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CONSPECTUS

DIRK L. COUPRIE Anaxagoras on the Milky Way and Lunar Eclipses	181
DMITRI PANCHENKO Zeno's Debt to Hippasus	208
CARLO MARTINO LUCARINI Platone e gli Eleati (II)	224
В. В. МИТИНА Письмо, найденное в Ольвии в 2010 году	244
MICHAEL POZDNEV Students' Suicide in Ptolemaic Alexandria?	266
NATALIA KUZNETSOVA <i>Provocatio</i> gegen das Urteil der <i>duumviri perduellionis</i>	276
GREGOR MAURACH Horaz, <i>Carm.</i> II, 9–11: Eine Mitteltrias	302
ELENA ZHELTOVA Evidential Strategies in Latin	313
Key Words	338
Правила для авторов	340
Guidelines for contributors	342

ANAXAGORAS ON THE MILKY WAY AND LUNAR ECLIPSES*

In this paper, I will investigate the interrelations between three astronomical theories that are attributed to Anaxagoras. The first theory is the explanation of the Milky Way as resulting from the earth's shadow. The second is the explanation of eclipses of the moon as caused by the earth's shadow. The third is the explanation of eclipses of the moon as due to invisible heavenly bodies below the moon. I will investigate how well these theories are attested, to what extent they are mutually compatible, and whether or not they harmonize with Anaxagoras' other astronomical conceptions, especially that of a flat earth.

The Milky Way

The Milky Way is visible as a band of varying angular width (roughly 30°) in the night sky.¹ An ancient legend says that the Milky Way derives its name from the stream of milk that poured from the breast of Juno, heaven's queen. Another story tells that it is the path through which the souls of heroes pass to heaven. Some people supposed that the Milky Way was the seam where the two hemispheres of the heavens were sewed together. Others feared that the firmament was about to split in two (cf. Manilius, *Astronomica* 1. 718–761). The Milky Way also troubled several Presocratics. Metrodorus is said to have identified the Milky Way as the sun's path among the stars. A similar theory, which says it is the former path of the sun, is ascribed to the Pythagoreans and to Oenopides. The Pythagoreans seem to have linked the Milky Way with the fall of Phaëthon,

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¹ For a general review, see Jaki 1973, 1–32.

while Oenopides adds that the direction of the sun's course reversed on that occasion. Some others are said to hold that the Milky Way is a reflection of our vision to the sun. Parmenides maintains that a mixture of dense and thin produces the milky color. Anaxagoras explains the Milky Way as a band of stars that light up in the earth's shadow.² These ideas unmistakably illustrate how little was understood at that time of the heavenly phenomena. This should be a warning sign to those scholars who are inclined to attribute to the ancient Greek thinkers – in this case, to Anaxagoras – all kinds of astronomical knowledge they did not possess.

Anaxagoras on the Milky Way

As we shall see, Anaxagoras' idea, as strange and wrong as it was, can be regarded as one of the first attempts of a rational explanation of the Milky Way in natural terms, supported by an optical theory. It is well documented: Gershenson and Greenberg, who classify it in their first category "Reliable Traditions", count seven testimonies,³ the first of which

² For Metrodorus, see Aët. in Ps.-Plut. *Plac.* 3. 1. 3 = DK 70 A 13. For the Pythagoreans, see Arist. *Meteor.* 345 a 17 = DK 41 A 10, cf. Aët. in Ps.-Plut. *Plac.* 3. 1. 2 = DK 58 B 37c, and Manil. *Astronom.* 1. 735–744. For Oenopides, see Ach. Tat. *Introd.* 1. 24 = DK 41 A 10. For "some others" (perhaps Hippocrates and Aeschylus), see Arist. *Meteor.* 345 b 9 = DK 42 A 6. For Parmenides, see Aët. in Ps.-Plut. *Plac.* 3. 1. 4 = DK 28 A 43 a. For Anaxagoras, see texts below.

³ Gershenson and Greenberg 1964, 333. Modern handbooks, textbooks, and monographs are rather reticent in giving information about this topic. DK misses Olympiodorus (text C) and does not give Ps.-Plutarch's version of Aëtius (text H), while Alexander of Aphrodisias (text B) is tucked away in the doxography on Democritus (DK 68 A 91). Gilardoni and Giugnoli 2002 have only the texts that appear in DK 59A and thus miss the same texts. Mansfeld 1986 has only Hippolytus' report (text F). Gemelli Marciano 2013 has only Aristotle's text (text A). Graham 2010 has Aristotle (text A, although tucked away between those on Democritus), Hippolytus (text F), and Olympiodorus (text C). Laks and Most 2016 have both Aristotle's (text A) and Hippolytus' text (text F), but miss that of Aëtius (text E) and all the others. Curd 2007 has Aristotle (text A), Aëtius (text E), and Hippolytus (Text F), and a short commentary. Kirk 2009, Barnes 1982, and McKirahan 2010 do not have any text at all about Anaxagoras and the Milky Way. Rechenauer 2013 refers shortly to DK 59 A 80. Guthrie 1965 is a positive exception; he mentions most reports: Aristotle (texts A and D), Alexander (text B), Aëtius (text E), Hippolytus (text F), and Diogenes Laërtius (cf. n. 19). Dicks 1970 refers shortly to Aristotle (text A). Cleve 1949 has only Aristotle (text A) with a short commentary. Graham 2013 has Aristotle (text A), Hippolytus (text F), and Olympiodorus (text C), but no commentary concerning the Milky Way. Alexander of Aphrodisias' interpretation (text B) is, apart from Gershenson and Greenberg 1964, 158 (287) and Dumont 1988, 791, not available in any other textbook I consulted.

is by Aristotle, who ascribes this explanation of the Milky Way not only to Anaxagoras but also to Democritus:

A. Arist. *Meteor.* 345 a 25–31 = DK 59 A 80

Anaxagoras and Democritus posit that the Milky Way is the light of certain stars, (2) for the sun, in its course beneath the earth, does not see (οὐχ ὀράν) [i. e. does not shine upon] some (ἔνια) of the stars. (3) Those (stars) (ὅσα μὲν) upon which the sun does shine in the round (περιοῤῥαται), of these the light is of course (μὲν οὖν) not visible, for it is prevented (κωλύεσθαι) by the rays of the sun. (4) But those (ὅσιοι δ') which are screened (ἀντιφράττει) from the sun by the interposed earth so that it does not shine upon (μὴ ὀράσθαι) them, the light proper to these (οἰκεῖον φῶς), they say, is the Milky Way.⁴

The optical theory behind this explanation of the Milky Way is that lights are more visible in the dark. This is why the stars lying in the band of the earth's shadow – the Milky Way – are seen to glow more brightly (see also the last lines of text B). Aëtius (text E) mentions only Anaxagoras and ascribes to Democritus the theory that the Milky Way is the combined light (συναυγασμός) of many stars that are close to one another (διὰ τὴν πύκνωσιν). So it would seem that Aristotle's ascription of the theory to Democritus was less accurate, as Diels has already remarked.⁵

I have divided Aristotle's text into four clauses, in order to make it easier for the reader to follow the complicated discussion. The usual reading of Aristotle's text is that it describes the situation at night and that the theory of the Milky Way is expressed in the clauses (1), (2), and (4). The problem is, then, the third clause: "Those (stars) upon which the sun does shine in the round, of these the light is of course not visible, for it is prevented by the rays of the sun", which is usually understood as having bearing on the stars at night on both sides of the Milky Way. This leads to the strange consequence that most of the stars at night would not be visible. Lee, for instance, comments on this interpretation: "what is not easy to understand is why, on Anaxagoras' theory, we see any stars outside the Milky Way".⁶ The originator of this interpretation seems to have been Alexander of Aphrodisias:

⁴ Trans. Mansfeld 2010, 488.

⁵ Diels 1879, 230. For Aëtius on Democritus and the Milky Way, see Ps.-Plut. *Plac.* 3.1.6 = DK 68 A 91.

⁶ Lee 1962, 59 note d.

B. Alex. Aphrod. *In Arist. Meteor.* 37. 28 (ad 345 a 11) = DK 68 A 91

Anaxagoras and Democritus say that the Milky Way is the light of certain stars. *They say that at night, when the sun goes under the earth, its rays shine upon some of the stars above the earth* (ὄσα περιλάμπει τῶν ὑπὲρ γῆς ὄντων ἄστρον), *mask their light, and prevent them from being seen.* The stars shielded by the earth's shadow are hidden from the light of the sun and are not illuminated by it. These stars are visible, and their light is the Milky Way.⁷

However, while Aristotle (text A, second clause) says that the sun at night, when it is under the earth, does *not* shine upon some stars, Alexander (text B) says that the sun when it is under the earth, *does shine* upon some stars, and then he construes the nonsensical theory that the light of these stars at night is outshined by the sun. According to Alexander, “the sun’s rays mask their light, and prevent them from being seen”. As already remarked by Tannery, Gomperz, and Heath, this idea could easily have been disproved by simple observation.⁸ Actually, Alexander combines, in a very confusing way, Aristotle’s second and third clause. Olympiodorus’ attempt to provide clarification is not very helpful either:

C. Olympiodor. *In Arist. Meteor.* 67. 33

A third view is that of Anaxagoras and Democritus. They say the Milky Way is the proper light of stars not illuminated (μὴ φωτιζομένων) by the sun. *For they say that the stars have their own light on the one hand and the light obtained (ἐπίκτητον) from the Sun on the other.* And the Moon proves this. For its own light is of one sort, the light [that it receives] from the Sun is of another; for its own light is coal-like, as it is evident from its eclipse (ἔλλειψις). But, they say not all stars receive light [from the Sun]. The [stars] which do not receive [light from the Sun] produce the circle of the Milky Way.⁹

Olympiodorus introduces yet another confusing idea that is not in Aristotle’s text, namely that the stars, in addition to their own light, have a light acquired from the sun. This is the opposite of what Aristotle was saying and was repeated by Alexander when they spoke of the sun’s light preventing us from seeing the stars. Olympiodorus’ explanation has the strange consequence that the stars outside of the Milky Way, having

⁷ Trans. Gershenson–Greenberg 1964, my italics. See also, e.g., Heath 1913, 83.

⁸ Cf. Tannery 1887, 279; Gomperz 1896, 179; Heath 1913, 84.

⁹ Trans. Baksa; my italics.

both their own light and additional light from the sun, would be brighter than those of the Milky Way, which have only their own light. Moreover, Olympiodorus uses the example of an eclipse of the moon as caused by the shadow of the earth, without observing that this is at odds with Anaxagoras' explanation of the Milky Way, as we shall see.¹⁰ Graham, after having quoted both Aristotle's text (text A) and that of Olympiodorus (text C), follows Olympiodorus as if this were the right and only interpretation, and then he comments: "Aristotle distinguishes between the natural light of certain stars and reflected light".¹¹ There is, however, not a word on reflected light and this distinction in Aristotle's text.

These attempts to make sense of Aristotle's rendition of Anaxagoras' theory of the Milky Way, are not very successful, to say the least. When we try to read Aristotle's text with an eye, unbiased by these confusing suggestions, I think it makes sense to assume that the second clause of text A, "The sun, in its course beneath the earth, does not shine upon (literally: "does not see" – οὐχ ὁρᾶν) some of the stars", explains in a general way why the stars shine at night. During the night, the sun under the earth is so far away from these stars that its light becomes too weak to prevent their visibility, although they are less bright than the stars in the shadow of the earth that form the Milky Way. More precisely, Aristotle says that at night the sun "does not shine upon *some* (ἐνία) of the stars", because it does shine upon ("sees") the other half of the stars which are under the earth. In other words, in the second clause, Aristotle refers to Anaxagoras' theory why it is dark at night.¹² Further, I think it makes sense to assume that Aristotle's third clause, "The light of the stars upon which the sun *does shine all around* (literally "sees all around", περιτορᾶται) is *of course* (μὲν οὖν) not visible", has nothing to do with the stars at night, but should be read as an explanation of why we do not see the stars by day, namely because their light is overpowered by that of the sun above the earth.

¹⁰ It has been argued that Aristotle meant to say that the sun, by shining on the stars outside the Milky Way, causes their own innate light not to be seen, but instead the reflection of the sun's light from the stars, whereas the stars in the Milky Way shine with their own light (cf. Cleve 1949, 70). In that case, the own light is not added up to the reflected light, as in text C, but the own light is, so to speak, subtracted from the reflected light. However, as far as I can see, since the reflected light should be brighter than the innate light of the stars in order to be able to outshine it, this would also lead to the situation that the stars outside the Milky Way are brighter than those of the Milky Way itself, which is the opposite of what is intended. Moreover, Aristotle's text does not speak of reflected light (see also my remarks at text C).

¹¹ Graham 2013, 131.

¹² It would need too long a digression to discuss here at length the problem of darkness at night in Presocratic flat earth cosmology.

During the day, the light of the sun is everywhere in the sky above us; this is what the metaphor of “seeing all around” says.¹³ The interjection “of course” underlines that the third clause formulates something obvious and not some strange theory.

In this interpretation, the second and third clauses of text A are not specifically about the Milky Way, but sketch the general background of why the stars shine at night and not by day, against which the theory of the Milky Way must be understood. The first and fourth clauses of text A are about the stars visible in the shadow of the earth (the Milky Way). Generally speaking, the stars at night shine in the dark because they are not shined upon by the sun, but the stars of the Milky Way shine in the even deeper dark of the earth’s shadow. Summarizing: according to Aristotle, Anaxagoras’ theory is that the sun by day, when it is above the earth, outshines the stars (clause 3); when the sun is under the earth, the stars are visible because the sun does not “see” them (clause 2). A special category of stars that are not “seen” (μη ὁραῖσθαι) by the sun are those stars which are in the shadow of the earth: together they make what we call the Milky Way (clauses 1 and 4).

Puzzling as Aristotle’s text is, and even more puzzling as it has become by the intervention of its commentators, it does not interfere with the main argument of this paper. Whatever the interpretation of the second and third clause of text A, its kernel remains that the Milky Way results from the earth’s shadow. Given that the earth’s shadow covers about 30° of the sphere of the stars, the sun must be smaller than the earth (and relatively nearby). This observation is confirmed by Aristotle’s argument that Anaxagoras’ theory concerning the Milky Way cannot be right because actually the opposite is the case:

¹³ The anonymous reviewer remarks that the words ὅσα μὲν – ὅσοις δ’ in Aristotle’s text, clauses 3 and 4, suggest an opposition of two kinds of stars at night and exclude an opposition between stars by day and stars at night. This would entail that Aristotle expresses three times after another the theory of the Milky Way (in clauses 1, 2, and 4), and in between an understandable theory of the stars outside the Milky Way (in clause 3). As explained above, I think it is possible to read the opposition between ὅσα μὲν – ὅσοις δ’ as meaning “as many stars as are above the earth and of which the light is overpowered by the light of the sun – as many stars as are in the shadow of the earth and of which the light shines brightly”. The reviewer further suggests that my interpretation of the second clause of Aristotle’s text (namely, that the sun at night is so far away that its rays cannot reach the stars) could be taken as the meaning of the third clause in the usual interpretation of Aristotle’s text. I am afraid that Aristotle’s explicit statements that the light of the stars mentioned in clause 3 is “of course” “not visible” and “prevented” excludes this possibility.

D. Arist. *Meteor.* 345 b 1–8

Astronomical researches have now shown that the size of the sun is greater than that of the earth (...) therefore the vertex of the cone formed by the rays of the sun will not fall very far from the earth, nor will the earth's shadow (...) reach the stars.¹⁴

When Aristotle claims that the sun is bigger than the earth (and thus relatively far away), throwing a conical shadow beyond the earth, he implies that in Anaxagoras' theory the earth's shadow must be widening in order to cover the width of the Milky Way, and thus the sun must be relatively near and smaller than the earth.¹⁵ Fig. 1 gives an impression of how, in Anaxagoras' conception, the Milky Way is dependent on the earth's shadow. I also tried to imitate the diminution of the sun's rays.

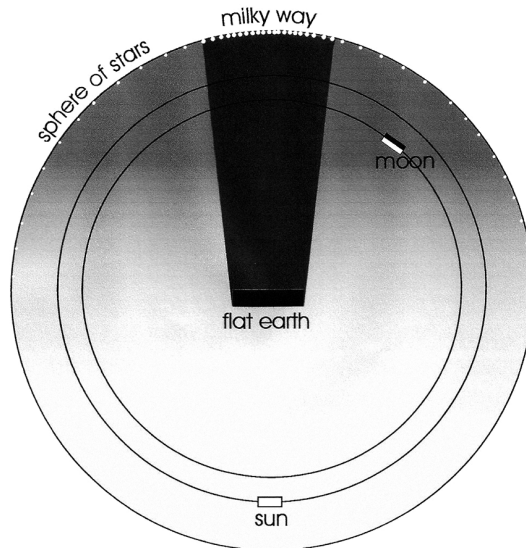


Fig. 1. The Milky Way caused by the shadow of the earth (approximately to scale)¹⁶

¹⁴ Trans. Lee 1962.

¹⁵ Cf. Guthrie 1965, 309: "He (sc. Aristotle) attacks it from the standpoint of greater astronomical knowledge, for it demands that the sun be smaller than the earth, whereas he knew it to be greater". The suggestion in O'Brien 1968, 124 that "the moon would be eclipsed night after night" is unwarranted because the moon does not cross the Milky Way night after night. Cleomedes more accurately says: "the moon would be duly eclipsed each month by falling into the shadow" (Trans. Bowen–Todd 2004, 158).

¹⁶ I have drawn not only the earth but also the sun and the moon as flat disks, as was probably Anaxagoras' understanding.

Aristotle's testimony is repeated by several authors. Aëtius replaces the confusing clause discussed with words that appear to confirm the interpretation given above:

E. Aët. in Ps.-Plut. *Plac.* 3.1.5 = DK 59 A 80

Anaxagoras (holds) that the shadow of the earth rests upon this section of the heaven [viz. where the Milky Way is visible] *when the sun*, having arrived under the earth, *no longer illuminates everything*.¹⁷

I read the clause “when the sun, having arrived under the earth, no longer illuminates everything” as simply referring to the sky at night (whereas by day, the sun “illuminates everything”), while the shadow of the sun is supposed to rest on a special section of the night sky. Hippolytus mentions Anaxagoras' explanation of the Milky Way just after a text in which he refers to Anaxagoras' ideas concerning eclipses of the moon, which we shall discuss in the next section:

F. Hippol. *Refut.* 1. 8. 10 = DK 59 A 42 (10)

The Milky Way is the reflection (ἀνάκλασις) of the light of stars that are not illuminated by the sun.¹⁸

Hippolytus' word “reflection” is inaptly chosen for stars that are not illuminated by the sun, although Diogenes Laërtius uses the same term.¹⁹ Mansfeld remarks that Aëtius' text does *not* speak of reflection,²⁰ and neither does Aristotle's.

In all these texts (B, C, E, and F) we find the same kernel as in Aristotle (text A): the Milky Way is the result of stars shining more brightly in the shadow of the earth. Anaxagoras' theory was already criticized by Aristotle, who argues that the position of the Milky Way among the stars is always the same but that, if it were the result of the earth's shadow, it would change with the sun's changes of position.²¹ Moreover, the shadow of Anaxagoras' flat earth would not be a band across the sky but should show the shape of a circular disk, high in the sky at midnight,

¹⁷ Trans. Mansfeld 2010, 488, my italics.

¹⁸ Trans. Graham 2010.

¹⁹ Cf. Diog. Laert. 2. 9 = DK 59 A 1(9). Diogenes Laërtius' text is almost identical to that of Hippolytus; apparently, they referred to the same source.

²⁰ See Mansfeld 2010, 489 n. 40. Cf. Ferguson 1968, 100: “This cannot mean ‘reflection’ unless the doxographers have wholly misunderstood Anaxagoras”.

²¹ Arist. *Meteor.* 345 a 33–38.

moving during the night and changing its shape into an elliptical disk and eventually into a straight stripe at dawn.²² The implication of Anaxagoras' explanation of the Milky Way is that he has no idea where in reality the sun is during the night. In the context of this paper, however, it is not our concern whether this theory is strange or wrong but that it is well documented and ascribed to Anaxagoras by a witness as early as Aristotle. The fundamental problem with Anaxagoras' explanation of the Milky Way is that he is also accredited with the explanation of lunar eclipses as being caused by the earth's shadow.

Introductory remarks on eclipses

Heavenly bodies sometimes disappear from sight. These disappearances can be divided in regular and irregular as well as in partly and totally. The sun, the moon, the planets, and the stars set in a regular way and when set, they disappear totally out of sight. There is some regularity in eclipses, because solar eclipses always occur during new moon and lunar eclipses during full moon. For the Presocratic Greeks, however, the precise date and the magnitude of an eclipse remained unpredictable. Stars and planets can be occulted by the moon, but since we do not possess reports of such occultations from the ancient Greeks we can leave them out of account. During the month, the moon shows phases, in which it disappears, is out of sight for a few days, and gradually appears again until it is completely visible.

The first attempts aimed to give one uniform explanation of as much as possible of these disappearances. Anaximander considered the eclipses of the sun and moon and the moon's phases as the partly or totally closure of the aperture in their celestial wheels. Since he imagined the celestial wheels of sun, moon, and stars to turn around the earth, we may surmise that he considered their settings as their becoming invisible under the earth. In this regard, Xenophanes who explained settings, eclipses, and phases all alike as quenchings, is the most consequent thinker. Another tendency was to make eclipses more like settings. Some unnamed thinkers explained solar eclipses by invisible condensations of clouds passing in front of the sun (text K). A similar explanation of (some) lunar eclipses is also ascribed to Anaxagoras (texts G and I). The Pythagoreans seem to have been the first to state that an eclipse of the sun occurs when the

²² Another theoretical possibility would be to imagine Anaxagoras' earth not as a disk but as an oblong, which would better fit the shape of the Milky Way (cf. Heath 1913, 84). This would, however, not affect the argument of this paper.

moon is between the earth and the sun. In these explanations of eclipses, some heavenly body (an invisible body, or the moon) comes between the observer and the eclipsed body, while in the case of settings the earth is between the observer and the heavenly body that has set.

Before we start the investigation of Anaxagoras' theory of lunar eclipses, we must pay attention to an important *phenomenological* distinction between two kinds of disappearances of heavenly bodies. The first kind comprises eclipses of the sun, but also occultations of stars or planets, and the settings of the sun, moon, stars or planets. In solar eclipses, occultations, and settings, a heavenly body, usually the moon but in settings the earth, happens to be between the observer and the eclipsed, occulted or setting body, blocking the sight of the observer.²³ In solar eclipses, occultations, and settings, the order is always: observer – blocking body – eclipsed or occulted body, all the three of which must be aligned. Shadow does not play an explanatory role in these phenomena.

The second kind of disappearances consists of only one species, namely that of lunar eclipses. During lunar eclipses, it is not a heavenly body between the observer and the eclipsed body that blocks his sight of the eclipsed moon, but the shadow of the earth on the moon when the earth blocks the light of the sun. The order is also different and requires four instead of three items: light source (the sun) – shadow-throwing body (the earth) – observer – eclipsed body (the moon). Moreover, in this case only the three heavenly bodies must be aligned, but there is no direct need of alignment of the observer. This can be easily shown in comparison with ordinary shadows that fall on objects. When I observe the shadow of a tree, I do not have to be in line with the sun, the tree, and the object on which the shadow falls, and usually I am not. Similarly, a lunar eclipse can be observed from outside the alignment of sun, shadow-throwing body, and moon. Pythagoreans used this argument when they argued that lunar eclipses could also be caused by the counter-earth.²⁴ From this analysis we learn that, for the ancients, the understanding of the true cause of lunar eclipses must have been much more complicated than that of solar eclipses.²⁵ It also helps us understand why Anaxagoras tried to explain

²³ Similarly, the sight of a heavenly object and, for that matter, any other object, can be blocked by another object, for instance a bird, a tower, our own hand, or whatever. Usually, we do not call these events 'eclipses' or 'occultations', although we may say, for instance, that the sun is obscured by a cloud or by volcanic dust.

²⁴ See Arist. *Cael.* 293 b 25–29.

²⁵ Bakker 2013, 686, points to the fact that Aristotle and Aëtius used the Greek term ἔκλειψις for eclipses and not for the waning of the moon. The difficulty is, however, in how far their knowledge of the difference between the two (and other

(some) lunar eclipses in the same way as solar eclipses and occultations, by imagining invisible heavenly bodies between us and the moon. However, let us not anticipate the conclusions of this paper.

