages of judgement) are good for seeing what is right in the long run and are best for recognizing alternative opportunities, they look honestly, with an eye to both, (for a man) to elect [on account of] his good natural endowment and his effectiveness. But while some (do look) for one or the other

because they choose among excellent citizens, the majority of very poor counsel (have their eyes on) the material assets.

It is true, as was said previously, that some offices particularly need a trustworthy man, others a man of judgement and eloquence, still others a man who takes pains and, even though it be very unlovable, is aggressive. The (voters) themselves, as they test the candidates, must choose those who are most suitable.

Since some offices, as was said, need also experienced men, for these offices it is right that some of the younger men on each occasion be included in the team in such a way that they will receive training from those who know without the city's affairs being administered any the worse. That is what Hagnon once advised the Athenians in the case of the generals. He used the training of hunting dogs as a model; he said that hunting enthusiasts always put in young dogs among the rest. Even now some of the juristically organized lesser [VERSO] cities use (this method) like the Carystians and Cythnians. They appoint three from among those who have already been generals and two from the younger men. Certainly in this (post) very serious situations inevitably arise; nevertheless, if it is smoothly combined with another such (post), with the so-called ages working together there (ought to) be order and with the acmes (of physical and mental development) working together effectiveness, as in the gymnasiarchy. For they do well who elect two for this, the one rather old, the other rather young, so that the first provides good order with his participation, the other by stripping off his garment and joining in becomes a leader in the hard exercise. For it is not right that both perform the same service here, but both are in charge.

There is need of (bright men with) good perception, but one who is going to hold the more important offices ought first to hold other posts, as was said in the case of the generalship. <For> it is absurd when one who has never been taxiarch or phylarch has presently become general, for instance. As was agreed, he must be tried out in some offices ahead of time, in other offices last. For two reasons: by this arrangement (the city) puts the ambitious man on his mettle and makes him more eager for a test on account of the posts of greater importance, or, as was the case, by the way, in Epirus, on account of the permanence (in office). To take this man from the lesser posts or from those earmarked as stepping-stones to the more important posts (the city) is in some places required even by law, as among the

Phocians: they appoint their generals from the ex-phylarchs and ex-treasurers. In general, no one must hold office without previous experience in office, except as councillor as in Ambracia. In fact it is rewarding to elect on each occasion even among the younger men the kind of man who is receiving experience of public affairs.

If ever the polity depends upon him, then it is necessary that on each occasion one man for many (duties) all intermingled hold in cumulation the highest offices, as both in Argos, though not previously, and in Carthage to become king and to become general. (Not previously at Argos), for these were the offices from (whose ex-incumbents) their senate was enrolled.

Well anyhow, while they themselves are in office, along with it they perhaps have, [by a standing arrangement, honorary maintenance] as well; later on they will be fed in [sanctuaries]. This (is not proper and) one should try to overturn it. But it seems right that the [aforesaid man] have honor when he practices actions in conformity with justice and for holding himself above reproach in respect to public affairs.

As <candidates those> thirty years old who render a satisfactory account (of their status) will be accepted for whatever (posts) they continue to aim. For it is not permissible (to accept) one who is under investigation by the city, unable either to examine anything officially or to inflict punishment, and for him who is conscious of some defect (in his own position) to be afraid of the others [- - -]

#### COMMENTARY ON FRAGMENT B

B 1–8: The fragment begins with a reference to the importance of experience, importance in third place, in the selection of a magistrate or officer. The example chosen is that of a general. Since the ἀρετή of a general certainly includes courage, its opposite (κακία = ‘ignavia’ Aly) is translated ‘cowardice’ by K/Sz. The absence of this ἀρετή, which includes more than courage, is a primary disqualification, but inexperience too can make a good man a bad general. The word ἀμφοῖν in line 7 seems to mean ‘excellence’ and ‘experience’, and if so, the subject ends in line 8, not in line 6.