The doxographical evidence on Anaxagoras and lunar eclipses

The most often quoted report of Anaxagoras and lunar eclipses is in a text of Hippolytus, just before he mentions Anaxagoras' explanation of the Milky Way:

G. Hippol. *Refut.* 1. 8. 6, 9 and 10 = DK 59 A 42 (6, 9, and 10)

(Anaxagoras says) there are below the stars certain bodies invisible to us which are carried around with the sun and moon. (...) *The moon is eclipsed when the earth blocks it*, or sometimes one of the bodies below the moon. (...) *He first correctly explained eclipses.*²⁶

According to Hippolytus, Anaxagoras has two explanations of lunar eclipses. In this section, I will discuss what Hippolytus, in the italicized lines above, presents as Anaxagoras' main theory concerning eclipses of the moon. This looks like the well-known explanation which we still adhere to: the moon is eclipsed when it enters partially or totally into the shadow of the earth, because at that time the earth is between the sun and the moon, as shown in Fig. 2.

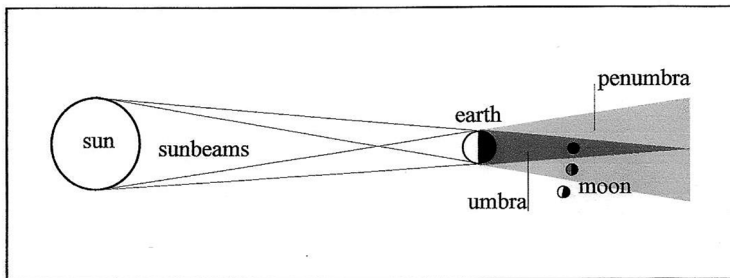


Fig. 2. The standard explanation of a lunar eclipse (not to scale)

phenomena of occultation) prevented them to understand and render truthfully the opinions of the Presocratics who were not yet able to make these differences and even tried to explain as many as possible of these events by the same theory. The confusion between eclipses and phases of the moon in Aëtius 2. 29 are also due to this misunderstanding.

²⁶ Trans. Graham 2010.

As regards this representation, we must make seven reservations, from which can be concluded that the drawing in Fig. 2 does not reflect the explanation attributed to Anaxagoras:

1) In ancient Greek writings there are no reports of the earth's penumbra and of penumbral eclipses.

2) Anaxagoras believed that the earth is flat. The shadow of a spherical earth on the eclipsed moon will always show the curve of a portion of a circle, whereas the shadow of a flat earth would show a variety of shapes, depending on the positions of the sun and the moon in relation to the earth's surface: a portion of a circle high in the sky, a portion of an ellipse halfway to the horizon, and a straight line at the horizon.

3) When the earth is conceived of as flat, one implication is that the heavenly bodies are nearby and, accordingly, are relatively small. The belief that the sun is nearby is implied in the report, attributed to Anaxagoras (see Diog. Laert. 2. 10 = DK 59 A 1 [10]), that the stone that fell from heaven in Aegospotami had broken off from the sun. The reports of Anaxagoras maintaining that the sun is bigger than the Peloponnesus suggest that the sun is smaller than the earth.²⁷ With a flat earth, the fact that the sun is nearby (and thus smaller than the earth) can easily be shown by extending Thales' measurement of the height of a pyramid to the measurement of the sun's distance: In Athens, at noon on the summer solstice, the length of a gnomon is roughly four times its shadow. Accordingly, on a flat earth, the distance of the sun to the sub-solar point (on the Tropic of Cancer) is calculated as roughly four times the distance from Athens to the Tropic of Cancer.

4) When the sun is smaller than the earth, the flat earth's shadow will widen rather than be conical. As seen in the previous section, Anaxagoras' explanation of the Milky Way also presupposes that the earth's shadow is widening and thus that the sun is smaller than the earth.

5) A widening shadow would produce other shadow lines (sections of a bigger circle) on the partially eclipsed moon than a conical shadow does.

6) A widening shadow would involve that the moon is more often and during a longer time eclipsed than is the case with a conical shadow.

7) Anaxagoras, in all probability, believed that the sun and the moon were flat disks. I have tried to draw how eclipses of the moon would look from this interpretation.

²⁷ See Aët. in Ps.-Plut. *Plac.* 2. 21. 3 = DK 59 A 72; Hippol. *Refut.* 1. 8. 8 = DK 59 A 42(8); Diog. Laert. 2. 8 = 59 A 1(8). Cf. Dreyer 1953, 31: "the sun (...) greater than the Peloponnesus, and therefore not at a very great distance from the earth".

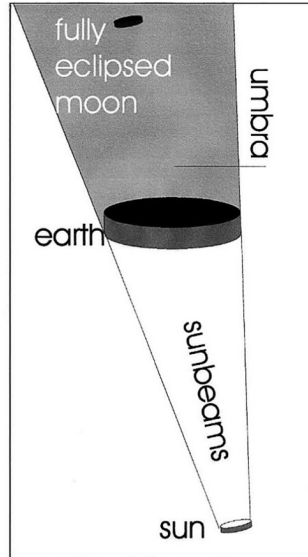


Fig. 3a. (Total) lunar eclipse at night (approximately to scale)

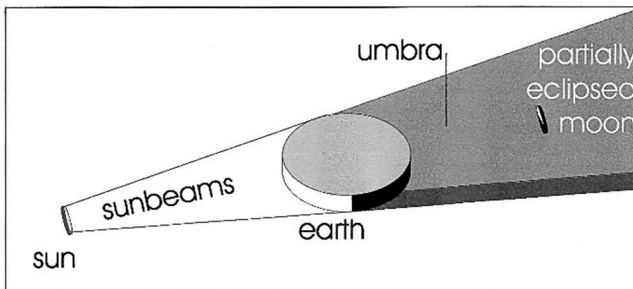


Fig. 3b. Partial eclipse at dawn
(approximately to scale)²⁸

Fig. 3a shows the situation of a totally eclipsed moon in the widening shadow of the earth. Fig. 3b shows that the shadow line on the partially eclipsed moon at the horizon should be a straight line.

²⁸ This picture is inspired by Graham 2013, 130, Figure 4. 2. Graham draws parallel instead of widening shadow lines, although he draws the sun nearby and smaller than the earth. Elsewhere, however, when he discusses a solar eclipse, he (wrongly) argues that “Anaxagoras must presume that (...) the sun (is) relatively far away” (Graham 2013, 148 and 151). See also Graham–Hintz 2007, 321: “Assuming that the sun was far distant from the earth”. But when the sun is far away it must be much bigger than the earth and the shadow of the earth must be conical.

The correct explanation of lunar eclipses is also given in Pseudo-Plutarch's version of Aëtius, in which Anaxagoras is not mentioned:

H. Aët. in Ps.-Plut. Plac. 2. 29. 6

Plato, Aristotle, and the Stoics agree with the astronomers (...) that eclipses of the moon occur when it enters the earth's shadow, when the earth comes between the two heavenly bodies.²⁹

In Stobaeus' version, however, the name of Aristotle has disappeared and is replaced by those of Thales and Anaxagoras. Moreover, Stobaeus attributes to Anaxagoras a second explanation of lunar eclipses, which we shall discuss later:

I. Aët. in Stob. *Anth.* 1. 26. 3 = DK 59 A 77

Thales, Anaxagoras, Plato and the Stoics agree with the astronomers (...) that eclipses of the moon occur when it enters the earth's shadow, when the earth comes between the two heavenly bodies. Theophrastus says that Anaxagoras held that eclipses also occur when bodies below the moon happen to obstruct it.³⁰

Given these two versions, it is a matter of debate whether Anaxagoras was mentioned at all in Aëtius' original text in relation to the theory that the shadow of the earth produces eclipses of the moon. When we look at the matter within the context of Anaxagoras' other astronomical ideas, Ps.-Plutarch's version (text H) makes more sense.³¹ He mentions

²⁹ My trans. See also Diels 1879, 360.

³⁰ My trans. Bakker 2013, 685, n. 5 mentions a minor difference between the versions of Ps.-Plutarch and Stobaeus, but overlooks the major difference in the names mentioned in the two versions.

³¹ Here, my conclusion differs from that of Mansfeld–Runia 2009, 613–623, who state that “Not only (...) does P(seudo-Plutarch) delete the names of Thales and Anaxagoras (perhaps to avoid the doublet), but he also adds that of Aristotle” (617) and finally offer a text with all the names mentioned by Ps.-Plutarch and Stobaeus combined (621–622). The reasons they adduce have to do with text-critical considerations about the usual methods of the doxographers. My attempt tries to see which of the two versions makes more sense in the context of what we know about Anaxagoras' other astronomical opinions and intends to show that it is not “somewhat unexpectedly” that “the first two names Thales and Anaxagoras are dropped” (Mansfeld–Runia 2009, 615). Moreover, the “standard explanation” of a lunar eclipse as caused by “the moon sink into the *conical* shadow of the earth (*ibid.* 616, my italics) cannot be said of Anaxagoras, nor from any other Presocratic flat earth cosmologist.

three schools that were convinced that the earth is spherical and in which, understandably, Anaxagoras is not included. The concept of a spherical earth fits very well with the standard explanation of eclipses of the moon. The curved shape of the earth's shadow can thus be easily explained, which is not the case with Anaxagoras' supposition of a flat earth. Aristotle builds the question of the shadow lines into one of his proofs that the earth is a sphere.³² Moreover, if the earth is spherical, the sun must be much bigger than the earth and at a great distance, which would result in the earth's shadow being conical, as Aristotle already concluded, and not widening (see text D and Fig. 2). The earth's shadow on the moon shows a width of about 1.5°. This is at odds with the widening shadow of a flat earth, which would cover roughly 30° of the night sky and cause the Milky Way, as was Anaxagoras' opinion.

Theon of Smyrna says that it was Anaximenes who discovered the way in which the moon is eclipsed:

J. Theon Smyrn. *Expos.* 198. 14 – 199. 3 = DK 13 A 16 = fr. 145 Wehrli

[Eudemus reports that] Anaximenes [was the first] to discover that the moon has its light from the sun and how it eclipses.³³

Several scholars, and most recently Panchenko, have argued that we should read “Anaxagoras” instead of “Anaximenes”.³⁴ I prefer to follow O'Brien, who suggests that “Eudemus said simply that Anaximenes gave *an* interpretation of the moon's eclipse”, perhaps as caused by invisible bodies, which would be compatible with his idea of a fiery moon, and that Theon inaccurately turned this into the suggestion that Anaximenes gave the correct explanation of the moon's eclipse.³⁵

The incompatibility of Anaxagoras' theory of the Milky Way with the explanation of lunar eclipses as caused by the earth's shadow

The Milky Way is a permanent phenomenon, visible every night. Lunar eclipses, on the contrary, are rare phenomena. During Anaxagoras' lifetime, 31 of them were visible in Athens. The inevitable conclusion of

³² Arist. *Cael.* 297 b 23–31.

³³ My trans.

³⁴ See Panchenko 2002, 324–326. He mentions others scholars in n. 6.

³⁵ O'Brien 1968, 117.

the combination of the theories that the moon is eclipsed by the shadow of the earth on the one hand, and that the Milky Way is caused by the earth's shadow on the other hand, is that the eclipsed moon would always be seen against the background of the Milky Way. In reality, this is not the case, as can be seen by simply observing lunar eclipses. Of the 31 eclipses of the moon that took place during Anaxagoras' lifetime, only eight took place when the full moon was in conjunction with the Milky Way.³⁶ In the section on Anaxagoras and the Milky Way, it was already remarked that his explanation of the Milky Way implies that he had no idea of the real position of the sun during the night. In other words, the theory of the Milky Way as caused by the shadow of the earth is irreconcilable with the theory that eclipses of the moon are caused by the shadow of the earth.

I am not the first to note that these two theories involving the earth's shadow are incompatible. More than a century ago, several scholars noted that it is impossible for the two theories involving the earth's shadow to coexist. Tannery remarks: "la lune aurait dû s'éclipser toutes les fois qu'elle traverse la voie lactée, conséquence dont il était également facile de vérifier la fausseté".³⁷ Gomperz writes: "und warum tritt nicht eine Verfinsternung des Mondes ein so oft dieser über die Milchstraße hingehet?"³⁸ And Heath comments: "if the theory were true, an eclipse of the moon would have been bound to occur whenever the moon passed over the Milky Way and it would have been easy to verify that this is not so".³⁹ In more recent times, Fehling also concludes, that "seine (...) Erklärung der Milchstraße (...) mit der richtigen Erklärung der Mondfinsternisse (...) unvereinbar ist".⁴⁰ Panchenko remarks about the attribution of this theory of the Milky Way to Anaxagoras: "But this is incompatible with other evidence on Anaxagoras' views".⁴¹

As far as I know, nobody has thus far drawn the conclusion that we must try to determine which of the two theories of the earth's shadow was actually proposed by Anaxagoras. It is hard to imagine that he would have defended the two conflicting theories at the same time, unless we want to depict him as a confused fool. If we refuse to accept that Anaxagoras was completely confused only two options remain: either

³⁶ I used the computer program RedShift 8 Premium.

³⁷ Tannery 1887, 279.

³⁸ Gomperz 1896, 179.

³⁹ Heath 1913, 84.

⁴⁰ Fehling 1985, 211. I thank Dmitri Panchenko for drawing my attention to this text.

⁴¹ Panchenko 2013.

Anaxagoras was not the author of the idea that the phenomenon of the Milky Way is caused by the earth's shadow, or he was not the author of the accepted explanation of eclipses of the moon as caused by the shadow of the earth.⁴²

The results of the textual arguments indicate that Anaxagoras' explanation of the Milky Way is well documented, but that the attribution to him of the accepted explanation of lunar eclipses depends mainly on the report of Hippolytus. The result of the contextual and observational arguments is that Anaxagoras' theory of the Milky Way harmonizes with his astronomy, but his alleged theory that lunar eclipses are caused by the earth's shadow is hard to bring into accord with the rest of his astronomical ideas and especially with that of a flat earth. If these considerations are right, it seems plausible that Pseudo-Plutarch's version, in which Anaxagoras is not named, represents Aëtius' original. In that case, Hippolytus remains the only authority to rely on for the attribution of the accepted theory of lunar eclipses to Anaxagoras.⁴³ We may wonder how trustworthy his report is, since he mentions it in the same breath with Anaxagoras' explanation of the Milky Way, without noticing that the two are mutually exclusive. My conclusion is that the right explanation of lunar eclipses must have been mistakenly attributed to Anaxagoras.

Two questions remain, the first of which is whether we are able to trace the origin of this mistaken attribution. The other question is, how to understand the completely different explanation of lunar eclipses that is also ascribed to Anaxagoras. These two questions will appear to be intertwined. We will start our discussion with the second question.

Invisible heavenly bodies below the moon

In text I, Stobaeus introduces bodies below the moon that can bring about eclipses when they move in front of the moon. Hippolytus (text G) also refers to a theory of lunar eclipses caused by bodies below the moon, in

⁴² Perhaps someone would argue that another possible solution for this dilemma could be that, in his youth, Anaxagoras defended the idea of the Milky Way as the shadow of the earth and that, at a later stage, he discovered the true cause of lunar eclipses and abandoned his former idea of the earth's shadow. However, the sources do not give any indication of such a scenario. Even so, the right explanation of lunar eclipses would conflict with his conception of a flat earth.

⁴³ Cf. Guthrie 1965, 308 n. 1: "For Anaxagoras on the cause of eclipses the authority is Hippolytus".

which the shadow of the earth does not play a role. The word “invisible” obviously means that such an object is invisible until it betrays itself when it partially or totally covers the moon.

The idea of invisible heavenly bodies was not new in Presocratic cosmology. Anaximander conceived of the celestial bodies as huge wheels of condensed air filled with fire that we see through an opening. The wheels themselves we do not see because they are made of air, just like the medium in which they orbit around the earth.⁴⁴ Another kind of invisible heavenly body is mentioned in the doxography on Anaximenes. He is said to believe that the heavenly bodies are of a fiery nature but that some of them are earthy (γεώδη) and invisible (ἀόρατα).⁴⁵ Since this is all that is said about them, it is hard to understand how earthy bodies could be invisible, and impossible to decide whether or not they were thought to play a role in lunar eclipses.

According to Anaxagoras, the heavenly bodies are fiery stones.⁴⁶ This makes it difficult to imagine how the invisible bodies below the moon could remain invisible. Moreover, the invisible bodies that were able to eclipse the moon must have been much bigger than the stone of Aegospotami, and probably bigger than the moon itself, in order to produce the size of eclipses we observe on the moon, which makes it even harder to understand how they could remain unnoticed. Furthermore, the moon is sometimes faintly visible during an eclipse, which would be impossible if a huge stone were blocking its light.

A hypothetical explanation, which could cope with these difficulties and which I consider plausible, is that Anaxagoras’ invisible bodies are an exception to his theory that the celestial bodies are fiery stones because they are made of an airy substance. In text G, Hippolytus distinguishes between invisible bodies below the stars and invisible bodies below the moon. We can imagine that invisible heavenly bodies *above* the moon are fiery stones, which become temporarily visible when they are kindled (like comets and shooting stars), or when they are driven off course (like meteorites), but that the invisible heavenly bodies *below* the moon were conceived of as a kind of meteorological objects that consisted of condensed air and became temporarily visible during lunar eclipses.

⁴⁴ Hippol. *Refut.* 1. 6. 4 and 5 = DK 12 A 11 (4 and 5), Aët. in Ps.-Plut. *Plac.* 2. 13. 7 = DK 12 A 18, 2. 20. 1 and 2. 24. 2 = 12 A 21, 2. 25. 1 and 2. 29. 1 = DK 12 A 22.

⁴⁵ Aët. in Stob. *Anth.* 24. 1 = DK 13 A 14.

⁴⁶ Aët. in Ps.-Plut. *Plac.* 2. 13. 3 = DK 59 A 71; Hippol. *Refut.* 1. 8. 6 = DK 59 A 42(6). This item will be discussed thoroughly in another paper, “Anaxagoras on the Light and Phases of the Moon” (forthcoming in *Hyperboreus* 24: 1).

Aëtius mentions a similar explanation in an anonymous account of eclipses of the *sun*:

K. Aët. in Ps.-Plut. *Plac.* 2. 24. 5

Some (thinkers declare that it is) a condensation of clouds invisibly passing in front of the (sun's) disk (τῶν ἀοράτως ἐπερχομένων τῷ δίσκῳ νεφῶν).⁴⁷

The expression “invisibly passing” (ἀοράτως ἐπερχομένων) is somewhat unfortunately chosen, because these invisible cloudy objects make themselves visible when passing the sun's disk. Although Aëtius' item falls under the heading “eclipses of the sun”, Bicknell rightly states that “the cloud theory of eclipses is as applicable to lunar as it is to solar eclipses”.⁴⁸ As regards Anaxagoras, there is no cogent reason to doubt the reports that say the sun is eclipsed when the moon blocks it.⁴⁹ But in the case of lunar eclipses, the hypothesis of invisible bodies of an airy nature, which become visible in a cloud-like way during an eclipse, would fit his ideas very well. These airy bodies must be sufficiently condensed to cause an eclipse of the moon. Sometimes, however, at the occurrence of a blood moon, they are so thin as to let the moon's own light shine through. This would also explain why they do not produce a sharp borderline when they move before the moon, as a body of stone would do.

Attempts to understand the invisible bodies as an additional cause of lunar eclipses

The difficulty with the theory of invisible objects, however, is that both Stobaeus and Hippolytus (texts I and G) tell us that it was *in addition to* the accepted explanation of lunar eclipses. Some authors have tried to argue that the invisible bodies as additional causes of lunar eclipses were introduced to explain specific events. More than a century ago, Schaefer,

⁴⁷ Trans. Mansfeld–Runia 2009, 354 (not in DK, but see Diels 1879).

⁴⁸ Bicknell 1969, 65. See also Wöhrle 1993, 71, who calls Bicknell's idea “nicht unüberzeugend”.

⁴⁹ Hippol. *Refut.* 1. 8. 9 = DK 59 A 42(9). Cf. Val. Max. 8. 11, text 1 (not in DK), where it tells how Pericles, quoting what he had learned from Anaxagoras concerning the courses of the sun and moon, tried to appease the citizens of Athens who panicked because of an eclipse of the sun.

Boll and Heath have tried to show that Anaxagoras' invisible bodies would explain the phenomenon of both the sun and moon being visible during a lunar eclipse, on opposite horizons to one another, during a so-called "selenelion".⁵⁰ Graham maintains that the invisible bodies were introduced to explain all lunar eclipses at the horizon, or as he calls them, "crepuscular eclipses".⁵¹

These attempts suffer from two fundamental mistakes. In the first place, eclipses at the horizon are made into a special type of lunar eclipses that can be distinguished from the other ones and thus be thought to originate from another cause (from invisible heavenly bodies instead of the earth's shadow). So-called "crepuscular eclipses" and "selenelions" are, however, just normal eclipses that have started higher in the sky, to reach the horizon at a later time in the course of their existence.⁵² The eclipse of March 25, 542 BC, for instance, started at 5.30 am, at an altitude of about 23°. At about 7.06 am, it was almost full (altitude about 5°), and when it set at 7.36 am, the moon was still partially eclipsed, with most of the eclipsed part being already under the horizon. It would have been very strange indeed, if we must suppose that Anaxagoras believed that when the eclipse had reached the horizon, all of a sudden an invisible heavenly body would have taken over the role of the earth's shadow.

In the second place, none of these authors seems to be aware of the discrepancy between the idea that the moon is lighted by the sun and the idea of invisible bodies as an additional cause of lunar eclipses. If the moon is lighted by the sun, it is hard to understand why the bodies that partially or totally cover the full moon, especially when they are supposed to be stony as these authors do, should be invisible or dark and not lighted by the sun, just like the moon before which they move.⁵³

⁵⁰ See Schaefer 1873, 19 n. 1; Boll (1909) 2351; Heath (1913) 80.

⁵¹ Graham 2013, 128–130.

⁵² All lunar eclipses visible at the horizon during Anaxagoras' lifetime were visible at dawn and none at dusk.

⁵³ This problem does not rise with the counter-earth of the Pythagoreans that is also said to be an additional cause of lunar eclipses. Of course, there are other problems with the counter-earth as a cause of lunar eclipses. However, the counter-earth does not dwell between the earth and the moon, but is invisible because it orbits between the earth and the central fire, while the part of the earth on which we live is supposed to be always turned away from it.

Invisible bodies as Anaxagoras' only theory of lunar eclipses

Earlier, I concluded that Anaxagoras cannot have been the discoverer of the accepted explanation of lunar eclipses, because this is irreconcilable with his well-documented theory of the Milky Way. From the previous section, we may conclude that there seems to be no reasonable explanation of how the invisible bodies could function as a *supplementary* cause of lunar eclipses. If this analysis is right and the correct explanation of lunar eclipses was mistakenly ascribed to Anaxagoras, there is no reason to call his explanation by means of invisible objects “additional”. Moreover, to me it seems probable that if a defender of the flat earth like Anaxagoras had seen the phenomena of the shapes of the eclipsed moon during so-called crepuscular eclipses, he would have argued: “the earth is flat, and thus the shapes of the eclipses that can be seen at the horizon cannot be caused by the earth’s shadow; and since these eclipses were some hours ago just normal lunar eclipses this indicates that, generally speaking, eclipses of the moon are not caused by the shadow of the earth”.⁵⁴ And if Anaxagoras had seen the phenomenon of a selenelion in which both the sun and the eclipsed moon were seen, he would have been convinced once more that the earth’s shadow cannot be the cause of a lunar eclipse.

My proposal is, then, that the right explanation of lunar eclipses was incorrectly ascribed to Anaxagoras and that the invisible bodies must be considered as Anaxagoras’ one and only way to explain eclipses of the moon. We might say that this explication is part of a universal theory that also holds for solar eclipses, star occultations, and risings or settings, in all of which a body (the moon, or the earth), lying between an observer and the celestial object, blocks the sight of that object and in which no shadow is involved. This explanation of lunar eclipses is compatible with Anaxagoras’ conception of a flat earth and would solve the problems which arise, as we have seen, with the standard interpretation of lunar eclipses.⁵⁵ We might visualize this explanation of lunar eclipses as shown in Fig. 4.

⁵⁴ I have generated pictures of all 13 lunar eclipses that were visible at the horizon during Anaxagoras’ lifetime. They can be seen on my page in Academia.edu (<https://zcu.academia.edu/DirkCouprie>).

⁵⁵ Interestingly, Neugebauer 1975, 550 wrote: “One could invent the existence of a special object, a dark ‘disk’ that obscures the moon, moving always at 180° elongation from the Sun. The mathematics of the ephemerides would allow for this interpretation”. Neugebauer is commenting here on the Pythagorean counter-earth, but his remark makes more sense when applied to Anaxagoras.

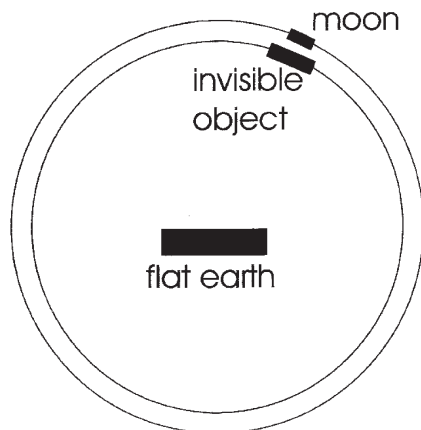


Fig. 4. Lunar eclipse caused by an invisible object
(approximately to scale)⁵⁶

The possible origin of a misunderstanding

I think the origin of the misunderstanding in calling the explanation of lunar eclipses by means of invisible bodies “additional” is a cryptic text of Aristotle on lunar eclipses in the Pythagorean cosmological system. The Pythagorean system counts one invisible heavenly body, called the counter-earth, which is thought of as another earth, orbiting opposite to the earth around the central fire. But next to this, Aristotle states that some think that there are invisible *bodies* (in the plural), causing eclipses of the moon:

L. Arist. *Cael.* 293 b 21–25

Some even think it possible that there are a number of such bodies [like the counter-earth] carried round the center, invisible to us owing to the interposition of the earth. This serves them too as a reason why eclipses of the moon are more frequent than eclipses of the sun, namely that it [sc. the light of the sun] is blocked by each of these moving bodies, not only by the earth.⁵⁷

⁵⁶ In Fig. 4, I did not draw the sun because, as stated before, the shadow of the earth does not play a role in this explanation of lunar eclipses, and Anaxagoras’ explanation of the Milky Way implies that he had no idea of the sun’s real position during the night.

⁵⁷ Trans. Guthrie 1939, my additions between square brackets (not in DK).

Aristotle speaks about heavenly bodies that are “invisible to us owing to the interposition of the earth”. This would exclude Anaxagoras’ invisible bodies, which are said to be below the moon, meaning between the earth and the moon, as Burkert rightly remarks.⁵⁸ Yet, it is tempting to think that Aristotle was not hinting at some unknown Pythagoreans but at Anaxagoras. In modern times, this suggestion has been made several times, and recently by Graham.⁵⁹ My guess is that already in ancient times, Theophrastus, and in his footsteps Stobaeus and Hippolytus, misunderstood Aristotle’s words as having bearing on Anaxagoras’ invisible heavenly bodies.

Let us look once more at the relevant texts. Pseudo-Plutarch (text H) has nothing at all to say about Anaxagoras concerning lunar eclipses. Stobaeus (text I) invokes the authority of Theophrastus to attribute the explanation of lunar eclipses by means of invisible bodies to Anaxagoras. Stobaeus may have found the theory of invisible bodies in Aëtius, but I think it is more plausible that he found it in another source that referred to Theophrastus. Actually, Hippolytus seems to have used the same source, for both he and Stobaeus use the same words when they mention that, according to Anaxagoras, the moon is eclipsed “by invisible bodies below the moon” (τῶν ὑποκάτω τῆς σελήνης σωμαίων). And since Theophrastus, misunderstanding Aristotle, spoke of *Anaxagoras’ additional* explanation, both Stobaeus and Hippolytus also presented it as additional to the accepted explanation of lunar eclipses. Consequently, Stobaeus inserted Anaxagoras into the list of names of adherents to the accepted explanation. Finally, Aristotle’s suggestion that invisible bodies were introduced to explain the surplus of lunar over solar eclipses is probably his own interpretation of why invisible heavenly objects were introduced. Neither Aëtius nor Hippolytus mention it in their reports on the Pythagoreans and Anaxagoras.

Concluding remarks

If my analysis in this paper is right, Anaxagoras was not the revolutionary astronomer as presented by modern scholars, but, in several regards, a defender of ancient views. Of course, the results of my investigation are less spectacular than those of scholars who think they can ascribe to Anaxagoras the discovery of the real cause of eclipses of the moon,

⁵⁸ Cf. Burkert 1972, 344 n. 34.

⁵⁹ Graham 2015, 226. See also DK II, 16, note at line 18; Dicks 1970, 66; Guthrie 1962, 286, and Bakker 2013, 693, all of whom overlook the crucial point.

and think they can explain why he needed an additional theory for some special eclipse. At least, however, they should justify why they neglect the conflicting theory of the Milky Way, or they should show that it is not irreconcilable with the right theory of lunar eclipses. It has been suggested that this kind of discrepancy is due to the state of astronomical theorizing being still in its infancy. I would rather say that some ideas and theories of Presocratic astronomy seem strange or even weird to us, but that often, when we look more carefully, they make sense within their contemporary context. What is at stake here, however, is not that the ideas involved are strange, but that they are overtly conflicting. I am convinced that some Presocratic thinker who discovered the right cause of lunar eclipses must necessarily have thoroughly studied the shadow of the earth on the moon. Therefore, he cannot have defended at the same time a completely other and conflicting theory of the shadow of the earth as causing the phenomenon of the Milky Way. To the best of my knowledge, these two theories are irreconcilable.

In my opinion, the textual, conceptual, and observational evidence does not support the conclusion that Anaxagoras discovered or adhered to the right explanation of lunar eclipses. Anaxagoras was a great cosmologist, who ingenuously defended conceptions that have since become obsolete, such as the earth being flat and the Milky Way resulting from the earth's shadow, conceptions which did not allow him to discover or accept the true theory of lunar eclipses. His also erroneous solution was to explain eclipses of the moon as analogous to eclipses of the sun and occultations of a star or planet, assuming that invisible heavenly bodies come between us and the moon. I started my investigation by stipulating that we must be cautious of ascribing too much astronomical knowledge to the ancient Greek thinkers. This holds especially true for those Presocratics who adhered, like Anaxagoras, to the conception of a flat earth. Flat earth cosmology regularly leads to consequences that look surprising and even strange to us, who believe that the earth is a sphere.

A serious problem remains that has to do with the question of what happens to the moon when it is in conjunction with the Milky Way. The band of the Milky Way is inclined by about 60 degrees in relation to the ecliptic. This means that the moon sometimes passes the Milky Way and thus, according to Anaxagoras' theory that the Milky Way is caused by the earth's shadow, it cannot receive there its light from the sun. Nevertheless, the moon is still visible and shows its phases when it is passing in front of the Milky Way. We met this problem already in the quotations of Tannery and others, who wondered why the moon was not eclipsed whenever the moon passed over the Milky Way. This leads to the question of what could be meant by the moon receiving its

light from the sun, or in other words, what could have been, according to Anaxagoras, the origin of the moon's light. In that context, the question of the invisible bodies must be paid attention to once more. I will discuss the problem of the origin of the light and phases of the moon according to Anaxagoras in a separate paper.

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Anaxagoras is commonly known as the discoverer of the true explanation of eclipses of the moon as caused by the earth's shadow. Anaxagoras is also said to have explained the phenomenon of the Milky Way as caused by the earth's shadow. In this paper, the two theories are described, it is shown that and why they are incompatible, and it is argued which of the two most likely can be ascribed to Anaxagoras. This is first studied by exploring which of the two theories is best documented. After that, it is examined which of the two fits best with Anaxagoras' other astronomical ideas. It is argued that both procedures point to the theory of the

Milky Way as Anaxagoras' actual conception of the role of the earth's shadow. Consequently, the earth's shadow has nothing to do with lunar eclipses, and Anaxagoras is mistakenly honored as the discoverer of the true theory of lunar eclipses. It is also argued that invisible heavenly objects that move before the moon, which are mentioned in the doxography on Anaxagoras as an additional explanation, must have been his one and only explanation of lunar eclipses, and it is tried to explain how this theory has come to be called additional. Finally, the unanswered question of Anaxagoras' conception of the moon's light and phases points forward to a sequel of this paper.

Анаксагора обычно считают автором верного объяснения лунного затмения, причиной которого является тень от Земли. Ему же приписывают понимание Млечного пути как явления, вызванного тенью Земли. В настоящей статье рассматриваются две этих теории, причем демонстрируется и объясняется их несовместимость, а также ставится вопрос, которая из них с большей вероятностью восходит к Анаксагору. Вначале разбирается, какая из двух теорий лучше документирована, а затем – какая из них лучше согласуется с другими астрономическими взглядами Анаксагора. Оба этих подхода указывают на то, что Анаксагор действительно объяснял Млечный путь воздействием тени от Земли. Следовательно, он не мог связывать с ней лунные затмения и, таким образом, получил лавры первооткрывателя их причины незаслуженно. Далее высказывается предположение, что невидимые небесные тела, движущиеся перед Луной, которые упоминаются в доксографических свидетельствах об Анаксагоре как дополнительное объяснение лунных затмений, в действительности служили у Анаксагора их единственным объяснением; при этом автор статьи пытается объяснить, почему эту теорию стали называть дополнительным объяснением. Вопрос о взглядах Анаксагора на природу лунного света и фаз луны будет рассмотрен в последующей публикации.

ZENO'S DEBT TO HIPPASUS*

1

The way of argumentation employed by the Eleatic philosophers, Parmenides and Zeno, was repeatedly compared with methods of demonstration characteristic for Greek mathematics. Some scholars considered the mathematics as the source of inspiration for the Eleatic mode of reasoning,¹ the others took the opposite view² and yet others adopted a more flexible approach.³ The entire problem will be not discussed in this paper. I will just address a particular type of argument found in both Zeno's antinomies and an ancient demonstration of the incommensurability of the side and diagonal of a square. I will argue that in this particular case the debtor was Zeno.

In his *Parmenides*, Plato makes Zeno read his book before an Athenian audience that includes young Socrates whose reaction to what he just heard implies that he was quite impressed by the very first of Zeno's propositions: "If the things that are are many, then they must be both like and unlike, which is impossible" (ἔστι τὰ ὄντα, ὡς ἄρα δεῖ ἀνὰ τὰ ὁμοιά τε εἶναι καὶ ἀνόμοια, τοῦτο δὲ δὴ ἀδύνατον, 127 e).

Simplicius cites Zeno for a similarly constructed argument: "if there are many things, the same things are both limited and unlimited" (in Phys. 140, 28; 29 B 3 DK). Although Zeno's own words cited by Simplicius are not framed in such a concise formulation, they unambiguously

* I am grateful to Ivan Mikirtumov, Livio Rossetti and *Hyperboreus*' anonymous reviewer for the comments on the previous version of this paper.

¹ Zaicev 2003; Zaicev 1993, 172 f.; Zhmud 2012, 251–254, and especially 252, n. 47 for a list of earlier works.

² Most notably in the works by Árpád Szabó; see also Burkert 1972, 425 f.

³ Mueller 1997, 279: "I make no more than my guess in saying that I don't believe that mathematical argument was influenced by either one of them and that, whereas Parmenides' argumentation looks to be autonomous and satisfactorily explained without invoking mathematical precedent, Zeno's considerations of infinite divisions seem likely to reflect mathematical preoccupations".

agree with Simplicius' interpretation. Another time both the same type of argument and its concise formulation emerge in the direct quotation from Zeno: "if there are many things, it is necessary that they are both small and large" (εἰ πολλά ἐστίν, ἀνάγκη αὐτὰ μικρά τε εἶναι καὶ μεγάλα, Simpl. in Phys. 140, 34; 29 B 1 DK).⁴

Now, Aristotle who repeatedly mentions the incommensurability of the side and diagonal of a square makes us also aware of the reason why this is so: "They prove that the diagonal of a square is incommensurable with its side by showing that, if it is assumed to be commensurable, odd numbers will be equal to even" (ἀσύμμετρος ἢ διάμετρος διὰ τὸ γίνεσθαι τὰ περιττὰ ἴσα τοῖς ἀρτίοις συμμέτρου τεθείσης).⁵ Now, a proof that applies the dichotomy of odd and even is found in the Tenth Book of the *Elements*. "Considering further that the inclusion of this proof in the *Elements* could be justified only for the historical interest of the proof, since its placement obviously has no bearing on the development of the propositions of the Tenth Book, it has been generally argued that one should accept this version as the original form by which the incommensurability was discovered and proved".⁶ It is appropriate to specify that the wording used in the received proof is much closer to that of Zeno's argument than it is the case with the formulation used by Aristotle. In words of our geometer, "it will follow that one and the same number is both even and odd" (τὸν αὐτὸν ἀριθμὸν ἄρτιον εἶναι καὶ περισσόον).

We are dealing thus with a very similar and quite a remarkable type of argument.

The evidence concerning the discovery of the incommensurability of the side and the diagonal (*diameter*, in the ancient terms) of a square is in no way clear and abundant. Scholars typically assume that the discovery was due to Hippasus, but they are less explicit in attributing to him the demonstration cited by Aristotle, and an alternative method for Hippasus' demonstration was proposed by Kurt von Fritz. Further, the date of the discovery caused significant disagreement. I will try to remove all possible doubts. I will start with the question of attribution, proceed to chronological matters and discuss the plausibility of the intellectual interchange that would involve both Zeno and Hippasus.

⁴ Unfortunately, it is not immediately clear what precisely Zeno means here, but this is of minor importance for our argument.

⁵ *APr* 1. 23. 41 a 23–27; transl. after Heath 1949, 22; cf. 1. 44. 50 a 35–38.

⁶ Knorr 1975, 23.

2

The discovery of the incommensurability or irrationality belong to the glories of Greek mathematics, but the evidence concerning it is peculiar.

We are told that the person who first disclosed the Pythagorean teaching of irrationals perished in a shipwreck (Pappus. *Comm.* p. 63–64 Junge-Thomson; *Schol. Eucl.* 417. 12 sqq.; Elias. *In Aristot. Cat.* 125. 12; Iamb. *VP* 247), and Iamblichus (*VP* 88) introduces the name of Hippasus in this connection:

Hippasus who was a Pythagorean but, owing to his being the first to publish and write down the (construction of the) sphere with the twelve pentagons, perished by shipwreck for his impiety, but received credit for the discovery, whereas it really belonged to HIM, for it is thus that they refer to Pythagoras, and they do not call him by name.⁷

Iamblichus specifies that some people say that the impious person who perished at sea disclosed the discovery of the dodecahedron inscribed in a sphere, while others maintain that he disclosed the teaching of irrationality and incommensurability (*VP* 247).

We also hear from Iamblichus that the one who divulged knowledge of the commensurability and incommensurability was expelled from Pythagorean community, and that the Pythagoreans erected a tomb for him as if he were dead (*VP* 88; 18 A 4 DK). Clemens relates this story (substituting a stele for a tomb) about Hippasus, who is mistakenly called ‘Hipparchus’ (*Strom.* 5. 58; 18 A 4 DK); he does not specify what was the disclosed “teaching of Pythagoras”.

The emerging picture is clear: Hippasus published the discovery of both incommensurability / irrationality and of the dodecahedron inscribed in a sphere, and he perished at sea.⁸ One may speculate that the version with erected grave monument derives from the habit to construct a cenotaph to a person lost at sea. The legend, then, has preserved sad truth about the last moment in the life of Hippasus.

It is worth emphasizing that the ancient tradition has no candidate for the discovery of incommensurability / irrationality other than Hippasus and Pythagoras, and the latter can be safely discounted. We also know the names of the mathematicians who made further important contributions to the theory of irrationality. The next who came after Hippasus was

⁷ Transl. Heath 1981, 160.

⁸ Cf. Burkert 1972, 457 f. and especially Zhmud 2012, 275.

Theodorus of Cyrene. He appears as a mathematician demonstrating the irrationality of the square roots of 3, 5, etc. up to 17 in Plato's *Theaetetus* (147 d), the dramatic date of which is 399 BC. Kurt von Fritz most properly remarks: "Even if we assume that Theodorus' demonstrations had been worked out for the first time not very long before, Plato's dialogue would still indicate that the irrationality of the square root of 2, or the incommensurability of the side and diameter of a square, had been discovered by someone else. For it is difficult to see why he should have made Theodorus start with the square root of 3, unless he wished to give a historical hint that this was the point where Theodorus' own contribution to mathematical theory began".⁹

Sir Thomas Heath arrives at a similar conclusion: "The actual method by which the Pythagoreans proved the incommensurability of $\sqrt{2}$ with unity was no doubt that referred to by Aristotle (*APr* I. 23, 41 a 26–27), a *reductio ad absurdum* by which it is proved that, if the diagonal is commensurable with the side, it will follow that the same number is both odd and even. The proof formerly appeared in the texts of Euclid as X. 117, but it is undoubtedly an interpolation, and August and Heiberg accordingly relegate it to an Appendix".¹⁰

In the paper cited above, von Fritz gives the full translation of the proof and accompanies it by appropriate comments:

One glance at this demonstration shows that it does not presuppose any geometrical knowledge beyond the Pythagorean theorem in its special application to the isosceles right-angled triangle, which, as is well-known, can be 'proved' simply by drawing the figure in such a way that the truth of the theorem in that particular case is immediately visible. Apart from this the demonstration remains in purely arithmetical field; and since the early Pythagoreans speculated a good deal about odd and even numbers the demonstration itself cannot have been beyond their reach.¹¹

Nevertheless, von Fritz makes a sudden move and expresses his doubts that the demonstration is early:

Most significant is the fact that the whole proof, as presented, uses the terms commensurable and incommensurable, just as Theodorus did in

⁹ Von Fritz 1945, 244.

¹⁰ Heath 1908, 2. Heath has not included this Appendix in his translation of Euclid.

¹¹ Von Fritz 1945, 254 f.

Platos's *Theaetetus*, as something already known. This seems to presuppose that incommensurability was already known when the demonstration was elaborated.¹²

But how can one start to *demonstrate* even a particular case of incommensurability without having already the notion of incommensurability? Imagine the mathematician who made the discovery and decided to publish it. How could he describe what he had done without introducing the corresponding terms?

Von Fritz proposes that Hippasus worked with the side and diameter of a pentagon and used the process of mutual subtraction that goes on infinitely, which indicated that the given magnitudes were not in numerical ratio. The method itself is ingenious, but our sources invariably speak of the side and the diameter (that is, the diagonal) of a square and not of a pentagon. One may also doubt that the demonstration based on an infinite regress would have been accepted as truly convincing in early age of geometry, since such a demonstration shows that a common measure cannot be found rather than it does not exist.

Some other objections to the reconstruction proposed by von Fritz were advanced by Wilbur Richard Knorr.¹³ He, moreover, emphasized that the demonstration attached to the Tenth Book of the *Elements* is not only in accord with abbreviated reference to it by Aristotle, but also contains an antiquated, early Pythagorean notion: the unit is not considered there as odd.¹⁴ It is true, Knorr believes that the demonstration as we have it has reached us in an edited version. He even ventures to propose a reconstruction of the original one.¹⁵ However, this does not affect our argument, for Knorr admits the crucial elements – that the demonstration involved the side and the diameter of a square, on the one hand, and the impossible conclusion that the same number would be both odd and even, on the other hand.

To sum up, there is no candidate in the ancient tradition other than Hippasus to claim the discovery of the incommensurability of the diagonal and the side of a square and there is no early demonstration of it, known to the ancient tradition, other than that involving odd and even numbers.

¹² Von Fritz 1945, 256.

¹³ Knorr 1975, 29–31.

¹⁴ Knorr 1975, 23 f.

¹⁵ Knorr 1975, 26 f.

3

Kurt von Fritz dates Hippasus to the middle of the fifth century. Wilbur Richard Knorr assigns to him (or rather to the discovery of the incommensurability) even a later date, c. 430–410 BC. According to Walter Burkert, “the evidence seems to point toward the first half of the fifth century”,¹⁶ while a few scholars, most recently Leonid Zhmud, conclude that Hippasus was active c. 500 BC. Let us consider the evidence.

Iamblichus says that Theodorus of Cyrene and Hippocrates of Chios worked after Hippasus (*Comm. math. sc.* 77, 18 sqq. Festa). Von Fritz properly notes that Theodorus of Cyrene and Hippocrates of Chios appear together in Proclus' commentary on Euclid (p. 66 Friedlein), in a passage that is likely to be an excerpt from the history of mathematics by Eudemus of Rhodes. However, he draws from this a very problematic conclusion: “according to this work Hippasus belonged to the generation preceding that of Theodorus”.¹⁷ While Hippasus does not figure in Proclus, it is true that the context of Iamblichus' passage would not imply an immense distance in time between Hippasus and the pair of Theodorus and Hippocrates. Nevertheless, the passage contains no hint to whether this would amount to one generation, or rather a half, or two.

Theodorus of Cyrene is presented as a highly reputed mathematician in Plato's *Theaetetus*, and the dramatic date of this dialogue is a short time before Socrates' death (142 c), in 399 BC. Hippocrates of Chios, who is named before Theodorus in Proclus' catalogue, was somewhat older. Walter Burkert is right to observe that Hippocrates' theory of comets must have been published before 427/426 BC.¹⁸ For the comet observed in winter of 427/426 BC is referred to by Aristotle as displaying characteristics incompatible with the theory advanced by “Hippocrates and his disciple Aeschylus” (*Mete.* 342 b 29; 42 A 5 DK). One may further think that Aeschylus published the theory when his teacher was no longer alive. A shared claim implies in any case that Aeschylus, a disciple, was not just a beginner, while Hippocrates had to get prominence before start teaching. Thus Hippocrates must have become prominent a good number of years before 427/426 BC.

For his other argument, von Fritz also uses Iamblichus, though this time his *De vita Pythagorica*, 257. Von Fritz maintains that “Hippasus had an important part in the political disturbances in which the Pythagorean

¹⁶ Burkert 1972, 206.

¹⁷ Von Fritz 1945, 245.

¹⁸ Burkert 1972, 314 n. 77.

order became involved in the second quarter of the 5th century, and which ended in the revolt of ca 445, which put an end to Pythagorean domination in southern Italy”.¹⁹ We need not discuss here the general issue of anti-Pythagorean movement in southern Italy and the epoch of its final phase. The point is that it is not clear who was that Hippasus who “had an important part in the political disturbances” in Croton. In Iamblichus, Hippasus, Diodorus and Theages appear as members of Crotonian *Thousand* who advocate democratic principles and are opposed by the Pythagoreans. Hippasus is thus included in a group that is distinct from the Pythagoreans. And how Hippasus of Metapontum (as Aristotle refers to our Hippasus) took an office in Croton? Some of the ancients searched a solution in the assumption that Hippasus was in fact a citizen of Croton rather than of Metapontum (Iam. *VP* 81 = *Comm. math. sc.* p. 76. 23 Festa). In the catalogue of the Pythagoreans, Hippasus figures, however, among the citizens of Sybaris (Iam. *VP* 267)! As if this were not enough, a scholium to Plato’s *Phaedo* 61 e tells us that Hippasus and Philolaus were the only Pythagoreans who survived the massacre in Croton, while on another version, the two survivors were Archippus and Lysis (Porph. *VP* 55; Iambl. *VP* 250). Thus, no safe inference concerning Hippasus, the mathematician and philosopher, is possible from the Iamblichus’ passage.²⁰

Knorr observes that the discovery of the incommensurability never figures in the sources before the time of Theodorus of Cyrene, c. 430–410, and he wonders of “what could have hindered its dissemination”.²¹ But he is too quick to leave the question he raises without an answer. The only option he mentions just to dismiss it ironically is the “Pythagorean jealousy”. Yet it is by no means surprising if the line of inquiry started by Hippasus was advanced further only fifty or hundred years later. The discovery of the incommensurability was of no use in astronomy or in solving the problems that catch imagination (such as, say, determining the height of a pyramid). It is the history of mathematics is to be written on the evidence about the epoch of Hippasus and not the epoch of Hippasus is to be established on a priori assumptions what this history should be like.²²

If, however, we are to involve general considerations, I venture to suggest a hypothesis that may illuminate the circumstances of the discovery of the incommensurability and its effects. Let us recall the frequently

¹⁹ Von Fritz 1945, 245.

²⁰ However, Zhmud 2012, 98 employs it to support his belief in Hippasus’ “very real political rivalry with Pythagoras”.

²¹ Knorr 1975, 38.