B 8–18: Dropping inexperience, the author returns to the two first qualities which, he has said in a section now lost, recommend a candidate for public office. He advises the reader to put less faith in wealth as a sign of excellence, which should be distinguished from

wealth. The wealthy were often called the best citizens, or the good, substantial people (Cicero's *boni et locupletes*), or the *χρηστοί*, and this terminology tended to obscure recognition of true excellence. The Old Oligarch, *Ath.Pol.* 2.19 says: "I claim that the *demos* of Athens know who are the *χρηστοί* of the citizens and who the *πονηροί*, and knowing them, they love those who are most suitable and useful to them. For they do not think that excellence in (the *χρηστοί*) has developed to their advantage but to their disadvantage."

B 18–26: Aristotle's second type of democracy (*Pol.* 4.1291b38–41) was τὸ τὰς ἀρχὰς ἀπὸ τιμημάτων εἶναι. Theophrastus will not have it because it is too old-fashioned. Aly points to Plut. *Phocion* 27 on the regrettable reorganization of 322 b.c., when 12,000 Athenians lost their citizenship because of what purported to be the *πάτριος διὰ τιμημάτων πολιτεία*. In general see W. S. Ferguson, *Hellenistic Athens* (London 1911) 22–26, and for background A. Fuks, *The Ancestral Constitution* (London 1953), and E. Ruschenbusch, "Πάτριος Πολιτεία," *Historia* 7 (1958) 398–424.

B 26–36: Phocion, who died in 318, is not mentioned among the poor men who served as generals. For Aly this was very significant. Aly infers that Phocion was still alive, or, more probably, was deliberately passed over because of his support for oligarchy.

B 40–41: R. P. Oliver assumes the loss of *ἀρετὴν ἢ κατ'* between lines 40 and 41 and understands *τίνας (ἄρχοντας) δεῖ (αἰρεῖσθαι)* in line 40. Similarly Sbordone assumes the loss of *ἢ κατ' ἀρετὴν* in line 41. It appears that the scribe's eye leaped from one *ἀρετὴν* to a second, but since a lacuna is then beyond question, a lacuna of five words is not more difficult to assume than one of three words. Aly had already translated "quos creare debemus."

B 42–56: The author, having just recognized that in respect to the necessity of excellence or wealth in the officeholder the public offices fell into three groups, gives one example from each group. On the *νομοφυλακία* (B 47) see now J. Aubonnet's note in the Budé Aristotle, *Politique* II.2 (Paris 1973) 310f. This office, proposed by Plato and called by Arist. *Pol.* 1322b8 an aristocratic institution, would primarily require justice (= excellence), and the office of treasurer (traditionally) requires wealth (which in the small and observant world of the classical city made a man so vulnerable to a suit for recovery and penalties that both his responsibility and freedom from temptation could easily be assumed, but not in the Roman world). In an emer-

gency a treasurer might be expected to advance the money from his own estate. The supreme command, on the other hand, might be an example of an office requiring both wealth and excellence, but the author significantly substitutes “sufficient property” for wealth. Sufficient property, which assures financial independence, is less than wealth. The author dissociates himself from oligarchic theory. He is also correcting Arist. *Pol.* 1309b4–6, ἐν στρατηγία μὲν one should look εἰς τὴν ἐμπειρίαν μᾶλλον τῆς ἀρετῆς, ἐν δὲ φυλακῇ καὶ ταμείᾳ τὰναντία.

The main interest of this passage, however, lies in the use of the word *στρατηγίαν* for the highest post in the city,<sup>5</sup> the supreme command both at home and abroad, and if one asks himself what post at Athens could be described in this way, it would indeed have to be that of the hoplite general. Sbordone (p.276 n.1) gave the correct reference, Arist. *Ath.Pol.* 61, but without noting the implications. At Athens, the most important city, the archonship had once been the supreme post (Arist. *Ath.Pol.* 13, 10–12) and had remained the eponymous office even when stripped of power, but a single generalship of this type could not have existed at Athens until sometime after the Battle of Chaeronea (so rightly Th. Chr. Sarikakis, *The Hoplite General* [Diss. Princeton 1951] 12–14). Since Sarikakis placed the creation of the supreme hoplite generalship before 322/1 (last possible date for *Ath.Pol.* 61), he was puzzled to find that the next earliest reference supposedly occurred in an inscription, *IG II<sup>2</sup> 682*, of the third century B.C. For he overlooked the Theophrastean fragment or discounted it as not specific enough evidence for Athens.