²² Zhmud 2012, 124 also finds such efforts misleading.

stated view according to which the proof of incommensurability must have destroyed the whole Pythagorean philosophy of numbers. It was rightly emphasized in several recent studies that the alleged crisis is not verified in our sources, but this does not eliminate the problem. Leonid Zhmud's contention that Pythagorean philosophy of numbers is a later fabrication²³ would do that, but I am not prepared to follow his approach though his criticism of the standard view includes many valuable points. Let us assume that Pythagoras made (or helped to) circulate the idea that the ratios expressed in numbers were essential constituents of the world fabric. I propose that this was the background of the emergence of the notion of the incommensurability. On empirical level, the incommensurability had vaguely been known as long as a right-angled triangle with the sides 3, 4, 5, that is, from time immemorial (more precisely, since the carpenter's square had come in use). Anyone who was aware of such a triangle and was endowed with curiosity should have wondered what the length of the hypotenuse in a triangle with both other sides of 3 or 4, etc., units would be. In other words, one had to face the difficulty of expressing the length of the hypotenuse in integer numbers, or the other sides in integers, if one had assigned an integer number to the length of the hypotenuse. It was the same problem, in a sense, as that of the commensurability of a side and diagonal of a square. Now, imagine a person who is aware of such a problem and who hears about an idea according to which all the major phenomena of the world are in a correspondence with numerical ratios. This person, Hippasus, puts the idea to test and demonstrates that its radical version cannot be true. However, his rival, Pythagoras, overcomes the difficulty by proving the theorem that bears his name, that is, by proving that the *squares* of otherwise incommensurable elements nevertheless have a ratio ("rational only in the square", later Greek mathematicians would say). One understands, then, the pride and joy of Pythagoras, echoed in our sources, and why the proof of the incommensurability of the diagonal and a side of a square did not destroy the Pythagorean philosophy of numbers even though it caused some uneasiness reflected in the tradition about an impious person who divulged Pythagorean teaching. One can also understand better why the idea of incommensurability was formulated from the outset as a general one and why there could be for long no strong stimulus for addressing various particular cases of incommensurability.²⁴

²³ In his various publications over many years, most recently Zhmud 2012, 394 ff.

²⁴ Scholars are accustomed to call Hippias a Pythagorean, but one should not ignore the ancient tradition according to which this was rather the other way round and the allegedly Pythagorean μαθηματικοί were known as the followers of Hippasus (see below).

If this hypothesis hits the mark, it is immediately clear that the discovery made when Pythagoras was still active is older than Zeno's philosophy. Yet this hypothesis is a matter for a further discussion, and we will not make our argument depend on it.

4

In the extant tradition, there are several cases of direct or indirect synchronization of Hippasus with other thinkers. Iamblichus includes him in the list of those who were the disciples of Pythagoras when he was old man (*VP* 104); yet the list does not seem to derive from a good authority.

There was an ancient assertion (known to Neanthes and denied by him) according to which "Empedocles was the pupil of both Hippasus and Brontinus" (D. L. 8. 55). Such a report indirectly makes Hippasus contemporary with Brontinus, who is one of the addressees of Alcmaeon's treatise (24 B 1 DK). According to a passage in Aristotle, Alcmaeon was young when Pythagoras was old (*Metaph.* 986 a 22; 24 A 3 DK). Yet Brontinus was not young when Pythagoras was old, if we are to believe that Pythagoras married his daughter Theano (D. L. 8. 42); it seems that already some ancient scholars tried to avoid the difficulty by assuming that Theano "was Brontinus's wife and Pythagoras's pupil" (*ibid.*). Hippasus appears thus to be a (younger?) contemporary of Pythagoras. It is hardly in doubt that the activity of Pythagoras in southern Italy dates to later decades of the sixth century.

Aristotle pairs Hippasus with Heraclitus for the view that the ἀρχή is fire (*Metaph.* 984 a 7; 18 A 7 DK). Hippasus is named first. Simplicius and Theodoretus in similar contexts have the same order; this is, however, reverse in Pseudo-Plutarch and Stobaeus. Clemens and Tertullian pair Hippasus' and Heraclitus' views on god and soul respectively (18 A 8–9 DK); both name Hippasus first. We are told after all that Heraclitus heard Xenophanes and Hippasus (the *Suda*, s. v. Heraclitus; 18 A 1a DK). Zhmud reasonably suggests that the similarity of the views would have disposed to making Hippasus a disciple of famous Heraclitus unless there was a strong tradition that Hippasus was older.²⁵ Several links between the views of Hippasus and Heraclitus can indeed be suggested. Hippasus seems to have been the first to hold the doctrine that "there is a definite time which the changes in the universe take to complete" (D. L. 8. 84;

²⁵ Zhmud 2012, 125. It can be replied, however, that one could not resist temptation to find a teacher for Heraclitus and that Hippasus with his fire=ἀρχή was the best candidate.

18 A 1 DK; R. D. Hicks' transl.), while Heraclitus seems to have been the first to indicate the amount of time, 10800 years, for that (fr. 65 Marcovich; fr. 63 Lebedev).²⁶ Diogenes Laertius (9. 1) and the *Suda* date Heraclitus' acme to 69th Olympiad (504/503–501/500 BC). The value of such information is not clear, yet it is unlikely to be very wrong. On the one hand, the Ephesians were hardly in a position to expel Hermodorus (for which they are blamed by Heraclitus) before the outbreak of the Ionian revolt (c. 499 BC). On the other hand, no echo of great victories of 480–479 BC is discernible in Heraclitus.

Hippasus was an outstanding geometer, but he does not figure in Proclus' catalogue of geometers. Zhmud provides a convincing explanation of what we are dealing with. Proclus, he notes, attributes to Pythagoras precisely those achievements that the rival tradition attributes to Hippasus. Namely, Proclus speaks of constructing the so-called cosmic bodies and the study of irrationality. One may suppose that Hippasus figured in the original catalogue, composed apparently by Eudemus. In any case, we can see the historical position of the achievements ascribed to Hippasus. They appear in Proclus' text between general remarks on the importance of Pythagoras (he turned the philosophy of geometry into a form of liberal education, etc.), on the one hand, and the names of Anaxagoras and Oenopides, on the other hand (pp. 65 sq. Friedlein). In spite of largely accepted date that goes back to Apollodorus, Anaxagoras was born earlier than 500 BC (probably in 519/518 BC);²⁷ his ideas were well known in Athens in 460-s.²⁸

The picture emerging from dispersed pieces of evidence is remarkably consistent. Hippasus appears as a person active in the late sixth and, perhaps, early fifth centuries.²⁹

The ancient dates for Zeno range from Ol. 78 = 468/467–465/464 BC to Ol. 81 = 456/455–453/452 BC (29 A 1. 29; A 2; A 3 DK). The Greek chronographic tradition incorporated, however, too many conjectures and too much confusion to use it without examination. In the case of Zeno, we have Plato's *Parmenides* according to which Parmenides was about sixty five years old and Zeno about forty when Socrates was very young (127 a–b). Since Socrates died in 399 BC and he was almost certainly at the age of seventy, it is easy to calculate that the conversation described

²⁶ The alleged Italian provenance of Hippasus is not an obstacle. We know that Pythagoras and Xenophanes came to Italy as Ionian émigrés and that Herodotus of Thuri was born in Halicarnassus.

²⁷ Panchenko 2000, 45 n. 29.

²⁸ "Anaxagoras writes ca. 470–65" (Sider 2005, 11); Schofield 1980, 33–35.

²⁹ Zhmud 2012, 125 arrives at the same result.

in the dialogue should be dated to c. 450 at the very latest and that Zeno was, then, born c. 490 BC or slightly earlier. However, the conversation is fictional. The indications that Parmenides was very old and Socrates very young seem to signalize that Plato's idea of the distance in time between the two was in fact hardly compatible with the possibility of their meeting. It is likely, then, that Parmenides was a somewhat earlier figure than it follows from the dialogue. His *floruit* in the chronographic tradition falls indeed in Ol. 69 = 504/503–501/500 BC (D. L. 9. 23; 28 A 1 DK) and not in c. 475. We cannot say what was the reason for such dating, but its deviation from what is implied in the *Parmenides* suggests that it was a bit more than just a guess.

Let us turn again to synchronisms. In Eusebius' *Chronicle*, Zeno appears synchronized with Heraclitus, under Ol. 81 = 456/455–454/453 BC. This is to be compared with the tradition according to which Hippasus was a teacher of Heraclitus.

While there was tradition that made Hippasus a teacher of Empedocles, Zeno appears coeval with Empedocles in Diogenes Laertius (8. 56) who cites an author of the early fourth century BC:

Alcidamas tells us in his *Physics* that Zeno and Empedocles were pupils of Parmenides at the same time, that afterwards they left him, and that, while Zeno practiced philosophy on his own, Empedocles became the pupil of Anaxagoras and Pythagoras.³⁰

While geometrical discoveries by Hippasus antedate geometrical contribution by Anaxagoras (see above), Empedocles, coeval with Zeno, became the pupil of Anaxagoras, and Aristotle confirms that Anaxagoras was older than Empedocles (*Metaph.* 984 a 11).

Thus, the preserved dates for both Parmenides and Zeno indicate that Zeno was younger than Hippasus. Relative chronology of the Pre-Socratics yields the same conclusion.

5

Now the distance in time between Hippasus and Zeno cannot be great and they both belonged to the same region, southern Italy. In view of the facts like that Xenophanes mentioned Thales and criticized Pythagoras and was criticized himself by Heraclitus who also criticized Pythagoras and many others as well, it is highly unlikely that Zeno could have been unaware of Hippasus' achievements. Moreover, it is possible

³⁰ R. D. Hicks' transl., modified.

to indicate a case of intellectual contact between Zeno's teacher and Hippasus, whose name in the related testimony was distorted in the manuscript tradition:

Hipparchus says that rays from each of the eyes reach out with their ends, fasten around external bodies as if touching them with hands, and thus render them apprehensible by vision. Some associate this view with Pythagoras also, because he is an authority in mathematics, and beside him with Parmenides, who expounds it in his poems.³¹

The uncommon name 'Hippasus' was difficult for the scribes. In the works of two authors, Clemens of Alexandria and Tertullianus, it appears as 'Hipparchus' (18 A 4; 9 DK). The renowned astronomer of the second century BC otherwise never figures in 'Aëtius', while Hippasus does. It would have been very strange if Hipparchus, famous for his brilliance in mathematical astronomy, risked his reputation through insecure speculation concerning vision and, in so doing, repeated the view found in old text by Parmenides. Moreover, the views of Parmenides and Hippasus are paired in the doxographic tradition (18 A 9 DK, from Stobaeus, while a parallel testimony of Tertullianus reads 'Hipparchus' instead of 'Hippasus'). The conclusion seems certain: we have to read 'Hippasus'.³² We cannot decide was it Parmenides who repeated the view of Hippasus or the other way round, but it is clear that one of them was aware of the view of another.

We can also maintain, though, perhaps, with lesser confidence, that the practice of taking into account the opinions of experts in mathematical and astronomical matters and even of citing such opinions was already inaugurated by the time of Zeno. According to unduly neglected testimony by Lactantius, "Xenophanes most foolishly believed mathematicians who said that the circle of the moon was eighteen times larger than the earth".³³ Now it was Anaximander who expressed the dimension of the circle of the moon through the size of the earth and the ratio cited is very close to his; Anaximander's recorded value is nineteen (12 A 22 DK). Further, we are told that Alcmaeon "agrees with certain μαθηματικοί" that "the planets move from west to east contrary to the movement of the fixed stars" (*Dox. Gr.* 345; 24 A 4 DK). There is one more striking

³¹ *Dox. Gr.* 404, addition concerning competing claims appears only in Stobaeus; 28 A 48 DK. Tr. D. Gallop, modified.

³² Burkert 1972, 42 f. n. 76 and 408 does not see it. For the subject matter cf. Barbero 2014.

³³ *Div. Inst.* 3. 23: *Xenophanes dicentibus mathematicis orbem lunae doudeviginti partibus maiorem esse quam terram stultissime credidit.*

testimony that is hardly irrelevant: “There are two varieties of Italian philosophy which is called Pythagorean. For those who practiced it were also of two sorts, the ἀκουσματικοί and the μαθηματικοί. Of these, the ἀκουσματικοί were accepted as Pythagoreans by the other party, but they did not allow that the μαθηματικοί were Pythagoreans, holding that their intellectual pursuit derived not from Pythagoras but from Hippasus. But those of the Pythagoreans who concerned themselves with science agreed that the ἀκουσματικοί were Pythagoreans, and claimed that they themselves were so to a still greater degree, and that what they themselves stated was the truth” (Iamblichus, *Comm. math. sc.* pp. 76, 16–77, 2 Festa).³⁴ Given the fame of Pythagoras, it is unlikely that in the later tradition Hippasus could have replaced Pythagoras as the progenitor of the μαθηματικοί. In all probability, an early tradition already had Hippasus in this place. Moreover, Pythagoras is paired with the μαθηματικοί in Stobaeus’ version of ‘Aëtius’ 4. 14 rather than presented as his head, and Iamblichus speaks of “Pythagoras and the μαθηματικοί of his time” (18 A 15 DK). The whole issue of early μαθηματικοί and their relation to Hippasus was recently discussed elsewhere.³⁵ For the present purpose, it is enough to see that in the epoch in question it was rather common for those philosophers who lacked sufficient training in mathematics and astronomy to address the achievements of experts.

To sum up, Zeno must have been aware of the work of Hippasus on all counts.³⁶

6

Unfortunately, we do not know what was Zeno’s way to show that if the things that are are many, then they must be both like and unlike.³⁷ One has yet to bear in mind that in an early usage the Greek word ὅμοιος could mean that two (or more) things are like in all respects so that there would be no difference between them. We know, for instance, that equal triangles we called ὅμοιοι at an early stage of Greek geometry, and only later this word came to designate similar triangles while for the equal

³⁴ Transl. after Kirk, Raven, Schofield 1983, 234.

³⁵ Panchenko 2016 [Д. В. Панченко, *На восточном склоне Олимпа. Роль греческих идей в формировании китайской космологии*], 178–189.

³⁶ If Plato confesses that he became acquainted with the fact of incommensurability only late in his life (*Leg.* 819 d sqq.), this is a separate case that belongs with a different epoch and different intellectual milieu.

³⁷ McKirahan 2010, 177 f. For general discussion of Zeno’s fragments B 1–3 DK see now Köhler 2014.

ones was reserved the term ἴσοι.³⁸ Such a usage of the word ὅμοιος made it difficult to say that the same things can be like in some respects and unlike in another respects. Zeno's formulation was thus strong. But was it truly impressive? Socrates' reaction in the *Parmenides* implies that it was difficult to controvert. Nevertheless, it was just a puzzle, a paradox (compare: when Parmenides speaks of being that undergoes no change he reveals, at least formally, new knowledge, however strange). Right or wrong, one would suspect a kind of trick or manipulation behind Zeno's reasoning. Again, one is puzzled rather than feels endowed with new knowledge when one is told that if there are many things, things are both unlimited and limited in number. The demonstration of the incommensurability is a different case. It appeals to what is immediately clear and convincing: there are even numbers that are divisible into equal parts and there are odd numbers that are not; and no number can be both even and odd. The chronological priority of the demonstration conceived by Hippasus seems to conform its psychological superiority over Zeno's antinomy. This adds to the probability that Zeno, the philosopher, imitated Hippasus, the mathematician.³⁹

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³⁸ Panchenko 1994.

³⁹ My thesis was partly anticipated by Kneale 1967, 10: "when Zeno used *reductio ad absurdum* in his queer arguments against the possibility of motion, his reason may have been that this pattern of argument had already had a great success of a negative kind". Yet Kneale offers no elaborate support for his assertion and he compares the discovery of the incommensurability with Zeno's *aporiai* and not with his antinomies for which the similarity with Hippasus' demonstration is much more obvious.

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- L. Zhmud, *Pythagoras and the Early Pythagoreans* (Oxford 2012).

The way of argumentation employed by the Eleatic philosophers was repeatedly compared with methods of demonstration characteristic for Greek mathematics. The paper addresses a particular type of argument, *argumentum ad impossibile*, found in both Zeno’s antinomies and an ancient demonstration of the incommensurability of the side and diagonal of a square. It is argued that in this particular case the debtor was Zeno.

Рассуждения Парменида и Зенона обнаруживают сходство с доказательствами, которыми оперируют математики. Статья касается старого спора о том, кто на кого повлиял, но при этом в ней рассматривается лишь один частный случай: в антиномиях Зенона используется тот же весьма специфический ход, *argumentum ad impossibile*, на котором зиждется и древнее доказательство несоизмеримости стороны и диагонали квадрата. Свидетельства, хотя и косвенные, не оставляют сомнения в том, что несоизмеримость стороны и диагонали квадрата доказал Гиппас, однако в науке нет согласия относительно того, когда жил Гиппас и каким образом он выстроил свое доказательство. В статье подтверждаются ранняя датировка Гиппаса и использование им *argumentum ad impossibile*. Общий вывод: все указывает на то, что в своих антиномиях Зенон использовал прием, разработанный Гиппасом.

PLATONE E GLI ELEATI (II)

(*Continua.*)

Dunque per Platone gli Eleati sono all'origine dell'odiata eristica. Perché? Su che basi Platone pensava questo? Per rispondere a questa domanda con certezza dovremmo possedere gli scritti di Zenone, ma mi pare che su alcune cose si possano fare ipotesi ragionevoli. La negazione assoluta del non essere fatta da Parmenide implicava che non si potessero più fare affermazioni false, perché, una volta che una cosa è detta o pensata, essa è, e, per chi non distingue fra i vari tipi di essere, non è più possibile sostenere l'esistenza del falso.¹ La negazione dell'esistenza del non essere non ha in Parmenide, per quanto almeno noi possiamo vedere e per quanto è lecito congetturare, scopi eristici (e questo credo che sia uno dei motivi per cui Platone ha mostrato un certo rispetto per l'Eleate); il fatto che il Parmenide del *Parm.*, nella seconda parte del dialogo, argomenti in modo spesso eristico, non significa minimamente che egli lo facesse nella sua opera e i frammenti giuntici escludono che Parmenide usasse argomenti eristici nel suo poema (né alcuna fonte antica lo fa supporre²). Più complicata la situazione con Zenone: che scopo avevano i suoi famosi

¹ Come scrive giustamente Palmer 1999, 132: "The possibility of falsehood involves the assumption that what is not the case is the case or that what-is-not is available to be mentioned. Parmenides will have been taken [scil. dai sofisti] as having denied this possibility". Palmer ha anche ragione a credere che l'uso che i sofisti fecero di Parmenide contraddicesse le intenzioni di Parmenide, ma è in errore a credere che Platone distinguesse in modo netto fra le intenzioni di Parmenide e l'uso fattone dai sofisti.

² Sext. Emp. *Adv. math.* 7, 6–7 (= Aristot. *Sophista* fr. 39, 3 Gigon = 1 Ross) suppone che Parmenide non fosse ignaro della dialettica (Παρμενίδης δὲ οὐκ ἂν δόξαι τῆς διαλεκτικῆς ἀπείρως ἔχειν), poiché era stato maestro di Zenone; è probabile che Sesto non abbia mai letto per intero il poema di Parmenide (il fr. B 1 D.–K. egli lo cita certamente di seconda mano), ma difficilmente avrebbe scritto la frase che ho citato, se fosse stata nota l'abilità dialettica o eristica di Parmenide. Favorino (fr. 80 Amato = Diog. Laert. 9, 23 = Parm. R. 64 Laks–Most) e Porfirio (fr. 135 F Smith = Simpl. *In Phys.* 139, 24–27 Diels = Parm. R. 65 L.–M.) attribuiscono a Parmenide gli argomenti zenoniani contro il moto. Si tratta di palesi errori, smentiti da quanto noi leggiamo del poema di Parmenide e dalla testimonianza di Platone, che difficilmente avrebbe taciuto che Parmenide stesso aveva introdotto gli argomenti che egli attribuisce a Zenone.

paradossi? Come già accennavo (parte I di questo articolo, p. 60 sgg.), c'è una differenza fra quanto si arguisce da *Phaedr.* e quanto si arguisce da *Parm.*, poiché nel secondo dialogo sembra che Zenone non avesse scopi eristici, bensì volesse difendere le tesi del maestro, mentre nel *Phaedr.* si ha l'impressione opposta, che cioè la ricerca di antinomie per Zenone fosse fine a se stessa.³ Storicamente, pare sicuro che lo scopo di Zenone fosse quello di difendere le tesi di Parmenide, non quello di accumulare contraddizioni eristiche. Sembra dunque che la testimonianza del *Parm.* corrisponda alla realtà storica, non quella del *Phaedr.* La testimonianza del *Phaedr.* trova però corrispondenza in Isocr. *Helena* 3.⁴ Come spiegare questo accordo fra Isocrate e il *Phaedr.* in opposizione al *Parm.*? A me pare che lo stesso Platone ci faccia capire non solo che egli non attribuisce (almeno quando scrive il *Parm.*) a Zenone scopi eristici, ma che è anche consapevole che c'era chi invece glieli attribuiva: proprio per

³ Cfr. da ultimo Köhler 2014, 260. Il tentativo di Vlastos 1975, 150 sgg. di conciliare la testimonianza del *Parm.* e del *Phaedr.* è da respingere: come lo stesso Vlastos riconosce, l'esegesi che egli propone del passo del *Phaedr.* mai gli sarebbe venuta in mente partendo dal solo testo del *Phaedr.* ed essa è stata escogitata solo per conciliare *Phaedr.* e *Parm.* Ma come spiega Vlastos che anche Isocrate (che certo non presupponeva che il suo pensiero fosse letto alla luce di quello che Platone dice nel *Parm.*!) dipinga Zenone come un erista? Vlastos ritiene assurdo pensare che il *Phaedr.* e il *Parm.* diano una visione diversa di Zenone e che tale diversità possa derivare da una conoscenza più approfondita del filosofo di Elea da parte di Platone allorché scrisse il *Parm.*: perché lo ritiene assurdo? In tutto il lavoro di Vlastos non c'è una riga che renda plausibile l'esclusione di tale spiegazione, la più semplice e ovvia. A me pare si possa addirittura dimostrare che al tempo di Platone l'idea che Zenone fosse un erista circolasse diffusamente (cfr. *infra*) e, se questo è vero, la tesi di Vlastos viene definitivamente confutata. Reali dubbi esistono, invece, su chi fossero i critici di Parmenide contro i quali Zenone polemizzava: Palmer 1999, 104 sgg. pensa che Zenone polemizzasse contro i sofisti (egli riprende qui un'idea di Nestle che, in polemica con Tannery che credeva Zenone polemizzasse contro i Pitagorici, e con Zeller che credeva Zenone polemizzasse contro i paladini del senso comune, ipotizzò Zenone polemizzasse contro Gorgia).

⁴ *Hel.* 2–3: νῦν δὲ τίς ἐστιν οὕτως ὀψιμαθής, ὅστις οὐκ οἶδε Πρωταγόραν καὶ τοὺς κατ' ἐκείνον τὸν χρόνον γενομένους σοφιστάς, ὅτι καὶ τὰ τοιαῦτα καὶ πολὺ τούτων πραγματωδέστερα συγγράμματα κατέλιπον ἡμῖν; πῶς γὰρ ἂν τις ὑπερβάλοιτο Γοργίαν τὸν τολμήσαντα λέγειν, ὡς οὐδὲν τῶν ὄντων ἔστιν, ἢ Ζήνωνα τὸν ταῦτά δυνατὰ καὶ πάλιν ἀδύνατα πειρώμενον ἀποφαίνειν, ἢ Μέλισσον, ὃς ἀπείρων τὸ πλῆθος πεφυκότων τῶν πραγμάτων ὡς ἑνὸς ὄντος τοῦ παντός ἐπεχείρησεν ἀποδείξει· εὐρίσκειν; Zajonz 2002, 96, afferma che Zenone non aveva scopi eristici e mirava invece a difendere le tesi di Parmenide, ma non discute la relazione fra il passo di Isocrate e il *Phaedr.* È stato anche messo in dubbio che Zenone volesse in realtà difendere le tesi di Parmenide (cfr. Solmsen 1971), ma mi pare senza ragionevoli basi.

questo motivo Socrate chiede esplicitamente a Zenone lo scopo delle sue argomentazione e Zenone gli conferma essere quello di difendere le tesi di Parmenide (*Parm.* 127 e – 128 e).⁵ Evidentemente al tempo di Platone circolava la voce che Zenone avesse sostenuto che le cose sono ὁμοία καὶ ἄνόμοια e non tutti sapevano che Zenone non aveva sostenuto questa tesi come sua, bensì come paradosso derivante dalla tesi che le cose sono molte (tesi da lui non accettata!). Se veramente il *Phaedr.* è stato scritto prima del *Parm.*,⁶ si può supporre che, nel corso del tempo, Platone abbia acquisito una conoscenza più chiara delle dottrine di Zenone, ma forse, più semplicemente, mentre nel *Phaedr.* egli voleva soltanto mostrare i danni provocati dalla cattiva dialettica sull'oratoria politica (e dunque Zenone, in quanto padre della dialettica, viene condannato per la cattiva dialettica usata dagli oratori politici), nel *Parm.* il confronto diretto con gli Eleati richiedeva a Platone maggiore precisione. È dunque dal *Parm.* che dobbiamo partire, non dal *Phaedr.*, se vogliamo capire cosa Platone pensasse di Zenone e quanto Parmenide dice a Socrate, che cioè egli deve esercitarsi nella γυμνασία praticata da Zenone (135 d–e), dal momento che Platone pensava che Socrate nel resto della vita si fosse appunto esercitato in tale γυμνασία, dimostra che Platone credeva che nella dialettica di Zenone ci fosse, almeno *in nuce*, qualcosa di positivo. Certo, la vera dialettica la scoprirà solo Socrate, ma appunto muovendo da Zenone. Non è difficile capire il motivo per cui Platone valutava positivamente alcuni aspetti della dialettica di Zenone: Socrate, secondo Platone, detestava i discorsi lunghi (μακρολογία), i monologhi, e li riteneva del tutto inadatti all'indagine filosofica (per l'avversione alla μακρολογία si ricordino soprattutto *Gorg.* e *Prot.*). Protagora, campione della μακρολογία, proprio per questo motivo ha grave difficoltà a interloquire con Socrate e attribuisce a Socrate il metodo ipotetico-deduttivo che nel *Parm.* viene fatto risalire a Zenone. Alla μακρολογία protagorea si oppone non solo l'argomentare deduttivo, ma anche quello dialogico⁷ e Platone attribuisce anche questo tratto sia a Parmenide (che dialoga prima con Socrate poi con Aristotele) sia allo ξένος⁸ (le differenze fra il metodo dello ξένος e quello socratico

⁵ Cfr. Berti 1988, 27.

⁶ Cfr. Thesleff 1982, 237; la cosa è tuttavia incerta, cfr. Brandwood 1990, 251, che crede il *Phaedr.* successivo al *Parm.*

⁷ Teoricamente, l'argomentare ipotetico-deduttivo è possibile anche all'interno di un discorso ininterrotto. Per Platone dialogo e ipotesi-deduzione sono legati, ma la cosa non è di per sé necessaria.

⁸ Cfr. soprattutto *Soph.* 217 c–d, ove Socrate ricorda che Parmenide dialogò con lui e lo ξένος dice di desiderare un interlocutore che argomenti ἀλύπως τε καὶ εὐηπίως. Capra – Martinelli Tempesta 2011, 141, credono che Platone voglia farci intendere che lo ξένος (al pari di Parmenide in *Parm.* 137 b) accetta di dialogare

supposte dalla Zucker⁹ non mi sembrano reali). Prima che Parmenide inizi la γυμνασία insieme ad Aristotele, Zenone osserva (136 d) che una circostanza favorevole alla γυμνασία è il fatto che siano presenti poche persone; anche questo è un tratto tipico della filosofia platonico-socratica e anche il fatto che Parmenide esorti Socrate a esercitarsi in quella che molti chiamano ἀδολεσχία (135 d) richiama alla memoria i numerosi passi ove Socrate attribuisce l'ἀδολεσχία a se stesso (*Phaedo* 70 b–c; *Theaet.* 195 b), ed essa sembra caratteristica dei filosofi.¹⁰

Aristotele, nel perduto *Sophista* (fr. 39, 1 Gigon = 1 Ross), diceva che Zenone era stato l'εὑρετής della διαλεκτική (Empedocle avrebbe invece inventato la ῥητορική), mentre nella *Met.* (987 b) l'invenzione della dialettica viene attribuita a Platone, e tutti i filosofi a lui precedenti (quindi anche Zenone) non ne avrebbero partecipato.¹¹ Se non consideriamo il problema della distinzione fra Socrate e Platone, la posizione di

solo con uno “yes-man” (sulla stessa linea anche Tabak 2015, 56). Io sono invece colpito dal fatto che i due Eleati, a differenza degli interlocutori con cui Socrate ha di solito a che fare, sono abituati al dialogo e non hanno alcuna tendenza alla μακρολογία (in questo senso condivido le osservazioni della Zuckert 2009, 685). Può anche darsi che Platone, opponendo ai due Eleati interlocutori giovani e inesperti, voglia farci intendere che gli Eleati sono sì in grado (come Socrate e a differenza di personaggi come Protagora) di dialogare, ma non sono in grado di sostenere dialoghi con interlocutori più esigenti (come invece è in grado di fare Socrate). Il messaggio di Platone mi pare sempre lo stesso: gli Eleati sono un gradino sotto rispetto a Socrate, ma uno sopra rispetto agli altri interlocutori di Socrate.

⁹ Zucker 2009, 685–687.

¹⁰ Capra – Martinelli Tempesta 2011, 145 sgg., osservano che i comici attribuiscono l'ἀδολεσχία ai filosofi e che dunque “to Plato’s contemporaries this word could not fail to ring a comic bell”. Questo sarebbe da mettere in relazione con κωμωδεῖν di 128 c–d (ove Zenone usa tale verbo a proposito degli attacchi fatti a Parmenide) e Platone avrebbe qui in mente i Πανόπται di Cratino, il quale avrebbe a sua volta riecheggiato motteggi che contro Parmenide avrebbe fatto Epicarmo. Lascio da parte Epicarmo e Cratino, ma i termini ἀδολεσχία e κωμωδεῖν sono assolutamente generici e non autorizzano a supporre la benché minima allusione alla commedia da parte di Platone (né da *Theaet.* 152 e è lecito arguire alcuna particolare opposizione fra Parmenide ed Epicarmo). Che nel *Parm.* Platone attribuisca a Zenone un “conceited mannerism” è vero, ma si tratta del solito procedimento platonico, per cui agli interlocutori di Socrate viene attribuito un modo di fare che contrasta con la semplice genuinità socratica. Nulla di più.

¹¹ *Met.* 987 b 31–33: καὶ ἡ τῶν εἰδῶν εἰσαγωγή διὰ τὴν ἐν τοῖς λόγοις ἐγένετο σκέψιν (οἱ γὰρ πρότεροι διαλεκτικῆς οὐ μετείχον). C'è chi suppone che Aristotele si riferisca qui ai soli Pitagorici, di cui ha parlato prima (Berti 1988, 20), ma, poiché nelle pagine precedenti Aristotele ha parlato di tutti i preplatonici, sembra naturale riferire πρότεροι genericamente a tutti i filosofi precedenti a Platone. Per le altre testimonianze aristoteliche, cfr. Berti, *ibid.*; in *Sop. el.* 170 b il nome Ζήνων va senza alcun dubbio espunto con Waitz.

Aristotele sembra non diversa da quella di Platone: la prima invenzione della dialettica è eleatica, ma solo Socrate/Platone la ha portata avanti e a compimento. Mi pare quindi che si possa affermare che Platone riteneva Socrate erede e continuatore dell'Eleatismo, nel senso che egli aveva applicato ai λόγοι (*Phaedo* 99–100) la dialettica che Zenone aveva scoperto e applicato solo alle cose sensibili; Socrate, secondo Platone, la aveva liberata dagli errori in cui erano rimasti intrappolati gli Eleati e, introducendo gli εἶδη, aveva distinto i veri significati di εἶναι e quindi superato l'aporia parmenidea sul non-essere.

Era questo l'unico merito storico che Platone attribuiva agli Eleati? Si osservi che si tratta di un merito di Zenone, non di Parmenide¹² e comunemente si crede che sia stato Parmenide, non Zenone, a influenzare Platone. È opinione diffusa che Socrate/Platone abbia attribuito al mondo degli εἶδη alcune caratteristiche che Parmenide aveva attribuito all'essere e che da Parmenide derivi la distinzione fra mondo sensibile (caratterizzato dal γίγνεσθαι) e mondo intelligibile (caratterizzato dall'εἶναι). A questo proposito, il recente libro di Palmer (1999) ha dato un contributo importante e, ove si abbandoni l'imprudente tesi dello studioso americano, secondo cui il "parricidio" del *Soph.* non sarebbe diretto contro Parmenide ma contro il cattivo uso fattone dai sofisti (sul problema cfr. la parte I di questo articolo, p. 47, nota 14), il libro di Palmer raccoglie forse tutti i passi platonici, che rivelano un'influenza parmenidea.¹³ Anch'io credo che Parmenide abbia influenzato Socrate/Platone, nel senso che la contrapposizione εἶναι / γίγνεσθαι sembra di derivazione parmenidea.¹⁴ Questo soprattutto se si esclude, come oggi mi sembra sia tendenza generale, la derivazione degli εἶδη dai Pitagorici. Questo punto è di capitale importanza:

¹² Per i contatti fra la dialettica del poema parmenideo e quella di Parmenide nel dialogo platonico, cfr. da ultimo Castelnérac 2014. Tuttavia, da questo punto di vista, è il metodo ipotetico-deduttivo della scuola eleatica che più ha influenzato il pensiero socratico-platonico ed esso derivava da Zenone, non certo da Parmenide.

¹³ Sulla stessa linea di Palmer (ma senza l'errore circa i sofisti) già e. g. Liebrucks 1949. Natorp attribuisce addirittura agli Eleati l'introduzione dei "Grundbegriffe" (1922, 227–229), ma non vedo alcun appiglio per sostenere una cosa del genere. Prauss 1966 indica come Eleatismo quelle dottrine (influenzate dagli Eleati veri e propri) che accettano la pluralità dell'essere, ma che a ogni elemento costituente l'essere (che dunque non è più unico come presso gli Eleati veri e propri) attribuiscono le caratteristiche (fissità, eternità ecc.) che gli Eleati attribuiscono all'essere unico: all'interno questo tipo di Eleatismo Prauss pone Empedocle, Anassagora, Platone e gli atomisti. L'eleatismo di Platone è simile, secondo Prauss, a quello di Anassagora, che Gadamer chiama "atomismo qualitativo".

¹⁴ Cfr. Horn 1904, 167: "diese Lehre (cioè l'eleatica) war der seinigen (cioè quella platonica) insoferne verwandt, als beide dem erscheinenden Sein ein ideales Sein entgegengesetzten und dieses für das wahre Sein erklärten".

le prove più chiare dell'influenza parmenidea sulla metafisica di Platone le offrono quei passi dei dialoghi, in cui Platone attribuisce al mondo degli εἶδη caratteristiche che Parmenide attribuisce all'εἶναι; orbene, se si supponesse che Socrate/Platone derivi la teoria degli εἶδη dai Pitagorici, si sarebbe portati a supporre che tali caratteristiche Socrate/Platone le derivi dai Pitagorici, non da Parmenide (il quale a sua volta potrebbe essere stato influenzato dai Pitagorici o averli egli stesso influenzati, poco importa per la nostra indagine). Tuttavia, io credo che ci siano buone ragioni per credere che la teoria degli εἶδη Socrate/Platone non la derivi dai Pitagorici; l'unica testimonianza in tal senso potrebbe essere Arist. *Met.* 987 b, ma, se interpretiamo il passo nel senso che, secondo Aristotele, i Pitagorici avrebbero attribuito al numero le stesse caratteristiche che Platone attribuisce agli εἶδη, tutto si complica inutilmente (è, invece, lecito supporre che, almeno a giudizio di Aristotele, la μέθεξις platonica dovesse qualcosa a quella pitagorica).¹⁵ Se questo è vero (e la maggior parte della critica è oggi ragionevolmente incline a credere così), una delle caratteristiche fondamentali del pensiero socratico-platonico deriva dagli Eleati, vale a dire l'opposizione fra mondo sensibile e mondo intelligibile. È bene sottolineare che questo debito che Platone aveva verso l'Eleatismo non deve in alcun modo spingerci a cercare insegnamenti metafisici o di qualsiasi tipo nella seconda parte del *Parm.*: nei dialoghi "eleatici" Platone affronta solo gli aspetti logici della dottrina parmenidea, l'aspetto metafisico è del tutto assente; l'unico momento, mi pare, in cui c'è un'allusione alla distinzione fra mondo sensibile e mondo intelligibile fatta da Parmenide è *Parm.* 135 e, ove il vecchio Eleate comprende prontamente che Socrate ha ragione a voler trasferire la dialettica dal sensibile all'intelligibile: si tratta probabilmente di un omaggio che Platone ha voluto rendere a Parmenide, scopritore del mondo dell'εἶναι. Per il resto, i dialoghi "eleatici" si occupano del problema della dialettica e mostrano l'insufficienza totale dell'approccio eleatico. Tuttavia, io ho cercato di dimostrare che, anche da

¹⁵ *Met.* 987 b: τὴν δὲ μέθεξιν τοῦνομα μετέβαλεν [scil. Πλάτων]· οἱ μὲν γὰρ Πυθαγόρειοι μιμήσει τὰ ὄντα φασὶν εἶναι τῶν ἀριθμῶν, Πλάτων δὲ μεθέξει, τοῦνομα μεταβαλὼν. Per una corretta interpretazione del passo, cfr. Burkert 1962, 40 sgg. Cfr. anche Brisson 2002; Riedweg 2007, 154 sgg.; Zhmud 2013, 397–400; Erler 2007, 425 sgg.; Horky 2013, 32–34. Il racconto che Socrate fa nel *Phaedo* (96 a sgg.) della propria formazione spirituale in questo senso non è di nessun aiuto, poiché lì Socrate non riconosce nessun debito né verso i Pitagorici né verso gli Eleati. Del resto, lì Socrate si attribuisce il merito di aver portato l'indagine dal mondo sensibile ai λόγοι e in questo non aveva predecessori. L'insufficienza degli Eleati in questo senso è ben nota, ma a Socrate/Platone era ben noto che anche la dialettica pitagorica era piuttosto primitiva, cfr., per l'aspetto musicale (l'unico sul quale Platone si esprime chiaramente), Frank 1923, 150 sgg.; Boyancé 1966.

questo punto di vista, la valutazione che Platone faceva di Parmenide non poteva essere interamente negativa, poiché la scuola eleatica era all'origine dell'argomentare ipotetico-deduttivo.¹⁶

Se queste conclusioni sono giuste, ne segue che Platone era consapevole di un doppio debito nei confronti della scuola eleatica, da un lato circa la distinzione fra mondo sensibile e mondo intelligibile, dall'altro circa l'introduzione dell'argomentazione ipotetico-deduttiva. Eppure, quando leggiamo i dialoghi "eleatici", tali debiti non vengono chiaramente espressi, anzi Platone mostra in maniera impietosa e sistematica i limiti della dialettica eleatica. Perché? Rispondere a questa domanda significa chiarire perché Platone ha scritto *Parm.* e *Soph.* Le risposte possono essere in ultima analisi due: o perché gli interessava discutere la dottrina eleatica *per se ipsam*, ovvero perché esistevano filosofi a lui contemporanei che professavano dottrine che avevano a che fare con quelle eleatiche. Oggi si preferisce la prima risposta, ma in passato ha goduto di molta fortuna la tesi, che identificava nei Megarici il bersaglio polemico di Platone. Purtroppo della scuola socratica di Megara, fondata da Euclide, sappiamo davvero poco e questo è quello che impedisce e, temo, sempre impedirà, di dare una risposta definitiva al problema che stiamo affrontando.¹⁷ Ridotto all'essenziale, il problema può essere così formulato: il *Parm.* e il *Soph.* polemizzano contro le tendenze eristiche nate dalla dialettica primitiva e rozza della scuola eleatica; c'è ragione di credere che Platone abbia identificato nei Megarici i rappresentanti di tali tendenze? Il problema fu posto nei termini essenziali già da Stallbaum, il quale credette di trovare nei due dialoghi platonici molte allusioni polemiche contro i Megarici.¹⁸

¹⁶ Alla luce di queste considerazioni mi pare vada interpretata la famosa affermazione di *Theaet.* 183 e – 184 a, in cui Socrate dice che Parmenide gli apparve αἰδοῖός τε δεινός τε: io non credo ci sia nulla di ironico in questa valutazione, ma cfr. *contra* Perilli 1994. La Zuckert 2009, 684 scrive: "Socrates' recalling of the conversation he had with Parmenides when he was young also serves to remind Plato's readers that Socrates too is a follower of Parmenides, insofar as he agrees, in opposition to all other previous philosophers and poets, that everything is not becoming or in flux". Su questo punto credo che la Zuckert abbia sostanzialmente ragione, ma è in errore la studiosa a credere che lo ξένος rappresenti Socrate come un sofista. Tutte quelle analisi, che non partano dal presupposto che lo ξένος sia il portavoce di Socrate/Platone, sono condannate fin da principio a fallire.

¹⁷ I frammenti dei Megarici si leggono in Döring 1972 e in Giannantoni 1990, 375–483. Per una recente discussione dei principali problemi cfr. Döring 1998, 207–237. Per i rapporti fra gli aspetti metafisici e quelli etici nella scuola megarica e possibili ascendenze eleatiche cfr. recentemente Göbel 2002. Cfr. anche Muller 1987.

¹⁸ Stallbaum 1839, 55 sgg. Molti seguirono l'ipotesi di Stallbaum, fra cui Apelt 1891, 7–66; Taylor 1926, 350–351. Non la accolsero invece e. g. Horn 1904, 161 e Wilamowitz 1919, II, 228.

Noi sappiamo con certezza che nella scuola megarica si svilupparono tendenze eristiche, senza dubbio simili a quelle contro cui polemizzò Platone e in parte riconducibili a spunti eleatici (i Megarici venivano addirittura chiamati Ἐριστικοί e Διαλεκτικοί, cf. Diog. Laert. 2, 106): così Diodoro Crono sviluppò argomenti contro il movimento che hanno somiglianze con quelli di Zenone,¹⁹ Stilpone argomentò contro i giudizi sintetici²⁰ (si ricordi la polemica di *Soph.* 251 b–c), Polisseno sviluppò l'argomento del τρίτος ἄνθρωπος (fr. 220 D., ma l'appartenenza di Polisseno alla scuola megarica è problematica²¹). D'altra parte da Diog. Laert. (2, 106 = fr. 31 + fr. 24 Döring) sappiamo che Euclide τὰ Παρμενίδεια μετεχειρίζετο [...] ἐν τῷ ἀγαθὸν ἀπεφαίνετο πολλοῖς ὀνόμασι καλούμενον· ὅτε μὲν γὰρ φρόνησιν, ὅτε δὲ θεόν, καὶ ἄλλοτε νοῦν καὶ τὰ λοιπά. τὰ δ' ἀντικείμενα τῷ ἀγαθῷ ἀνῆρει, μὴ εἶναι φάσκων. Cicerone ci informa che i Megarici (*Luc.* 42, 129 = fr. 26

¹⁹ Döring 1972, 130.

²⁰ Döring, 1972, 154–156.

²¹ Non riusciamo a ricostruire con sicurezza il ragionamento di Polisseno. L'unica testimonianza è Alex. Aphrod. *In Met.* 84, 16–21 Hayduck: λέγει δὲ Φανίας ἐν τῷ πρὸς Διόδωρον (fr. 9 W.) Πολύξενον τὸν σοφιστὴν τὸν τρίτον ἄνθρωπον εἰσάγειν λέγοντα· “εἰ κατὰ μετοχὴν τε καὶ μετουσίαν τῆς ιδέας καὶ τοῦ αὐτοάνθρωπου ὁ ἄνθρωπος ἐστὶ, δεῖ τινα εἶναι ἄνθρωπον ὃς πρὸς τὴν ιδέαν ἔξει τὸ εἶναι. οὔτε δὲ ὁ αὐτοάνθρωπος, ὃ ἐστὶν ιδέα, κατὰ μετοχὴν ιδέας, οὔτε ὁ τις ἄνθρωπος. λείπεται ἄλλον τινὰ εἶναι τρίτον ἄνθρωπον τὸν πρὸς τὴν ιδέαν τὸ εἶναι ἔχοντα”. Baeumker 1879, 72 sgg, che per primo ha richiamato l'attenzione su questo passo, propone di leggere (su suggerimento orale di Stahl) ὃ ἐστὶν ιδέα οὔτε ὁ κατὰ μετοχὴν ιδέας τις ἄνθρωπος. In questo modo all'αὐτοάνθρωπος (che è l'idea) e all'uomo sensibile, che ha l'essere κατὰ μετοχὴν τε καὶ μετουσίαν τῆς ιδέας, si aggiunge un τρίτος ἄνθρωπος, che ha l'essere πρὸς τὴν ιδέαν. Fania, nel riportare il pensiero di Polisseno, si serve, secondo Baeumker, della terminologia del suo maestro Aristotele, il quale “macht zwischen den Ausdrücken καθ' ἑν und πρὸς ἑν den Unterschied, dass καθ' ἑν nur diejenigen Dinge genannt werden, welche einem gemeinsamen Begriffe so untergeordnet sind, dass er ihnen allen in gleicher Weise innerlich ist und sie alle in gleicher Weise als empfangende an ihm Theil haben, während der terminus πρὸς ἑν ein viel weitere Ausdehnung findet und alle Dinge begreift, welche überhaupt zu einem Gegenstande in Beziehung stehen, sei es, dass sie seinen Begriff in sich befragen, an ihm innerlich teilnehmen und innerlich von ihm abhängig sind, sei es, dass sie den Gegenstand nur äusserlich bezeichnen oder gar selbst hervorbringen”. Döring (che pure riconosce che il testo tràdito è incomprensibile) non menziona né nel testo né nel commento la trasposizione di Stahl–Baeumker, ma io credo la si debba accettare, almenoché non venga trovata una soluzione migliore. A. Verlinsky crede si possa accettare il testo tràdito dai mss. di Alessandro, in quanto Polisseno vorrebbe dire che, oltre all'uomo che partecipa dell'idea, esiste sia un uomo che è lui stesso l'idea sia un tis-uomo. È comunque evidente che l'argomento di Polisseno differiva da quello che leggiamo in *Parm.* (132 a), in quanto nell'argomento di Polisseno non c'è il regresso *ad infinitum* (cfr. Wilpert 1939; Leszl 1975, 89; Ferrari 2004, 67–69).

A Döring): *id bonum solum esse dicebant quod esset unum et simile et idem semper* e che avrebbero preso molte dottrine da Platone (*hi quoque multa a Platone*). Il fatto che i Megarici si richiamassero a Parmenide e che all'interno di tale scuola fossero presenti tendenze eristiche è un forte indizio a favore dell'idea che Platone, criticando la dialettica di Parmenide, avesse di mira i Megarici.