B 59–71: After discussing the relative importance of different requirements for different offices, the author reaffirms clearly the basic requirements for elective office, namely excellence, financial independence (basic in the ancient city where no salary was attached to high public office), and in third place judgement by way of experience. This is the essence of his thesis, and the comment *ση = nota bene* appears in the margin. For a marginal comment introduced by *σημ* see *PSI XIV 1449* (Ulpian, *Ad edictum*).

It was Sbordone (p.286) who pointed out that in B 59–81 the author has Arist. *Pol.* 1309a32ff in mind. Aristotle says:

There are three qualities which those who are going to occupy the chief offices must have; first, loyalty (*φιλίαν*) to the established con-

<sup>5</sup> The term is already evolving toward the usage of Modestinus in *Digest XXVII 1.6.14* and *1.15.9*.

stitution; next, a very great ability (*δύναμιν*) to perform the tasks of the office; third, excellence (*ἀρετήν*) and justice (*δικαιοσύνην*) of the kind required in each form of constitution.

The author of the Vatican fragments places excellence first, then sufficient property (one meaning of *δύναμις* was capability in the sense of enough wealth to permit leisure), and in third place judgement (also included in Aristotle's broad term *δύναμις*). Theophrastus retains a tricolon by breaking up *δύναμις* into two very different types of ability and by eliminating *φιλία*, which he replaces with another word, *εὐνοία*, and puts aside. With the adjective *κοινόν* of B 64 compare Arist. *Pol.* 1309b8, *ἡ δὲ ἐπιστήμη κοινὴ πᾶσιν*. Since Theophrastus unlike Aristotle is not differentiating one constitution from another (as K/Sz emphasize), *φιλία* is no longer the right word. The *εὐνοία* is that toward the citizens or the city as a whole, as in third century decrees like *IG II<sup>2</sup> 682*, lines 21 and 60, and *IG II<sup>2</sup> 1299*, line 14.

B 71–81, *καὶ ἀρκε[ῖ] γέ πως, εἰ ἀδόλως εἰς ἄμφω βλέπουσι . . . ὧσθ' α[ἰρ]εῖσθαι [διὰ] τὴν εὐμοιρίαν καὶ τὴν δύναμιν*. One notes a similar expression in Arist. *Pol.* 1273a29, *αἰροῦνται γὰρ* (the Carthaginians) *εἰς δύο ταῦτα βλέποντες* (wealth and *ἀρετή*) *καὶ μάλιστα τὰς μεγίστας, τοὺς τε βασιλεῖς καὶ τοὺς στρατηγούς*. But it is also true that, as Sbordone (p.286) noted, the author has Arist. *Pol.* 1309b3, *ἔοικε δὲ δεῖν βλέπειν εἰς δύο*, in mind. Aristotle had just said, “The difficulty arises when all three qualities are not united in one man and you have to choose; it is then necessary to look for what quality all have to a larger extent and what to a lesser extent.” For the generalship, experience, being rare, means more than *ἀρετή*, but it is the other way around *ἐν φυλακῇ καὶ ταμείᾳ*. So here, if you have to choose, you settle for what seems more important (rare) in this particular office. The problem here is to identify what is meant by *ἄμφω*. Sbordone (p.276) assumes that the author refers to the *ἀρετή* and *κτῆσις* of lines 61–62. A difficulty lies in the neuter plural of the *γάρ* clause which follows *βλέπουσι*. One alternative (ours, see below) is to identify *ἄμφω* with the two qualities *εὐμοιρία* and *δύναμις* in the same sentence after the *γάρ* clause, which interrupts. Another alternative is to identify *ἄμφω* with *ἀρετή* and *φρόνησις* of lines 61–63. The author as a stylist lacks clarity of presentation.