Prima, però, di dare una risposta dettagliata a questo problema, è necessario affrontare il problema degli εἰδῶν φίλοι, cui già abbiamo accennato *supra* riassumendo *Soph.* 245 e sgg., ove ai materialisti vengono contrapposti gli εἰδῶν φίλοι: chi sono costoro? Alcuni li hanno appunto identificati coi Megarici e questo ci impone di verificare subito l'eventuale correttezza di tale identificazione. Nel *Soph.* agli εἰδῶν φίλοι vengono attribuite le seguenti dottrine: εἶναι e γίγνεσθαι sono separati (χωρίς) e il primo, a differenza del secondo, è immutabile. Gli uomini comunicano col primo tramite la ψυχή, col secondo tramite il σῶμα (248 a–b). Mentre al γίγνεσθαι appartengono il πάσχειν e il ποιεῖν, all'εἶναι non appartiene né l'uno né l'altro, ma l'εἶναι viene conosciuto (γιγνώσκεισθαι) dalla ψυχή, senza tuttavia che fra la ψυχή e l'εἶναι ci sia un rapporto di ποιεῖν / πάσχειν né alcun μεταλαμβάνειν (248 b–d). Queste sono le dottrine che il *Soph.* attribuisce agli εἰδῶν φίλοι²² e lo ξένος afferma (249 c–d)

²² La ricostruzione del pensiero degli εἰδῶν φίλοι e le obiezioni che muove loro lo ξένος hanno dato parecchio filo da torcere agli interpreti. Lo ξένος e Teeteto convengono (248 b–c) che gli εἰδῶν φίλοι non concederanno mai che al mondo dell'εἶναι e degli εἶδη appartenga il πάσχειν / ποιεῖν, che essi credono caratteristico del solo mondo del γίγνεσθαι. Lo ξένος vuole in tutti i modi portarli a concedere che il πάσχειν / ποιεῖν appartenga anche all'εἶναι e ricorda che gli εἰδῶν φίλοι concedono che la ψυχή conosce (γιγνώσκει) e l'οὐσία viene conosciuta (γιγνώσκειται). Non è questo, chiede lo ξένος, già ποίημα e πάθος, o no? Teeteto risponde che, per gli εἰδῶν φίλοι, questo non può essere ποίημα e πάθος e che essi (evidentemente per coerenza con la loro dottrina che nega che il ποιεῖν e il πάσχειν appartengano all'εἶναι) devono negare che fra γινώσκων e γινωσκόμενον ci sia contatto. Lo ξένος a questo punto dice (248 d–e): μανθάνω τὸδε γε ὡς τὸ γινώσκειν εἴπερ ἔσται ποιεῖν τι τὸ γινωσκόμενον ἀναγκαῖον αὐτὸ συμβαίνειν πάσχειν. τὴν οὐσίαν δὲ κατὰ τὸν λόγον τοῦτον γινωσκομένην ὑπὸ τῆς γνώσεως, καθ' ὅσον γινώσκειται, κατὰ τοσοῦτον κινεῖσθαι διὰ τὸ πάσχειν, ὃ δὴ φαμεν οὐκ ἂν γενέσθαι περὶ τὸ ἡρεμοῦν. C'è chi pensa (cfr. Centrone 2008, 153 n. 109) che il segmento τὸ γινώσκειν εἴπερ ἔσται ... τὸ ἡρεμοῦν rifletta il pensiero degli εἰδῶν φίλοι, ma a me pare evidente che si tratta di una deduzione dello ξένος, che vuol ridurre *ad absurdum* la tesi di chi (come gli εἰδῶν φίλοι) nega che il πάσχειν faccia parte dell'εἶναι. Sembra che lo ξένος usi due *deductiones ad absurdum*: la prima consiste nel mostrare come γινώσκειν / γινωσκεισθαι implichi di per sé ποιεῖν e πάσχειν, la seconda si basa sull'argomento della κίνησις: nessuno oserebbe negare che il κινεῖσθαι appartenga all'εἶναι e sia necessario per il γινώσκειν, ma il κινεῖσθαι è causato dal πάσχειν, dunque anche il πάσχειν non può essere escluso dall'οὐσία. Questa mi pare l'interpretazione più

che il vero filosofo rifiuterà la loro dottrina, secondo cui τὸ πᾶν ἔσθηκός (in realtà la staticità viene riferita solo all'εἶναι, che gli εἰδῶν φίλοι separano nettamente dal mondo fenomenico). Si osservi che in questo punto (249 c–d) lo ξένος stabilisce una relazione piuttosto stretta fra gli εἰδῶν φίλοι e Parmenide: la dottrina del πᾶν ἔσθηκός è infatti attribuita dallo ξένος sia agli εἰδῶν φίλοι che al filosofo di Elea, le cui dottrine differiscono perché i primi attribuiscono, a differenza di Parmenide, all'εἶναι la pluralità (a me pare quasi certo che gli εἰδῶν φίλοι negassero

naturale (essa si trova già e. g. in Wilamowitz 1919, II, 241–242; sbaglia senza dubbio Vlastos 1981, 309–317, che crede che per gli εἰδῶν φίλοι la κίνησις facesse parte dell'οὐσία, e che lo ξένος e Platone negassero questo): da essa non risulta che gli εἰδῶν φίλοι negassero che la κίνησις facesse parte dell'εἶναι: gli εἰδῶν φίλοι negavano che il πάσχειν facesse parte dell'εἶναι, ma lo ξένος dimostra che eliminare il πάσχειν dall'εἶναι implica eliminare anche il κινεῖσθαι dall'εἶναι, palese assurdità. Il problema è: anche gli εἰδῶν φίλοι credevano assurdo eliminare il κινεῖσθαι dall'εἶναι o invece lo eliminavano? Dalla *deductio ad absurdum* questo non si riesce a capire, poiché non è chiaro quanto, ciò che lo ξένος e Teeteto credono una palese assurdità, sia creduto anche dagli εἰδῶν φίλοι una palese assurdità. Lo ξένος prosegue affermando che è assurdo togliere τῷ παντελῶς ὄντι il movimento, la vita, la ψυχὴ e la φρόνησις. Si è discusso su cosa qui intenda Platone con τὸ παντελῶς ὄν, se intenda cioè la totalità dell'essere ovvero il mondo ideale (cfr. Centrone 2008, XXXV): a me pare evidente che letteralmente qui τὸ παντελῶς ὄν possa significare solo il mondo ideale (παντελῶς ha un evidente valore qualitativo, che esclude assolutamente la possibilità di intendere l'espressione in senso estensivo, come “tutto ciò che è”), e va categoricamente esclusa (per motivi linguistici non meno che filosofici) qualsiasi interpretazione che supponga che lo ξένος ammetta le realtà sensibili nel mondo dell'εἶναι. Resta il problema, se gli εἰδῶν φίλοι escludessero la κίνησις dall'οὐσία e cosa essi intendessero, quando dall'οὐσία escludevano il πάθος. Per quanto riguarda il primo problema, nel seguito lo ξένος afferma (249 c–d) che ἀνάγκη διὰ ταῦτα μήτε τῶν ἐν ἡ καὶ τὰ πολλὰ εἶδη λεγόντων τὸ πᾶν ἔσθηκός ἀποδέχεσθαι: gli εἰδῶν φίλοι vengono qui accostati a Parmenide e si afferma che non è possibile accogliere la loro tesi che il tutto sia ἔσθηκός: questo passo fa davvero pensare che gli εἰδῶν φίλοι negassero che nell'εἶναι ci fosse κίνησις: è vero, a stretto rigore di logica si può obiettare che lo ξένος potrebbe qui attribuire agli εἰδῶν φίλοι una negazione non fatta da loro esplicitamente, ma ricavata da lui per deduzione: tuttavia, l'accostamento a Parmenide (che il movimento dell'εἶναι lo negava davvero!) fa pensare che anche gli εἰδῶν φίλοι negassero la κίνησις dell'οὐσία. Questo spiegherebbe benissimo il loro avvicinamento a Parmenide nel passo di 249 c–d che abbiamo appena trascritto e la συνθήεια di cui parla lo ξένος a 248 b (evidentemente essa deriva dalla comune ascendenza parmenidea, cfr. *infra*). Se è così, gli εἰδῶν φίλοι non escludevano semplicemente il πάθος dall'οὐσία: è vero che all'inizio (248 b–c) lo ξένος insiste su questo, ma la ragione è semplicemente che egli aveva introdotto il ποιεῖν / πάσχειν nella sezione precedente (parlando dei materialisti). Se questa interpretazione è vera, il legame fra gli εἰδῶν φίλοι e Parmenide è molto stretto e ci liberiamo dal grave problema di comprendere cosa intendessero gli εἰδῶν φίλοι togliendo il πάσχειν all'οὐσία, ma lasciandole il κινεῖσθαι (la complessità del problema è ben esposta in Centrone 2008, XXXIII–XL).

qualsiasi movimento all'εἶναι, ma la cosa non è sicura, cfr. la nota 22). I tentativi di identificazione di questi filosofi sono stati vari.²³ Riprendendo un'idea di Schleiermacher, Stallbaum li identificò coi Megarici e la tesi ebbe una certa fortuna.²⁴ Il punto forte di questa teoria è che essa spiega l'avvicinamento a Parmenide; Euclide, discepolo di Socrate e sodale di Platone, avrebbe contaminato, lo abbiamo già detto, la dottrina socratica con quella eleatica, il che bene spiegherebbe i tratti comuni che gli εἰδῶν φίλοι hanno con le due scuole (sui tratti in comune con quella socratico-platonica, di gran lunga i più significativi, cfr. la nota 28). Tuttavia, i dati in nostro possesso sembrano indicare che i Megarici non dividevano l'εἶναι in una pluralità di εἶδη, ma lo intendevano come ἓν, al pari di Parmenide;²⁵ questo costituisce un ostacolo a mio giudizio insormontabile all'identificazione degli εἰδῶν φίλοι coi Megarici. Più fortuna in tempi recenti ha incontrato l'identificazione coi Pitagorici, che sembra rafforzata dall'affermazione dello ξένος, allorché dice di avere συνήθεια con loro (248 b), dato che egli viene da Elea e data la diffusione del Pitagorismo nell'Italia Meridionale di quel periodo.²⁶ Se questa ipotesi fosse vera, le

²³ Cfr. Centrone, 2008, 149, n. 108.

²⁴ Schleiermacher 1824, 140 sgg.; Stallbaum 1840, 9 sgg.

²⁵ Appena Schleiermacher propose l'identificazione, Ritter 1828, 305 sgg. obiettò che i Megarici non ponevano la pluralità nell'essere e che addirittura Stilpone combatteva gli εἶδη cfr. Diog. Laert. 2, 119. Stallbaum cercò di confermare l'identificazione di Schleiermacher citando Arist. *Met.* 1091 b 13–14: τῶν δὲ τὰς ἀκίνητους οὐσίας εἶναι λεγόντων οἱ μὲν φασὶ αὐτὸ τὸ ἓν τὸ ἀγαθὸν αὐτὸ εἶναι: οὐσίαν μέντοι τὸ ἓν αὐτοῦ ᾧοντο εἶναι μάλιστ'α e sostenendo che a parlare di ἀκίνητοι οὐδῖαι fossero i Megarici. Il testo di *Met.* è corrotto, come mostra la mancanza della proposizione introdotta da δέ; prima di οὐσίαν doveva esserci qualcosa come "others held the good not for the One itself" (Ross 1924, 488). Inoltre (cosa decisiva contro la tesi di Stallbaum) οἱ μὲν sembra riferirsi a Platone (forse anche al pitagorico Brotino), οἱ δὲ ai Pitagorici in generale e Speusippo, cfr. Ross 1924, 488 e Reale 1993, III, 695. Contro l'identificazione coi Megarici, cfr. anche Campbell 1867, LXXIV–LXXV.

²⁶ L'identificazione (che risale all'antichità, cfr. Proclus *In Parm.* p. 729 Cousin: ἦν μὲν γὰρ καὶ παρὰ τοῖς Πυθαγορείοις ἢ περὶ τῶν εἰδῶν θεωρία, καὶ δηλοῖ καὶ αὐτὸς ἐν Σοφιστῇ τῶν εἰδῶν φίλους προσαγορεύων τοὺς ἐν Ἰταλίᾳ σοφοὺς) è accettata da Burnet 1924, 91 n. 1, 280; Taylor 1926, 386; Ebert 1998, 82–100. L'autorità di Proclo non deve incutere timore: non c'era più alcun legame diretto fra l'Accademia ateniese rifondata da Plutarco di Atene (nella quale avevano studiato Proclo e il suo maestro Siriano) e l'Accademia di Platone. Non c'è nessuna ragione di credere che la tradizione sugli εἰδῶν φίλοι si sia trasmessa dal IV secolo a. C. al tempo di Proclo. Nel commento al *Parm.* (p. 619 Cousin) Proclo afferma che, secondo Nicomaco, Parmenide e Zenone ebbero rapporti coi Pitagorici: forse è da questa tradizione che trae origine l'identificazione degli εἰδῶν φίλοι coi Pitagorici, poiché si collegò questa tradizione sui rapporti fra gli Eleati e i Pitagorici alla συνήθεια di cui parla *Soph.* 248 b? La Zuckert 2009, 699–700 crede che εἰδῶν φίλος sia Socrate e che

conseguenze per la storia della filosofia antica sarebbero notevoli: è infatti evidente che, facendo definire da un Eleate del V secolo i Pitagorici della Magna Grecia εἰδῶν φίλοι, Platone lascerebbe immaginare, data l'antichità della scuola pitagorica, che la teoria degli εἶδη deriva da quella scuola. Una tesi del genere è stata sostenuta, e non c'è da meravigliarsi che Burnet, che credeva all'origine pitagorica della teoria degli εἶδη, identificasse gli εἰδῶν φίλοι nei Pitagorici. Tuttavia, quanto abbiamo osservato *supra* (cfr. la nota 15) rende questa tesi assai improbabile; inoltre, nel *Parm.*, dialogo scritto per essere letto insieme al *Soph.*, la paternità della teoria degli εἶδη viene attribuita a Socrate, e Parmenide, che viene dalla stessa area geografica da cui viene lo ξένος, non ne ha mai sentito parlare. Se veramente lo ξένος avesse avuto συνήθεια coi Pitagorici, tale συνήθεια avrebbe dovuto averla, si supporrebbe, anche il suo maestro Parmenide, e, se veramente i Pitagorici avessero professato la teoria degli εἶδη, è difficile credere che Parmenide, sentendola formulare da Socrate, non ricordasse le dottrine dei suoi conterranei. Per rispondere a questa osservazione, qualcuno potrebbe supporre che Platone immaginasse che la dottrina degli εἶδη fosse partita da Socrate e che poi fosse stata fatta propria dai Pitagorici: questo spiegherebbe perché Parmenide la ignora e invece è familiare allo ξένος. Tuttavia, nulla nei dialoghi platonici stabilisce un legame fra εἶδη e Pitagorismo e anche gli studi più recenti e avveduti negano tale legame.²⁷

A me pare certo che Platone, parlando di εἰδῶν φίλοι, non potesse avere in mente che se stesso e/o qualche altro socratico: Platone è coerente nell'attribuire la dottrina degli εἶδη a Socrate e anche le altre dottrine, che egli attribuisce agli εἰδῶν φίλοι, sono quelle che caratterizzano il pensiero di Socrate/Platone: la divisione fra εἶναι e γίγνεσθαι, così come la κοινωνία che gli uomini hanno con il primo tramite la ψυχή, con il secondo tramite il σῶμα, sono tratti inconfondibili della dottrina socratico-platonica²⁸

lo ξένος esprima il punto di vista eleatico, in quanto critico di quello socratico; è una tesi inficiata dall'errore che ho già osservato *supra* (nota 16).

²⁷ Ebert 1998 osserva che Timeo, che proviene come lo ξένος dall'Italia, per la precisione da Locri, sostiene un dualismo del tutto analogo a quello di Platone (*Tim.* 27 d – 28 a; 51 b – 52 a) e ne deduce che fosse anch'egli un εἰδῶν φίλος, e che questo mostri ulteriormente il legame fra Pitagorismo della Magna Grecia e teoria degli εἶδη. Sono conclusioni evidentemente affrettate, che prescindono da una adeguata *Quellenanalyse* del *Tim.*

²⁸ Centrone 2008, XXXIV scrive giustamente: “La posizione degli amici delle idee (248 a sgg.) richiama anche nella terminologia la dottrina delle idee nella forma in cui essa è presente nei dialoghi precedenti; l'ambito delle idee, che sono ciò che è realmente (οὐσία), sempre identico a se stesso e attingibile mediante il ragionamento, è separato dal mondo del divenire (γένεσις), legato al corporeo e sempre diverso, attingibile mediante la sensazione”.

e che egli le attribuisse ai Pitagorici è difficile credere; se tali dottrine, che costituiscono il cardine del pensiero socratico-platonico, fossero state professate dai Pitagorici, nei dialoghi platonici troveremmo traccia anche altrove di questa comunanza di dottrine; su questo non è lecito, a mio avviso, avere il minimo dubbio. Dunque gli εἰδῶν φίλοι non possono essere i Pitagorici; avrei meno difficoltà a identificarli coi Megarici, poiché questi ultimi erano socratici e dunque potevano condividere le dottrine fondamentali del pensiero socratico-platonico, ma le obiezioni esposte *supra* mi sembrano decisive, poiché tutto lascia pensare che i Megarici all'εἶναι non attribuissero la pluralità.

L'identificazione più verisimile a me pare quella interna alla scuola platonica: le possibilità sono due, cioè o che Platone abbia voluto rinnegare una concezione statica dell'εἶναι da lui stesso professata in precedenza,²⁹ o che tale concezione fosse propria di una parte della sua scuola, contro cui egli dunque polemizzerebbe. La scelta fra queste due alternative dipende da cosa si pensi dello sviluppo della filosofia di Platone: come è stato recentissimamente osservato,³⁰ chi dà un'interpretazione unitaria del pensiero platonico propenderà per la seconda tesi, chi invece dà un'interpretazione evolutiva sarà più propenso alla prima tesi. La questione è di grande importanza: Platone riconosce un particolare legame fra gli εἰδῶν φίλοι e Parmenide, e, se coi primi egli alludesse a posizioni da lui stesso assunte, ne seguirebbe che Platone stabiliva un legame strettissimo tra la filosofia di Parmenide e la propria. Se, invece, gli εἰδῶν φίλοι fossero filosofi interni all'Accademia, ma che hanno, per proprie convinzioni, assunto posizioni diverse da quelle di Platone, in questo caso si potrebbe pensare che Platone attribuisse solo a questi “eretici” un particolare legame con Parmenide, senza che tale legame riguardasse il proprio pensiero. Si discute molto sui rapporti fra Platone e Parmenide, ma l'importanza di questo punto mi pare che sfugga a gran parte degli studiosi. A me pare che gli indizi in nostro possesso indichino che gli εἰδῶν φίλοι erano Accademici, le cui posizioni divergevano da quelle di Platone, senza che nulla indichi che Platone ha condiviso le loro dottrine. Non c'è, infatti, il minimo indizio che Platone abbia condiviso, in una fase del suo pensiero precedente al *Soph.*, le dottrine che egli attribuisce agli εἰδῶν φίλοι.³¹

²⁹ Così e. g. Cornford 1935, 242–248; Wundt 1935, 65–66; Liebrucks 1949, 139 sgg.; Kamlah 1963, 37; Bluck 1975, 94 sgg.; Cordero 2013, 194. *Contra* cfr. e.g. Cherniss 1944, 439 n. 376.

³⁰ Altman 2016, 18–19.

³¹ La caratteristica più sicura del pensiero degli εἰδῶν φίλοι (perché Platone esplicitamente gliela attribuisce) è la negazione che gli εἶδη possano πάσχειν / ποιεῖν (248 c): non è ben chiaro cosa gli εἰδῶν φίλοι intendessero con questo, ma Platone,

Il loro pensiero si avvicinava, almeno agli occhi di Platone, a quello di Parmenide: questo avvicinamento è evidente sia quando lo ξένος (249 c–d) parla di τὸ πᾶν ἑστηκός, supposto sia da coloro che parlano di ἔν (evidentemente gli Eleati) sia da coloro che parlano di πολλὰ εἶδη (evidentemente gli εἰδῶν φίλοι), sia quando lo stesso ξένος cita la συνήθεια (248 b), che egli ha con gli εἰδῶν φίλοι: dal momento che lo ξένος non sembra avere consuetudine coi circoli filosofici ateniesi (come risulta dall’inizio del *Soph.*), l’unico modo, mi pare, per spiegare la συνήθεια è che essa alluda alla comunanza di dottrine fra lo ξένος e gli εἰδῶν φίλοι (dunque la comune ascendenza parmenidea).

Se gli εἰδῶν φίλοι erano davvero un gruppo di filosofi, che accettavano l’innovazione socratico-platonica degli εἶδη, ma attribuivano a questi ultimi caratteristiche simili a quelle dell’essere parmenideo,³² questo significa che il pensiero di Parmenide aveva assunto una posizione di centralità nella discussione sugli εἶδη interna all’Accademia. Chi tenga a mente questo fatto e consideri che per Platone Parmenide era all’origine della detestata eristica, può trovare attraente l’idea di Stallbaum, secondo cui nei dialoghi platonici sotto Parmenide e gli Eleati si nascondono i Megarici. In altre parole, per Platone gli εἰδῶν φίλοι sono socratico-platonici con caratteristiche parmenidee: orbene proprio di Euclide di Megara Diog. Laert. ci dice che unì dottrine socratiche a dottrine parmenidee; d’altra parte, come abbiamo visto *supra*, uno degli intenti principali di Platone nello scrivere i dialoghi “eleatici” era mostrare come

già nell’*Euthyphr.*, attribuisce agli εἶδη il πάσχειν (Centrone 1995). Anche la loro negazione della κίνησις dell’οὐσία non si armonizza con ciò che Platone afferma in un altro dialogo precedente al *Soph.*, il *Phaedr.* (245 c).

³² Molti credono effettivamente che gli εἰδῶν φίλοι fossero un gruppo di Accademici in dissenso col maestro, cfr. e. g. Ritter 1923, II, 131–134; Natorp 1922, 284–285; Centrone 2008, XL (“Accademici troppo eleatizzanti”). Cherniss 1944, 439 n. 376 suppone che gli εἰδῶν φίλοι fossero Accademici che si opponevano a Eudosso, il quale aveva inteso le idee come immanenti ai sensibili (cfr. Arist. *Met.* 991 a 15 – 19 e 1079 b 18 sgg., su cui cfr. da ultimo Forcignanò 2015): in opposizione a una visione del genere, gli εἰδῶν φίλοι avrebbero accentuato il carattere immobile e separato degli εἶδη. A parte le difficoltà a comprendere con esattezza la posizione di Eudosso rispetto alla teoria degli εἶδη e all’Accademia in generale (sull’adesione di Eudosso alla teoria degli εἶδη cfr. lo scetticismo di Leszl 1975, 335–340), bisogna considerare che le posizioni eleatizzanti erano abbastanza diffuse negli ambienti vicini a Platone e non c’è ragione di pensare che esse nascessero in opposizione a Eudosso: il pensiero eleatico attraeva di per sé, senza bisogno che esso venisse usato contro Eudosso (cfr. la fine di questo articolo). In ogni modo è certo che la teoria degli εἶδη (il perno della filosofia platonica) suscitò vivi dibattiti nell’Accademia ed è naturale supporre che si creassero gruppi di pensatori in contrasto con lo stesso Platone; per queste discussioni e le ripercussioni su Aristotele cfr. Isnardi Parente 1989 e da ultimo Cardullo 2002.

la dottrina sull'εἶναι di Parmenide era all'origine dell'eristica, e noi sappiamo che nella scuola megarica tendenze eristiche erano fortemente rappresentate. In base a queste considerazioni, si sarebbe portati a identificare il bersaglio polemico dei dialoghi "eleatici" di Platone nei Megarici, i quali assommerebbero in sé tutta l'eredità parmenidea contro cui Platone voleva polemizzare e si sarebbe portati ad avvicinare gli εἰδῶν φίλοι ai Megarici, in quanto anch'essi legati a Parmenide e oggetto di polemica in uno dei dialoghi "eleatici". Tuttavia, un'analisi attenta dei dati in nostro possesso esclude una soluzione così semplice e univoca. Come già abbiamo detto, i Megarici non possono essere identificati con gli εἰδῶν φίλοι; inoltre, poco dopo aver discusso le dottrine di questi ultimi, lo ξένος (251 b–c) parla di alcuni γέροντες ὀψιμαθεῖς, i quali negano la possibilità dei giudizi sintetici; noi sappiamo che anche Stilpone negava tale possibilità ed è dunque da credere che, almeno al tempo di Stilpone (su come stessero le cose al tempo di Platone non siamo informati), tale tendenza fosse diffusa nella scuola megarica. Orbene, da quanto dice lo ξένος è del tutto evidente che, ai suoi occhi, fra gli εἰδῶν φίλοι e i γέροντες ὀψιμαθεῖς non esiste alcuna affinità (del resto, questo è facilmente comprensibile: gli εἶδη erano stati introdotti da Socrate/Platone anche per ovviare ai sofismi di chi negava la possibilità dei giudizi sintetici). È dunque da escludere che gli εἰδῶν φίλοι avessero qualcosa in comune, almeno agli occhi di Platone, con le tendenze eristiche sviluppatesi dal pensiero parmenideo. D'altra parte, come abbiamo detto più volte, il *Parm.* e il *Soph.* polemizzano principalmente contro la primitiva dialettica parmenidea e l'eristica che di tale dialettica era erede: ne segue che gli εἰδῶν φίλοι non hanno nulla a che fare con il principale obiettivo della polemica dei dialoghi "eleatici". Questo può sorprendere, dato l'esplicito accostamento fatto dallo ξένος fra gli εἰδῶν φίλοι e Parmenide, ma non credo che i dati in nostro possesso si possano interpretare in altro modo. Dunque la polemica contro gli εἰδῶν φίλοι è solo un *excursus* dedicato a una disputa interna all'Accademia e non ha nulla a che fare con l'intento principale dei dialoghi "eleatici".

Quale era dunque l'intento principale di Platone, quando scriveva *Parm.* e *Soph.*? Il più evidente è senza dubbio quello di mostrare la necessità degli εἶδη: Parmenide e lo ξένος sperimentano in prima persona quali conseguenze tremende ha argomentare senza gli εἶδη. Ma perché Platone ha portato in scena proprio gli Eleati per mostrare la necessità degli εἶδη? Se questi erano stati introdotti per la prima volta da Socrate (come Platone costantemente afferma) e gli eristi continuavano a commettere errori dialettici in quanto non li usavano, perché portare in scena gli Eleati per mostrare la necessità degli εἶδη? Perché mettere così impietosamente a nudo i limiti della dialettica di Parmenide, quando

Platone vedeva attorno a sé continuamente sofisti che commettevano gli stessi errori dialettici, senza avere i meriti filosofici di Parmenide e senza avere la scusa di essere vissuti prima che venissero introdotti gli εἶδη?