The *γάρ* clause of lines 74–78: *ἀγαθὰ γὰρ ὡς ἐπὶ τὸ πολὺ τ' ἐπιδεῖν καὶ ἄριστα δὴ καιροῦς γινῶναι παρ' ἄλλο[ν]*. The first and main problem

is the neuter plural. As he composed this clause, the author was not thinking in terms of two feminine nouns (*ἀρετή* and *κτῆσις*), as Sbordone claims, but of the neuter plural in lines 66–68, τὰ τῆς φρονήσεως. Surely his mind dwelt here on the appreciation of Themistocles given by Thuc. 1.138.3 because he had just expressed admiration for Themistocles in lines 34–36. For any Greek of the end of the fourth century Themistocles was the great example of φρόνησις in a statesman. Finally, whereas Aly restored παρ’ ἄλλο[ν] and translated “praeter ceteros,” and Sbordone would read παρ’ ἄλλο and translated “più che altro,” we refer the reader to LSJ s.v. παρά I 7 for our interpretation “alternate opportunities.”

B 80–81, τὴν εὐμοιρίαν καὶ τὴν δύναμιν. These qualities equal or subsume τὰ τῆς φρονήσεως. They imply the οἰκεῖα ξύνεσις and the φύσεως δύναμις of a Themistocles (Thuc. 1.138.3) rather than the ἀρετή of an ideal even for political life.

B 85–88: Unlike those who look for candidates of personal excellence, the majority of voters, being men of poor discernment, prefer candidates recommended by their property. This would be true in cities controlled by oligarchs with dependent followers, also in other cities with many citizens looking for entertainment and food from wealthy officeholders, but the author seems to have in mind primarily the confusion between true excellence and the misleading terminology (*βέλτιστοι*) discussed above in connection with B 8–18, the tendency to use wealth as a test of good, substantial citizens.

B 97–98: Sbordone correctly read ἔχθιστον for Aly’s ἔχθιστος.

B 113: Future indicative rather than subjunctive, to stress modality rather than finality.

B 118–29: H. C. Avery, “Lysias 12.65,” *CP* 61 (1966) 257–58, attributes Hagnon’s speech not to 419 B.C. (so Aly) but to 413, when Hagnon was one of the *probouloi*.

B 131, τῶν <ν>όμω τακτῶν (Sbordone), not τῶν ὀμ<ο>τάκτων (Aly and K/Sz): compare Arist. *Pol.* 5.1306b20, τῶν ἐνόμων δημοκρατιῶν καὶ ὀλιγαρχιῶν. Omissions are frequent, occurring in A 3, 9, 64, B 32, 40a, 54, 179, 205, 249a. Not a single case of confusion between *omega* and *omicron* occurs.

B 135–40, “They appoint three from those who are already ex-generals and two from the younger men.” The best comparisons are with Roman commissions such as that of the *SC de pecuniis repetundis*



(R. K. Sherck, *Roman Documents* no.31; Ehrenberg/Jones, *Documents*<sup>2</sup> no.311) lines 107–12, and Tac. *Ann.* 3.28, *quinque consularium, quinque e praetoriis, totidem e cetero senatu.*