L'ipotesi che Platone volesse polemizzare contro i Megarici resta (una volta che si separino questi ultimi dagli εἰδῶν φίλοι, coi quali non hanno nulla a che fare) attraente, poiché i Megarici si richiamavano a Parmenide e in tale scuola si svilupparono tendenze eristiche (è lecito pensare che tali tendenze fossero già presenti in Euclide, ma la tradizione è assai avara al riguardo³³); se si potesse anche dimostrare che in tale scuola si cercò, tramite l'argomento del τρίτος ἄνθρωπος, di muovere obiezioni alla teoria degli εἶδη (ma cfr. quanto detto nella nota 21), l'ipotesi megarica acquisterebbe ancora maggiore probabilità, poiché le obiezioni che Parmenide muove alla teoria degli εἶδη nella prima parte del *Parm.* troverebbero paralleli nella scuola megarica:³⁴ rispondere alle obiezioni che gli Eleati/Megarici muovono nella prima parte del *Parm.* mostrando (nella seconda parte dello stesso dialogo) in quale mare di assurdità (proprio a proposito dell'ἔν!) cade la dialettica eleatica (e megarica?) che ignora gli εἶδη, sarebbe un procedimento del tutto logico e comprensibile.³⁵

Poiché non ci sono altri pensatori coevi a Platone che mostrino altrettanti punti di contatto con gli argomenti dei dialoghi "eleatici", l'unica altra interpretazione possibile è che Platone volesse tracciare un quadro oggettivo del rapporto fra l'Eleatismo e la dottrina socratico-platonico: come ho cercato di dimostrare, un tale quadro è possibile ricavarlo dalla lettura di *Parm.* e *Soph.* (sebbene l'aspetto più propriamente metafisico dell'eredità eleatica non venga toccato in questi dialoghi). Si tratterebbe in questo modo quasi di una messa a punto della verità storica dei rapporti fra Eleatismo e pensiero socratico-platonico. Un'interpretazione del genere diverrebbe verisimile, se fosse possibile dimostrare che l'incontro fra Parmenide e Socrate avvenne effettivamente: se Platone desiderava narrare un episodio storicamente avvenuto, non c'è ragione di cercare fra i suoi contemporanei i motivi che lo spingessero a scrivere il *Parm.*

³³ Cfr. Diog. Laert. 2, 107 e Döring 1998, 212.

³⁴ Purtroppo non c'è modo di stabilire con certezza se le obiezioni che Parmenide muove alla teoria degli εἶδη nella prima parte del *Parm.* fossero effettivamente state mosse a Platone da qualcuno, cfr. tuttavia la nota 19 della parte (I) di questo contributo. Già Wilamowitz 1919, II, 228 scriveva: "Die verbreitete Annahme, dass die Einwände gegen die Ideenlehre, die Platon den Parmenides erheben lässt, ihm von anderen gemacht wären, lässt sich weder beweisen noch widerlegen, denn sie wird nur aus dem Dialoge selbst erschlossen".

³⁵ Già Taylor 1926, 350 scriveva: "A series of attempts to show that the Socratic 'hypothesis' of forms leads to impossible results is retorted upon by an elaborate attempt to show that the Eleatic hypothesis is in still worse case".

Tuttavia, un'interpretazione del genere mi sembra preclusa, se si ammette, come oggi si fa, che la teoria degli εἶδη sia invenzione platonica: in questa prospettiva, infatti, il *Parm.* non può riprodurre un dialogo effettivamente avvenuto, per il semplice fatto che Socrate non introdusse gli εἶδη e dunque i dialoghi “eleatici” non possono aver alcun intento “storicizzante”.

Pare preferibile pensare che dietro a Socrate e Parmenide si nascondano personaggi e discussioni coeve a Platone; se è così, l'ipotesi megarica a me continua a sembrare la più probabile. Rispetto alla formulazione che a questa ipotesi hanno dato i filologi dell'800 e della prima metà del '900, sono necessarie alcune sostanziali modifiche: non solo bisogna abbandonare l'identificazione dei Megarici con gli εἰδῶν φίλοι, ma bisogna anche rinunciare all'idea che i Megarici accettassero gli εἶδη.³⁶ Il miglior conoscitore vivente dei Megarici, il Döring, afferma che, per quello che noi possiamo ricavare dai magri frammenti pervenutici, ciò che legava i Megarici agli Eleati era la “dialektische Praxis” (questo spiegherebbe anche il fatto che successivamente Eleati e Megarici venissero classificati come scettici al pari dei Pirroniani e dei Neoaccademici, cfr. Sen. *Ep. mor.* 88, 44). Se questo è vero, a me sembra che l'ipotesi che Platone abbia scritto *Parm.* e *Soph.* in polemica contro Euclide e la sua scuola divenga quasi una certezza: certo non sono mai state avanzate altre spiegazioni più convincenti del perché Platone abbia scritto i dialoghi “eleatici”.

A prescindere da questo, se gli εἰδῶν φίλοι non vanno identificati coi Megarici (o comunque coi filosofi contro i quali è diretta la principale polemica del *Parm.* e del *Soph.*) e se davvero Platone ha scritto i dialoghi “eleatici” in risposta a filosofi a lui contemporanei che aderivano a posizioni eleatiche (fossero essi o no i Megarici), ne segue che quando Platone scrisse il *Parm.* e il *Soph.* (probabilmente fra il primo e il secondo viaggio in Sicilia, 386–367³⁷) il pensiero eleatico era fortemente presente negli ambienti a lui vicini e non fra un solo gruppo di filosofi (sia infatti gli εἰδῶν φίλοι sia i destinatari della polemica del *Parm.* e del *Soph.* erano eredi del pensiero di Parmenide).

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³⁶ Taylor 1926, 350–351 vedeva addirittura nell'accettazione da parte di Parmenide dell'ipotesi degli εἶδη la conferma che Platone stesse polemizzando contro i Megarici, poiché anche questi ultimi avrebbero aderito a tale ipotesi.

³⁷ Cfr. Cardullo 2002, 155–160.

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Plato gives two contrasting accounts of Zeno's philosophical purposes in the *Phaedrus* and *Parmenides*. The *Parmenides* is more accurate in detail, and consequently it is more probable that Zeno intended to defend Parmenides' teaching, as he is represented as doing in this dialogue, than to accumulate eristic contradictions for their own sake, as he is represented as doing in the *Phaedrus*. Plato seems to be aware that one of the main features of Socratism, dialectic reasoning, originates in Eleatism; also that the distinction between the sensible and intelligible worlds (another chief feature of Socratism, as well as of Platonism) had been anticipated by Parmenides. Despite these considerable debts to Eleatism, Plato's Eleatic dialogues (the *Parmenides* and the *Sophist*) aim rather at uncovering the shortcomings of Eleatic logic. Plato was probably aware that eristic originated in Parmenides' infelicitous assertions about εἶναι, but it was not his well-known dislike for eristic that prompted him to write the *Parmenides* and the *Sophist*: his polemic against Eleatism originates rather from the fact that some contemporary philosophers (probably the Megarians) were still using Eleatic logic. Also the εἰδῶν φίλοι (probably a group of Academics) adopted some important features of Eleatism: attacking Parmenides, Plato pointed out to his Megarian and Academic friends how many drawbacks Eleatic logic entailed.

Платон различным образом говорит о философских целях Зенона в *Федре* и *Пармениде*. *Парменид* более точен в деталях, и потому более вероятно, что целью Зенона была защита учения Парменида, как сообщается в этом диалоге, а не аккумуляция эристических противоречий ради них самих, как это изображено в *Федре*. Платон, очевидно, сознавал, что одна из главных черт сократической философии – диалектический метод рассуждений – восходит к Элейской школе; также различие чувственного и умопостижимого миров (вторая важнейшая черта сократической, как и платоновской философии) было предвосхищено Парменидом. Однако, несмотря на то, что Платон был многим обязан школе Парменида, его элейские диалоги (*Парменид* и *Софист*) направлены скорее на изобличение слабостей логики Элеатов. Платон также сознавал, что эристические софизмы берут начало от неудачных утверждений Парменида относительно εἶναι. Вместе с тем вовсе не хорошо известная неприязнь к эристике побудила его к написанию *Парменида* и *Софиста*. Его полемика против элейского учения в этих диалогах скорее вызвана тем, что некоторые философы – современники Платона (по-видимому, Мегарики) – по-прежнему использовали логику Элеатов в своих парадоксах. Кроме того, εἰδῶν φίλοι (вероятно, группа философов в самой платоновской Академии) унаследовала некоторые важные черты элейского учения: нападая на Парменида, Платон указывал своим мегарским и академическим коллегам на изъяны элейской логики.

ПИСЬМО, НАЙДЕННОЕ В ОЛЬВИИ В 2010 ГОДУ

В 2010 году на участке Т-3 террасной части Ольвии был найден фрагмент свинцовой пластинки с несколькими строками греческого текста.¹

Текст надписи нанесен на пластинку, размеры которой составляют приблизительно 8,2×4,1 см, толщина 0,1 см. Буквы прочерчены тонким острым предметом достаточно аккуратно, средняя высота букв – 0,35–0,4 см.² Пластинка была найдена в свернутом виде, при разворачивании она распалась по одной из линий сгибов на два стыкующихся фрагмента. На правом фрагменте видны линии рамки, внутри которой помещен текст.³ Надпись имеет значительные повреждения: верхняя и правая ее части утрачены, что не позволяет установить длину строк и их точное количество. Сверху и справа пластинка сохраняет следы оплавления, которому свинец подвергся, по-видимому, еще в древности.⁴

¹ Письмо публикуется по фотографии. Впервые его опубликовал В. И. Назарчук, который представил фотографию пластинки, ее прорисовку и характеристику археологического контекста (Nazarchuk 2011 [В. И. Назарчук. “Новый фрагмент надписи на свинцовой пластине из Ольвии”, *Боспорский феномен: население, языки, контакты*], 471–474). Хотелось бы выразить искреннюю благодарность В. И. Назарчуку, который любезно предоставил мне текст полевого отчета (Ольвийская экспедиция Института археологии Национальной Академии наук Украины, 2010 г., участок Т-3) и фотографию свинцовой пластинки, и А. Л. Верлинскому за ценные замечания и рекомендации.

² Размеры пластинки и размеры букв приводятся по публикации: Nazarchuk 2011, 472–473.

³ См. также рамки на фрагменте письма на свинцовой пластинке из Нимфея, кон. VI – нач. V в.: Pavlichenko–Sokolova 2016, 194.

⁴ Nazarchuk 2011, 473.



Рис. 1. Фотография свинцовой пластинки

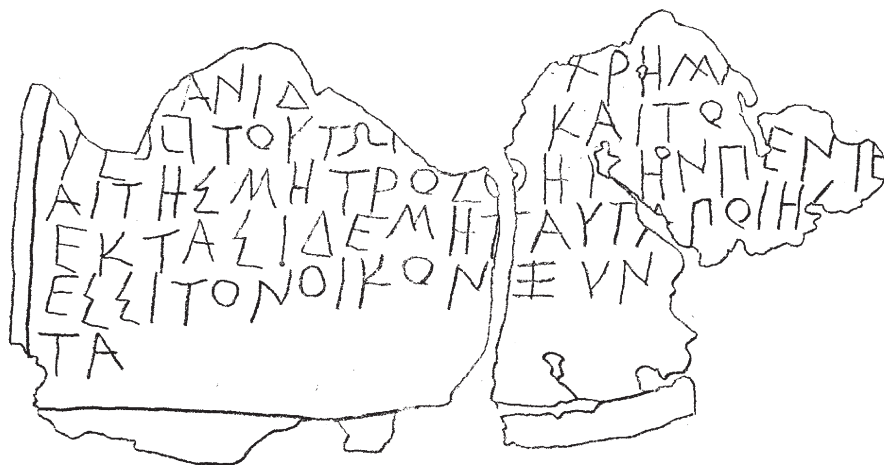


Рис. 2. Прорисовка пластинки

Пластинка была найдена в верхнем слое завала бута, который образовался в первые века н. э. над жилым домом эллинистического времени. В. И. Назарчук не исключает, что пластинка могла попасть в этот завал случайно.⁵ В первой половине V в. до н. э. под этим

⁵ Nazarchuk 2011, 471.

домом находились каменные жилые постройки, которые были разрушены в результате стихийного бедствия и впоследствии перекрыты слоями свалки V–IV вв. до н. э.⁶ Основную часть находок в этом завале составляет керамика IV–II вв. до н. э., однако присутствует и некоторое количество керамики, датируемой раннеклассическим временем, и более поздней: II–III вв. н. э. Таким образом, из-за отсутствия надежного археологического контекста надпись может быть датирована только по ее палеографическим особенностям.

В качестве *terminus post quem* для ее датировки можно взять дату основания ольвийского полиса. Большинство исследователей сходятся во мнении, что Ольвия была основана приблизительно в середине VI в. до н. э.⁷

Шрифт рассматриваемого письма можно охарактеризовать следующим образом: *альфа* – без наклона, имеет достаточно широко расставленные гасы, с прямой горизонтальной переключиной; *дельта* – боковые гасы достаточно широко расставлены; *эпсилон* – имеет длинные горизонтальные гасы, причем средняя горизонтальная гаста иногда немного короче верхней и нижней, верхняя гаста длиннее средней и нижней, а также имеется небольшой наклон вправо; *эта* – узкая, имеет удлиненные вертикальные гасы, близко расположенные друг к другу, горизонтальная гаста прямая; *каппа* – нижняя наклонная гаста располагается практически перпендикулярно к вертикальной; *мю* – имеет широко расставленные гасы, расположенные на одном уровне; *ню* – нижняя часть правой гасты располагается в некоторых случаях выше левой гасты, иногда имеется небольшой наклон вправо; *кси* – имеет вертикальную гасту, выходящую за пределы горизонтальных вверху и внизу; *омикрон* – незначительно меньше габаритов строки; *пи* – правая вертикальная гаста вдвое короче левой; *ро* – имеет небольшой наклон, в одном случае полукружие ровно очерчено, а в другом не закругленное; *сигма* – иногда выше соседних букв, с раскрытыми наклонными гастами; *тау* – со слегка изогнутой горизонтальной гастой; *ипсилон* – в одном случае трехчастная (2-я, 3-я стк.), в другом имеет форму близкую к форме латинской буквы V (5-я стк.); *хи* – имеет переходную форму между крестообразной и обычной X; *омега* – округлой формы с ножками без резкого перехвата. Особенно

⁶ Nazarchuk 2002 [В. И. Назарчук. “Раскопки 2000–2001 г. в Ольвии на участке “Т-3””, *Археологічні відкриття в Україні*], 196.

⁷ Rusaeva 1998 [А. С. Русяева. “К вопросу об основании Ольвии ионийцами”, *ВДИ*], 169; Kryzhitskij–Otrushko 1986 [С. Д. Крыжицкий, В. М. Отрешко. “К проблеме формирования Ольвийского полиса”, *Ольвия и ее округа*], 8; Marchenko 1980 [К. К. Марченко. “Модель греческой колонизации Нижнего Побужья”], 136–137.

примечательны в тексте письма формы *сигмы*, *ипсилон*, *хи* и *омеги*, поскольку они имеют форму, сохраняющую особенности написания, которые были характерны для архаического периода.

Шрифт письма соотносится с уже известными письмами на свинцовых пластинках и остраконах из Ольвии и с Березани. Так, аналогии обнаруживаются в письме Апатурия Леонаксу конца VI в. до н. э.⁸ – узкая *эта*, *ню* с приподнятой правой ножкой, *омикрон* в габаритах строки, широкая *мю*, *пи* с короткой правой гастой, а также *ипсилон* в виде латинской буквы V; в письме Ахиллора конца VI в. до н. э.⁹ – *эпсилон* с более короткой средней гастой, а также наклоном вправо, узкая *эта*, *каппа* с приподнятой нижней наклонной гастой, широкая *мю*, *ню* с приподнятой ножкой, *кси* с вертикальной гастой, выходящей за пределы горизонтальных, *пи* с короткой правой гастой, открытая *сигма*, *ипсилон* в виде буквы V; в письме с ольвийской агоры 525–500 гг. до н. э.¹⁰ – *каппа* с приподнятой нижней наклонной гастой, *сигма* с открытыми гастами, *ипсилон* в форме латинской буквы V, *омега* с ножками без резкого перехвата, достаточно крупный *омикрон*, узкая *эта*, а также аналогичная форма буквы *ню*. Кроме того, похожие формы букв встречаются в письме с Жеваховой горы (хора Ольвии), которое датируется последней четвертью V в. до н. э.¹¹ – *хи* в виде креста, *омега* с ножками без резкого перехвата, крупный *омикрон*, а также похожие формы *ню*. Если сравнивать с письмом с о. Березань, которое датируется 540–535 гг.,¹² несмотря на схожесть некоторых форм букв (*ню* с приподнятой правой ножкой гасты, широкая *мю*, *пи* с короткой правой гастой), общий характер шрифта значительно отличается. Письмо с о. Березань имеет ярко выраженные архаические черты: *альфа* с наклонной средней гастой, *эпсилон* с наклонными горизонтальными гастами, *кси* с гастами, образующими крест; кроме того, в нем используется бустрофедон.

В Таблице 1 рассматривается изменение форм букв писем на свинцовых пластинах и граффити из Ольвии и Березани в середине VI – IV вв. до н. э.¹³

⁸ Dana 2004, 5.

⁹ Vinogradov 1971b [Ю. Г. Виноградов. “Древнейшее греческое письмо с острова Березань”], 75–76.

¹⁰ Dana 2007, 72–73.

¹¹ Dana 2007, 77.

¹² Dana 2007, 70.

¹³ О шрифтах лапидарных надписей Ольвии: Knipovich 1966 [Т. Н. Книпович. “Греческое лапидарное письмо в памятниках Ольвии”, *Нумизматика и эпиграфика*], 3–30; Vinogradov 2001 [Ю. Г. Виноградов. “Палеография ранних лапидарных надписей Ольвии (VI–V вв. до н.э.)”, *Херсонесский сборник*], 6–10.

Таблица 1. Палеография ольвийских и березанских писем на свинцовых пластинках и граффити

Середина – 3-я четверть VI в. до н. э.		Конец VI в. до н. э.	
Письма (1)	Граффити (2; 3; 4)	Письма (5; 6; 7)	Граффити (8; 9; 10; 11)
А			
Г			
Δ			
Ε			
Η			
			
			

Первая половина V в. до н. э.	Вторая половина V в. до н. э.		IV в. до н. э.		
	Граффити (12; 13; 14; 15; 16; 17; 18; 19)	Письма (20)	Граффити (21; 22; 23; 24; 25; 26)	Письма (27; 28)	Граффити (29; 30; 31; 32)












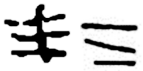































Середина – 3-я четверть VI в. до н. э.		Конец VI в. до н. э.	
Письма (1)	Граффити (2; 3; 4)	Письма (5; 6; 7)	Граффити (8; 9; 10; 11)
			
			
			
			
			
			

Таблица 1 (продолжение)

Первая половина V в. до н. э.	Вторая половина V в. до н. э.		IV в. до н. э.	
	Письма (20)	Граффити (21; 22; 23; 24; 25; 26)	Письма (27; 28)	Граффити (29; 30; 31; 32)
				
				
				
				
				
				

Середина – 3-я четверть VI в. до н. э.		Конец VI в. до н. э.	
Письма (1)	Граффити (2; 3; 4)	Письма (5; 6; 7)	Граффити (8; 9; 10; 11)
ζ	ξ ξ	ξ ξ ξ	ξ ξ ξ ξ ρ
τ ϖ	τ τ	τ τ τ	τ τ
ν	ϣ ν ν	ν ν ν	ν
	φ φ	φ φ φ	
	χ χ	χ χ	
η	η η	η η η	η

Таблица 1 (окончание)

Первая половина V в. до н. э.	Вторая половина V в. до н. э.		IV в. до н. э.	
Граффити (12; 13; 14; 15; 16; 17; 18; 19)	Письма (20)	Граффити (21; 22; 23; 24; 25; 26)	Письма (27; 28)	Граффити (29; 30; 31; 32)
				
				
				
				
				
				

Примечания к таблице 1

1. Письмо на свинцовой пластинке, бустрофедон, 540–535 гг. до н. э. (Dana 2007, 70).
2. Березанское граффити на донце сероглиняного сосуда, 3-я четв. VI в. до н. э. (Jaylenko 1979 [В. П. Яйленко. “Несколько ольвийских и березанских граффити”, *КСИА*], 53. Fig. 1. 1).
3. Посвятительные граффити Аполлону Дельфинию, 3-я четв. VI в. до н. э. (Levi 1977 [Е. И. Леви. “Новые посвячительные надписи Аполлону Дельфинию из раскопок Ольвии”, *История и культура античного мира*], 97–98. Fig. 1, 2).
4. Граффито с личным именем (Rusyaeva 2010 [А. С. Русяева. “Граффити Ольвии Понтийской”], 80. Pl. 29, 11).
5. Письмо Ахиллодора, конец VI в. до н. э. (Vinogradov 1971a, 75–76, Fig. 1; 4).
6. Письмо Апатурия Леонаксу, конец VI в. до н. э. (Dana 2004, 5).
7. Письмо с ольвийской агоры, 525–500 гг. до н. э. (Dana 2007, 73).
8. Посвятительное граффито Афродите на фрагменте чернолаковой чаши, 525–500 гг. до н. э. (Rusyaeva 2015 [А. С. Русяева. “Граффити из южного теменоса в Ольвии”, *ВДИ*], 27. Fig. 1. 14).
9. Граффито на фрагменте венчика чернолаковой чаши, 525–500 гг. до н. э. (Rusyaeva 2015, 32. Fig. 3. 20).
10. Посвятительные граффити Аполлону, кон. VI в. до н. э. (Rusyaeva 2010, Pl. 16, 7; 16, 11).
11. Граффито из святилища Матери богов, кон. VI в. до н. э. (Rusyaeva 2010, Pl. 20, 7).
12. Посвятительные граффити на чернолаковой керамике, 1-я пол. V в. до н. э. (Jaylenko 1979, Fig. 1. 4, 4a, 5).
13. Посвятительные граффити Афродите, 1-я пол. V в. до н. э. (Rusyaeva 2015, 23–27. Fig. 1. 1, 4, 7, 13, 15).
14. Граффито на фрагментах чернолаковой чаши, 500–480 гг. до н. э. (Rusyaeva 2015, 29. Fig. 2. 17).
15. Посвятительные граффити Аполлону, 1-я пол. V в. до н. э. (Rusyaeva 2010, Pl. 16, 1; 16, 2; 16, 9).
16. Граффито из святилища Матери богов, 1-я пол. V в. до н. э. (Rusyaeva 2010, Pl. 20, 4).
17. Граффито из святилища Диоскуров, 1-я пол. V в. до н. э. (Rusyaeva 2010, Pl. 22, 3).
18. Посвятительное граффито с личным именем, 1-я пол. V в. до н. э. (Rusyaeva 2010, Pl. 29, 15).
19. Граффити из жилых кварталов Верхнего города, 1-я пол. V в. до н. э. (Rusyaeva 2010, Pl. 38, 1; 38, 4; 38, 8).
20. Письмо с Жеваховой горы, 450–425 гг. до н. э. (Dana 2007, 77).
21. Посвятительное граффито Афродите, 2-я пол. V в. до н. э. (Rusyaeva 2015, 24. Fig. 1. 3).

22. Посвятительное граффито Аполлону, 2-я пол. V в. до н. э. (Rusyaeva 2010, Pl. 16, 2).
23. Граффито из святилища Матери богов, 2-я пол. V в. до н. э. (Rusyaeva 2010, Pl. 20, 20).
24. Граффити из святилища Диоскуров, 2-я пол. V в. до н. э. (Rusyaeva 2010, Pl. 22, 8; 22, 24; 22, 9).
25. Граффито из святилища Гермеса и Афродиты, 2-я пол. V в. до н. э. (Rusyaeva 2010, Pl. 23, 10).
26. Граффито из жилых кварталов Верхнего города, 2-я пол. V в. до н. э. (Rusyaeva 2010, Pl. 38, 9; Pl. 40, 4; 40, 3).
27. Письмо Артикона, сер. IV в. до н. э. (*IGDOP* 25).
28. Письмо Никофана Адрасту, 2-я пол. IV в. до н. э. (*SEG* XLII 711).
29. Посвятительные граффити, IV в. до н. э. (Jaylenko 1980 [В. П. “Яйленко Граффити Левки, Березани и Ольвии”, *ВДИ*], no. 62, 66, 72, 76. Pl. IV. 1, 16, 21; Pl. VII. 14).
30. Застольные граффити, IV в. до н. э. (Jaylenko 1980, no. 91, 96б. Pl. VI. 8. Pl. X. 16).
31. Хозяйственное граффито, IV в. до н. э. (Jaylenko 1980, no. 105а. Pl. IX. 25).
32. Граффити с личными именами, IV в. до н. э. (Jaylenko 1980, no. 120, 129, 154, 160, 167а, 198, 207, 211. Pl. V. 15; Pl. IX. 17, 6, 9; Pl. X. 12, 15; Pl. XI. 7).

Данная таблица показывает, что значительным изменениям подверглись *альфа*, *эпсилон*, *ро*, *сигма* и *ипсилон*; у *альфы* изменился наклон средней гасты, которую стали изображать горизонтально, *эпсилон* с конца VI в. до н. э. теряет наклонные гасты, которые становятся прямыми, полукружие *ро* начиная с V в. до н. э. становится закругленным, *сигма* становится более “закрытой” к концу V в. до н. э., *ипсилон* к концу V в. до н. э. приобретает привычную нам трехчастную форму.