B 140–53: Aly's translation suffers from basic misunderstandings. In B 146–47 the comma should follow, not precede, *ὁμοίως*, which, meaning "in a more or less equal fashion," goes with *κατάμεικτος*. Sbordone, who edits *ἄλλη τοιαύτη* for Aly's *ἄλλη τοιαύτη*, translates: "Soprattutto in questa (magistratura) possono verificarsi le situazioni più gravi, per quanto la coesistenza del prestigio con le età menzionate (mature, se non erro), e quella del vigore con la giovinezza possa aver luogo anche quando un'altra carica congenere risulti mista, e l'esempio è dato dalla ginnasiarchia." Sbordone is right in his interpretation of the phrase *ἐν ταύτῃ* in B 141, which Aly translated "in hac civitate," and (unlike Aly) he may be right also in his interpretation of the phrase *μεγίστους . . . καιρούς* in B 142–43, referring the reader to Xen. *Hell.* 6.5.33. But he has mistakenly followed Aly's "aetatibus supra indicatis(?)" for *ταῖς ἡλικίαις λεγομέναις* (B 147–48) with a translation that presupposes a past participle. He seems, moreover, to have misinterpreted *οὐ μὴν ἀλλά* in B 143–44 (cf. J. D. Denniston, *The Greek Particles* [Oxford 1934] 28–30). After *οὐ μὴν ἀλλά* there must be a verb on which the infinitive *ὑπάρχειν* of B 151 depends. If the verb has not been lost by omission, it may lie in the *λεγομεν* of B 148 or be understood as a repetition of the *δεῖ* of B 141. Since to read *λέγομεν* in B 148 would leave us with other problems (not so much a vestige *αις* to explain as a stylistically unlikely verb of the first person), we assume that a verb *δεῖ* is understood. Accepting *λεγομέναις* as the reading, we infer that "the so-called ages" is a reference to the division of troops into *seniores* and *iuniores* in military systems with only two age groups, because *ἡλικία* by itself does not mean 'maturity'. The same division was often imitated in social clubs and gymnasia. The cooperation of an older and a younger man is interpreted by Theophrastus as assuring the advantages of both and minimizing the weakness of either. K/Sz identify the two as gymnasiarch and hypogymnasiarch. The acme of the body is between 29 and 35, that of the mind begins at 49 (Arist. *Pol.* 1390b9).

B 179, *ἄτοπον γ' ἄρ' εἰ*: Aly read *ἄτοπόν γ' εἰ, κτλ.*, but the sentence needs a connective. Compare Theophr. fr.97, 5 (Wimmer), *ἄτοπον γὰρ εἰάν . . .*

B 183–87: At Rome the *cursus honorum*, connected with the lex

Villia (180 B.C.) and the *lex Cornelia de magistratibus* (81 B.C.), clearly had precedents in Greek practice and political theory, as Aly noted.

B 203–04: κ[αὶ ἐν] νόμῳ ἐνια[χ]οῦ δ[εῖ ἀν]ελέσθαι Aly, νόμῳ . . . δ[εῖ ἐξ]ελέσθαι Sbordone. The latter translates “scegliere in base alla legge” and thinks that the candidates would not need to be prodded by a law.

B 229: The restoration of the particle γε instead of Aly’s τ’ is suggested by A 59–60, ἔν γε[ε] τοῖς τοιούτοις.

B 230–33: The cumulation of offices at Carthage was noted by Arist. *Pol.* 1273b8–9. On suffetes (*basileis*) and *stratego*i compare E. Groag, *Hannibal der Politiker* (Vienna 1929) ch.6, and H. Bengtson, “Zur karthagischen Strategie,” *Aegyptus* 32 (1952) 378–82 (= *Kl.Schr.* 110–14).

B 233–35: Theophrastus would have used the form *gerousia* like Arist. *Pol.* 1272b27 and the present tense, if, as previous commentators thought, he had been speaking of Carthage. He refers to Argos, because he uses the Doric form *gerontia*. The *gerontia* of Argos was, I presume, the corporation known as the Eighty, on which M. Wörrle, *Untersuchungen zur Verfassungsgeschichte von Argos im 5. Jahrhundert vor Christus* (Munich 1964) 56–61, has collected and discussed the previously known information. That it consisted of ex-magistrates was merely suspected.

B 235–43: Our text differs from Aly’s and Sbordone’s by the substitution of τὰ[ξεί] for τὰ [νῦν] in B 240, partly because the phrase αὐτοὶ μὲν (and not a phrase in B 240, where the reference, I think, is to an arrangement in the *διάταξις* or budget) contrasts with ἔτι δέ. The interpretation of the passage hinges also on whether the subject is Argive or Carthaginian practice, or common. If the author is speaking of a new Argive practice, an “allusion to the nocturnal meetings (*κυκλίτια*) of the Carthaginian Council in the Temple of Eshmūn, whence was exerted a tyrannical control over the entire state” (R. P. Oliver tentatively), may be ruled out. Because of the Doric form *gerontia* above in B 234–35 and because Aristotle’s criticism of the Carthaginian constitution, φαῦλον τὸ τὰς μεγίστας ὠνητὰς εἶναι τῶν ἀρχῶν, τὴν τε βασιλείαν καὶ τὴν στρατηγίαν (*Pol.* 1273a36–37), was so very different, it seems easier to associate the criticism from Theophrastus with Argos, but the word τὰχα suggests that he was speaking in generalities. Sbordone, however, though he associated the criticism with Carthage, was right in contrasting *Pol.* 1273a32–35, where Aristotle prefers state support not only when men are in

office but afterwards in private life. Arist. *Pol.* 1273b6–7 commented that it was better, even if the lawmaker suffered the poverty of the good, to provide for their leisure at least when they were in office (*ἀρχόντων γε ἐπιμελεῖσθαι τῆς σχολῆς*). Theophrastus will have it only when they are in office, if at all. The common meals of the Athenian prytaneis and the *ἀεισιτία* of officials who were entitled to food at public expense are worth notice in connection with this theme. The *ἀ(ε)ίσιτοι* are mentioned in Athenian citations of the first half of the third century B.C. (Meritt-Traill, *Agora XV* nos. 85 and 86) and in prytany decrees from the second half of the third century B.C. on, while lists of *ἀίσιτοι* officials regularly accompanied Athenian prytany catalogues of the Roman Period.

B 244–49: Aly worked out lines 244, 245 and 248, and from this start Sbordone recovered the wording of lines 246 and 247. The statement reflects an antithesis between honor and material rewards (cf. H. W. Pleket, “Games, Prizes, Athletes and Ideology,” *Arena* 1 [1976] 49–89). The honor earned at the time should be enough without expecting to be fed in a sanctuary later. The word *ἐπιθέμιστα*, read by Sbordone, is new but regular in formation.

B 249–53, *Ὡς <ἀρχὴν μετιόντες οἱ> λόγον ἀποδιδόντες τριακονταετείς δεχθήσονται*: The supplement *ἀρχὴν μετιόντες οἱ* to accompany *λόγον ἀποδιδόντες* is suggested by the pair of infinitives in Plut. *Crassus* 7, *συμπαραγγέλλειν καὶ συνεξετάζεσθαι τοῖς δεομένοις τι τοῦ δήμου*. In his excellent study, “Principe d’ancienneté dans le monde hellénique,” *MémAcInscr* 43.2 (1951) 123–227, P. Roussel comments on p.165: “Si mal instruits que nous soyons de la constitution de la plupart des États grecs, nous avons constaté, d’après des faits précis, une tendance à retarder au moins jusqu’à trente ans l’entrée dans la vie publique.” Whereas Sbordone (p.280), connecting the passage with what preceded, translated, “di guisa che, dato conto del proprio passato, in età di trent’ anni possano (uomini siffatti) trovare adito a quelle cariche a cui vadano aspirando,” the future tense makes it more natural to assume the start of a new paragraph on the age requirement, for which Roussel has collected abundant evidence from inscriptions and authors, though not from the newly published Theophrastus, or on legal requirements in general. On the thirty years requirement see also L. and J. Robert, *JSav* 1976, 196.

B 260–64 may have been followed by a phrase like *εἰκός ἐστι*.