Таким образом, особенности шрифта¹⁴ надписи с участка Т-3 позволяют датировать ее приблизительно первой половиной V в. до н. э., что не противоречит археологическим данным.

¹⁴ Датировка по палеографии таких эпиграфических памятников, как письма на остраконах и свинцовых пластинках, заклитях, граффити и дипинти, менее разработана, чем датировка лапидарных надписей, поскольку шрифт в надписях, выполняемых “от руки”, развивался быстрее, к тому же подобные надписи сохраняли особенности индивидуального почерка (Yemets 1995 [И. А. Емец. “Классификация и шрифт боспорских граффити и дипинити”, *Эпиграфический вестник*], 44). Кроме того, ни одно из известных нам писем на свинце и остраконах не было найдено в закрытом комплексе, что значительно осложняет возможность точной датировки таких памятников.

Стк. 1. В левой части строки читаются буквы Α, Ν, Ι, Δ. Такое сочетание букв встречается не слишком часто.

Если предполагать, что эти буквы образуют одно слово, то это может быть, например, частью основы имени собственного.¹⁵ Гипотетически возможны и другие варианты слов, содержащие в основе эти буквы: ἡ σαίνις, -ίδος – *доска* или *что-то сделанное из досок, дощечка для письма*; τὸ θρανίδιον (ὁ θράνος) – *скамья*; τὸ κρανίδιον – *небольшой шлем*; ἀνιδρύω – *устанавливать* и др. (LSJ s. v.) Однако одним из самых, на наш взгляд, подходящих по смыслу слов, которое имело бы такую же последовательность букв, является ἡ χλανίς, -ίδος, которое означает “верхняя одежда из шерсти”. Термин χλανίς (χλανίδιον) используется для обозначения одной из разновидностей плаща. Чаще всего это тонкая дорогая одежды из шерсти, которую носили и женщины, и мужчины (Hdt. III, 139, 2; Antiphanes fr. 35 K.–A.; Plut. Lys. XIII, 2). Χλανίδες нередко фигурируют и в лапидарных надписях: в списках приношений в храм Артемиды этот вид одежды упоминается не единожды.¹⁶ Плащ являлся стандартной одеждой в любой части Греции, а в Северном Причерноморье он был особенно важен как для греков, так и для варваров в связи с суровым климатом.¹⁷ Поэтому восстановление Α, Ν, Ι, Δ как одной из форм от χλανίς является вполне возможным.¹⁸

Затем следует пять букв – Χ, Ρ, Η, Μ, Α, расположенные на правом фрагменте свинцовой пластинки, которые, по всей видимости,

¹⁵ Имена, имеющие в основе такую же последовательность букв, засвидетельствованы в различных областях Греции; ср., например, Μάνις, -ίδος (IG I³ 972, Афины, VI в. до н. э. LGPN II s. v.), Πρύτανις, -ίδος (IEph 4103, Эфес, II в. до н. э. LGPN V A s. v.). Для Причерноморья поиск по базе РНИ дает единственный пример: Ποσίδεος Ἑλλανίδου и Λί[ύ]σανδρος Ἑλλανίδου упоминаются в горгиппийском агонистическом каталоге (КБН 1137, Α Π₃₂, Β Π₃₆, Β Ι₄ (1-я пол. III в. до н. э.).

¹⁶ IG II² 1514_{39–40}; 1515₃₁; 1516₁₈; 1517_{128, 143, 145}; 1518₅₅ (Аттика, IV в. до н. э.); HGK 10₁₅₆. (о. Кос, рубеж IV и III вв. до н. э.).

¹⁷ См., например, разнообразные плащи на боспорских рельефах: КБН-альбом 2004. no. 276, 279, 284, 307, 313, 317, 320, 347, 355 (Пантикапей, I в. до н. э. – I в. н. э.); Koshelenko et al. 1984 [Г. А. Кошеленко, И. Т. Кругликова, В. С. Долгоруков (изд.). *Археология СССР. Античные государства Северного Причерноморья*], 236, табл. CLII, 1–10.

¹⁸ Есть два письма, в которых упоминаются предметы одежды: письмо Мнесиерга, в котором он просит прислать ему в качестве στέγασμα шкуры (ἢ ὤας ἢ δφθέρας) и сандалии (κατόματα) (Wilhelm 1984, 100), и письмо Дионисия из Никония: κ[ό]μισαι δὲ παρὰ τῶν Θεοσφῶν ἡμ[ιστ]άτερον ἀποδοῦσα τὸ εἰμάτ[η]ιον – *получи от Θεοσφῶν (?) полстатера, вернув гиматий* (Awianowicz 2011, 237). В текстах папирусных писем бытового характера также встречаются упоминания одежды (Muir 2009, 33–34).

образуют слово χρῆμα в форме plur. В эпитафических памятниках χρῆματα чаще всего используется в надписях экономического или торгового характера, поэтому значения “товар”¹⁹ и “деньги”²⁰ являются самыми частотными.

Стк. 2. В начале строки на месте оплавления видно *ипсилон*, а также гасты, которые могут составлять *дельту* или, что более вероятно, *сигму*. Может показаться, что далее видно *пи*, однако из приведенной выше таблицы видно, что написание *пи* вплоть до IV в. до н. э. было иным: правая вертикальная гаста была короче левой (см. также стр. 3–4 на правом фрагменте пластинки). Затем отчетливо читается местоимение οὗτος в dat. sing. среднего или мужского рода (ΤΟΥΤΩΙ). По-видимому, гаста, которую можно принять за левую вертикальную гасту *пи*, является *йотой*, а верхняя горизонтальная линия, примыкающая к ней, является царапиной или трещиной, которые видны по всей поверхности свинца. Кроме того, левая гаста имеет закругление, аналогичное по форме с *омегой*, которую мы видим в этой строке. Таким образом, можно предположить, что в начале второй строки читается ΥΣΩΙ, то есть форма dat. sing.

Одним из вариантов²¹ понимания данного окончания является слово χρυσός, поскольку упоминание в тексте письма одного из номиналов кизикского статера (стк. 4) дает возможность предположить,

¹⁹ См. ольвийское письмо Апатурия Леонакту конца VI в. до н. э., в котором речь идет о решении проблемы конфискации товаров: Λήνακτι Ἀπατόριος : τὰ χρήματα σισύλημαι ὑπὲρ Ἠρακλείδew τῷ Εἰὸθῆριος : κατὰ δύναμιν τὴν σὴν : μὴ ἀπολέσω τὰ χρήματα τὰ γὰρ χρήματα σὰ ἐφάμην ἔναλ... – Леонакту Апатурий. Гераклид, сын Эоферия, отнял (мои) товары, в твоей власти, чтобы я не потерял товары. Ведь я сказал, что это товары твои... (Dana 2004, 6.) В этом же значении χρῆματα используется в многочисленных проксенических декретах, которые предоставляли различные права, в том числе и ἀτέλειαν πάντων χρημάτων – “освобождение от пошлин на все товары”: *Надписи Ольвии* 157–158; 197–198 (Ольвия, IV в. до н. э.).

²⁰ В этом значении χρῆματα употребляется в различных почетных декретах, например, в ольвийских декретах: в честь Каллиника, сына Евксена (*SEG XXXII 794*_{8–9}), и Протогена, сына Геросонта (*IOSPE I² 162*_{–5}), а также в текстах надписей, которые сообщали о том, на чьи средства была совершена постройка или воздвигнут памятник: например, в эпитафии Филона, сына Хреста 140 г. н. э. (*CIRB 711*_{1–5}).

²¹ Разумеется, возможны и другие варианты прочтения: βαναυσος, что означает “ремесленник” (LSJ s. v.) В словаре Гезихия (Hesych. s. v. βαναυσία) сообщается, что βαναυσία – это “всякое ремесло, при котором используется огонь” (πάσα τέχνη διὰ πυρός), а словом βαναυσος, соответственно, именуется кузнец. Можно также упомянуть Δίονυσος и личное имя Γένυσος (*IG IV²*_{34, 39}, Эпидавр, III в. до н. э.), однако ни один из этих вариантов не дает нам хорошего смысла.

что в тексте также может присутствовать метонимическое обозначение золотой монеты.²² Впрочем, этот вариант не может являться надежным восстановлением, поскольку подобные употребления весьма немногочисленны. В большинстве случаев слова χρυσός / χρυσίον употребляются в форме gen. sing. при слове, которое обозначает какой-либо монетный номинал, что можно увидеть, например, в тексте патрейского письма на свинцовой пластинке, в котором речь идет о взимании долгов (στατήρ χρυσὸς и ἡμιστάτηρ χρυσὸς).²³

Стк. 3. В начале строки читаются *альфа* и *йота*. Далее можно видеть слово μήτηρ в форме gen. sing. с артиклем (τῆς μητρὸς) в ионийско-аттической форме,²⁴ что указывает на то, что данное письмо могло быть адресовано какому-либо члену семьи.

После слов τῆς μητρὸς на линии разлома видны очертания округлой буквы, и единственно возможным вариантом является *тета*. Затем видны *эта*, после которой следует лакуна, *эта* и *ню*. Можно предположить, что гаста, стоящая между *этой* и лакуной, является частью какой-либо буквы. Насколько можно судить по фотографии, здесь могла быть *каппа*. Можно предположить, что буквы, следующие после μητρὸς, образуют слово θήκη²⁵ в acc. sing., которое может означать “ящик”, “сундук”; “могила”; “ножны” (LSJ s. v.). Достаточно частотным является первое значение: данное слово может означать любое место или хранилище, куда можно что-либо положить. В этом значении в эпиграфических памятниках оно чаще всего употребляется в составе сложных существительных (τῆι σκευοθήκη,²⁶ τῆς χαλκοθήκη[ς],²⁷ ἀλφαβαστοθήκη²⁸), с пояснением, для чего предназна-

²² Электровые монеты, в том числе и кизикины, назывались “золотыми” (см. например, IG I³ 370; 386).

²³ Zavoykina–Pavlichenko 2016 [Н. В. Завойкина, Н. А. Павличенко. “Письмо на свинцовой пластине из Патрея”, *Фанагория. Результаты археологических исследований*], 243.

²⁴ Метрополией Ольвии был Милет (Hdt. IV, 78, 3; Strab. VII, 3, 17; Ps.-Scymn. 838–839; Steph. Byz. 128), откуда происходила основная часть колонистов Северного Причерноморья. (Vinogradov 1983 [Ю. Г. Виноградов “Полис в Северном Причерноморье”, *Античная Греция*], 366–370). Соответственно, надписи Ольвии написаны на диалекте метрополии.

²⁵ В причерноморских эпиграфических памятниках θήκη встречается только один раз в составной форме (ὄστοθήκην – “вместилище для костей”, “саркофаг” в тексте херсонесского надгробия I в. н. э. (IOSPE I² 542₃₋₄).

²⁶ IG II² 1621_{7, 28, 101}. Аттика, IV в. до н. э.

²⁷ IG II² 120₁₉. Аттика, IV в. до н. э.

²⁸ IG II² 1424a_{333, 337}. Аттика, IV в. до н. э.

чен ящик или сундучок. У Геродота можно найти примеры, где это слово означает “сундук для денег” (Hdt. III, 130, 5).

Таким образом, можно предположить, что слово $\theta\eta\kappa\eta$ употребляется в письме в значении “хранилище для одежды” или “хранилище для денег”, что может быть соотнесено со словами $\chi\lambda\alpha\nu\acute{\iota}\varsigma$ (стк. 1) или $\chi\rho\acute{\eta}\mu\alpha\tau\alpha$ и $\acute{\epsilon}\kappa\tau\alpha\varsigma$ (стк. 1, 4).

Далее хорошо видны *пи*, *эпсилон* и *ню*, за которыми следует вертикальная гаста и части гаст *эпсилон*, что можно восстанавливать как числительное $\pi\acute{\epsilon}\nu\tau\epsilon$ либо его производные. Наличие в первой строчке слова $\chi\rho\acute{\eta}\mu\alpha\tau\alpha$ делает этот вариант восстановления вполне вероятным.

Стк. 4. Первые пять букв в строке – E, K, T, A, Σ, – учитывая контекст письма, где есть слова $\chi\rho\acute{\eta}\mu\alpha\tau\alpha$ и $\pi\acute{\epsilon}\nu\tau\epsilon$, по видимому, представляют собой асс. plur. от слова $\acute{\epsilon}\kappa\tau\eta$, которое может обозначать денежную единицу (LSJ s. v.), то есть 1/6 крупного монетного номинала.²⁹

В Ольвии начальный этап чеканки местной монеты ограничивался только эмиссиями медных монет. Поскольку медная монета не могла удовлетворять всех потребностей внешнего и внутреннего рынка в Ольвии, которая к середине VI в. до н. э. приобрела статус полиса, функции старшего номинала выполняли электроновые монеты различных малоазийских полисов. Особенно был распространен кизикский статер и его фракции, которые чеканились по фокейской системе,³⁰ о чем свидетельствуют находки кладов³¹ и частые единичные находки.³² Так как чеканка кизикского электра была представлена не только в статерах и гектах (1/6 статера), но и в более мелких номиналах (гемигекты – 1/12, мисгемигекты – 1/24, тетартеморий – 1/48 и даже гемитетартеморий – 1/96), эти мелкие дробные фракции кизикинов в Ольвии, которая до конца V в. до н. э. не производила чеканку собственной серебряной монеты, заменяли серебро на внутреннем рынке. Соответственно, частые отдельные находки мелких номиналов электра – особенность денежного обращения в Ольвии в архаический и классический период.³³

²⁹ Естественно, возможны и другие варианты восстановления – например, асс. plur. от $\acute{\alpha}\pi\omicron\delta\acute{\epsilon}\kappa\tau\eta\varsigma$ (*аподект, сборщик денег*).

³⁰ Zograf 1951 [А. Н. Зограф. “Античные монеты”], 41.

³¹ Karyshkovskiy 1988 [П. О. Карышковский. *Монеты Ольвии*], 27–30.

³² Bujskikh–Kutilov 2016 [А. В. Буйских, В. В. Кутилов. “Находка ранней гекты Кизика в Ольвии”, *Стародавние Причорномор’я*], 46–49.

³³ Karyshkovskiy 1960 [П. О. Карышковский. “Об обращении кизикинов в Ольвии”, *Нумизматика и эпиграфика*], 9–10.

Дополнительным подтверждением широкого распространения кизикинов являются эпиграфические источники. В Нижнем Побужье самой ранней надписью, упоминающей денежные единицы является граффито первой половины VI в. до н. э. с о. Березань, которое представляет собой список продаж некоего торговца.³⁴ Денежные единицы, упоминаемые в письме (гекта и гемигекты), вероятнее всего, являются дробными фракциями кизикского статера, который был основным межполисным платежным средством в Северном Причерноморье.

Еще одно упоминание денежных единиц имеется в ольвийском письме на свинцовой пластинке Апатурия Леонаксу конца VI в. до н.э., в котором Апатурий просит у Леонакса оказания помощи в вопросе о конфискации и сообщает сумму конфискованного товара (συλη[θὲν ὄλων ἐπτά καὶ εἴκοσιν στατέρες), которая составляет двадцать семь статов. По мнению М. Даны и П. О. Карышкоского, здесь имеется в виду кизикский статар.³⁵

Кроме того, о распространении кизикинов как межполисного платежного средства свидетельствуют надписи из других полисов Северного Причерноморья. В граффито первой половины V в. до н. э. из Фанагории купец обращается к богу с вопросом, удастся ли ему выручить за медимн пшеницы больше трех гемигект, т. е. 1,5 гекты (πράζω (?)/ μεδίμνου λ[ωίο]να τριμίε[κτον]).³⁶ В свинцовом письме из Патрея второй половины V в. до н. э., где перечисляются суммы, которые следовало взыскать с должников, στατήρ χρυσὸ и ἡμιστάτηρ χρυσὸ также являются кизикскими статами.³⁷

Таким образом, с большой долей уверенности можно утверждать, что если ЕКТАΣ в начале четвертой строки письма – это асс. plur. от слова ἔκτη, то под гектами имеются в виду именно фракции кизикского статера. Это подтверждается, во-первых, археологическими данными, свидетельствующими о распространении кизикинов как межполисного платежного средства и их уникальным положением на ольвийском внутреннем рынке³⁸ и, во-вторых, эпиграфическими памятниками.

³⁴ Vinogradov 1971a [Ю. Г. Виноградов “Новые материалы по раннегреческой экономике”], 66.

³⁵ Dana 2004, 12; Karyshkovskiy 1988, 10.

³⁶ Vinogradov 1971a, 68–69; *Pantikapej I Fanagorija* 2017 [Пантикапей и Фанагория. Две столицы Боспорского царства], 339–340 № 258.

³⁷ Zavoykina–Pavlichenko 2016, 242–245.

³⁸ Bulatovich 2016 [С. А. Булатович. “П. О. Карышковский и проблемы чеканки и обращения кизикинов”, *Стародавние Причерноморья*], 60–65.

После конечной сигмы ἔκτας мы видим *йоту*. Она видна нечетко, так что можно предположить, что это трещина или царапина, но в ее нижней части видна точка, которая могла образоваться из-за резкой остановки предмета, с помощью которого процарапывали буквы. Таким образом, вероятнее всего, здесь все-таки была прочерчена *йота*. Следовательно, представляется вероятным понимание букв, следующих за ΕΚΤΑΣ (*йоты, дельты и эпсилон*), как формы аористного императива от глагола ὀράω, то есть ἰδέ. Следующие за ἰδέ Μ и Η можно понимать как μή. Далее, четко читается ταῦτα, затем следуют *пи, омикрон, йота, эта*, верхняя часть *сигмы*. Таким образом, после ἰδέ и μή может следовать форма аористного конъюнктива от глагола ποιέω.

За imperativus praesentis activi от глагола ὀράω может следовать придаточное предложение, близкое по значению к придаточным после δέδοικα, φοβέομαι (в значении угрозы). Можно привести следующие примеры употребления таких придаточных.

1) Hdt. V, 106:

Κῶς δὲ ἄνευ τῶν σῶν βουλευμάτων τοιοῦτό τι ἐπρήχθη; ὄρα μὴ ἐξ ὑστέρης σεωυτὸν ἐν αἰτίῃ σχῆις.

Неужели это произошло без твоих советов? Смотри, как бы позже тебе не пришлось винить себя.

2) Hdt. VII, 103:

Εἰ δὲ τοιοῦτοὶ τε ἔοντες καὶ μεγάθεα τοσοῦτοι ὅσοι σύ τε καὶ οἱ παρ' ἐμὲ φοιτῶσι Ἑλλήνων ἐς λόγους, ἀρχέετε τοσοῦτο, ὄρα μὴ μάτην κόμπος ὁ λόγος οὗτος εἰρημένος ᾗ.

Если же они (лакедемоняне) по своим качествам и росту таковы, как ты и те из эллинов, которые вступают со мной в беседы, и при этом вы похваляетесь столь сильно, то смотри, как бы слова твои не оказались пустой болтовней.

3) Dem. 18, 125:

ὄρα μὴ τούτων μὲν ἐχθρὸς ᾗς, ἐμοὶ δὲ προσποιῆ.

Смотри, как бы ты (на деле) не оказался врагом им, в то время как притворяешься (врагом) мне.

4) Dem. 36, 31:

εἰ δὲ πρὸς γένους δόξαν ἀναίνει Φορμίωνα κηδεστήν, ὄρα μὴ γελοῖον ᾗ σὲ ταῦτα λέγειν...

...если же ты из-за славы своего рода отвергаешь Формиона в качестве своего отчима, смотри, как бы не оказалось смешным то, что ты это говоришь...

Подобные примеры для imperativus aoristi от ὀράω (ιδέ) найти не удалось, но можно предположить, что он использовался в том же значении, что и imperativus praesentis.³⁹ Аналогичным образом употребляется близкий по значению глагол φυλάττομαι: φυλάττου μὴ πεσῶν σαυτὸν παρακρούσει καὶ παράσχεις διαβολὴν... (Phrynich. fr. 61 K.-A.); φύλαξαι μὴ ἡμᾶς ἀποβαλῶν σαυτὸν ζημιώσῃς... (Xen. Cyr. III, 1, 30).

Стк. 5–6. В строке отчетливо видно слово οἶκος в форме асс. sing, перед которым читаются буквы ΕΣΣΙΤΟΝ, что можно разделить на слова следующим образом: ες σῖτον, где *эпсилон* и *сигма* могут являться предлогом ἐς или окончанием глагольной формы. Слово σῖτος может означать “злаки” или “пища из злаков”, а также этим словом может обозначаться любая еда в широком смысле (LSJ s. v.). Поскольку невозможно установить, какова была длина предыдущей строки, трудно сказать, что могло стоять перед этим словом и как оно связано по смыслу с контекстом письма.

Следующие три буквы ΞΥΝ могут являться либо предлогом или приставкой⁴⁰ (примеры этому можно найти в том числе и в ольвийских надписях⁴¹), либо частью слова, основа которого начинается на эти буквы, например, прилагательного ξυνός (=κοινός), что характерно для ионийского диалекта.⁴²

Текст надписи можно представить следующим образом:

[- - -χλ]ανίδ[α ? - - - -]χρήμα[τα- - -]
 ΥΣΩΙ(?) τούτωι [- - -]καὶ το[- - -]
 αὶ τῆς μητρὸς θή[κ]ην πεν[τε- - -]
 ἕκτας ἰδὲ μὴ ταῦτα ποιήσ[η]ς e.g. - - -]
 5 ΕΣΣΙ τὸν οἶκον ξυν[- - -]
 τα.

[---]плащ(?) деньги (товар)? [---] / [---] ему [---] и [---] / матери сундучок(?) [---]пять ? [---] / гект. Смотри, как бы ты не сделал это (Смотри! Не делай этого) [---]/[---]дом [---]/[---]

³⁹ В качестве одного из вариантов толкования этого места А. Л. Верлинский предложил видеть здесь два независимых высказывания ἰδέ! μὴ ταῦτα ποιήσῃς (-σατε) (Смотри(те)! Не делай(те) этого!).

⁴⁰ Bechtel 1924, 241–242; ср. также текст надгробия эллинистического времени из Теоса: ἀβράς παιδὸς ἀπορφανίσας, καὶ πατέρ' Ἀρτέμιδι ξυνομώνυμον (Demangel 1922, 344–346).

⁴¹ Ольвийский остракон с многострочным граффито V в. до н. э. Ἀριστο-/τέλης ἱέρεως / Ἐρμέω / καὶ Ἄθ<η>ναίης / ξυνὸν Ἠρογέ/νης Ἠροφά/νης (Rusyaeva 2010 [А. С. Русяева. *Граффити Ольвии Понтийской*], 118–120 № 53).

⁴² Bock 2001, 142. Ср. ольвийское посвятельное граффито на краснофигурном килике конца VI в. до н. э. Δελφινίω ξυνῆ Ἴητροῦ (IGDOP p. 115 № 65).

Таким образом, данное письмо представляет собой пример частного письма бытового характера. Если буквы ЕКТАΣ в начале четвертой строки письма были правильно определены как асс. plur. от слова ἔκτε, то ольвийское письмо 2010 г. становится еще одним эпиграфическим памятником V в. до н. э., который свидетельствует об использовании фракций кизикинов, служивших в это время “межполисной валютой” в Малой Азии и Северном Причерноморье.

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The article is devoted to the analysis of a letter on a lead tablet published for the first time by V. I. Nazarchuk (2011). The letter was found in 2010 in Olbia during the investigation of an upper rubble layer formed in the first centuries AD over a settlement dated to the Hellenistic period. Because of a lack of reliable archeological context for the site, the letter was dated on the basis of paleographic features. This article contains a table that includes paleographic data regarding the Olbian and Berezan letters and graffiti currently known. On the basis of an analysis of the script of these inscriptions, the letter can be dated to approximately the middle of the 5th century BC. Since the tablet is in poor condition and the length of the lines cannot be determined even approximately, it is only possible to restore isolated words in gaps. The tentative restoration of the text in the Ionic dialect: [- - -χλ]α νίδ[α ? - - - -]χηρήμα[τα - - -] /ΥΣΩΙ(?) τούτωι [- - -]καί το[- - -] /αι τῆς

μητρὸς θή[κ]ην πεν[τε- - -] / ἕκτας ἰδὲ μὴ ταῦτα ποιήσ[η]ς e.g. - - -] / ΕΣΣΙ τὸν οἶκον ξυν[- - -]/τα. – “[---]coat (?)money (goods)? [---] / [---]him[---] and [---] / mother’s coffer(?) [---]five ? [---] /hectes. Beware of doing it (Look! Do not do it). [---]/[---]house [---]/[---]”. Like the majority of private letters found in the northern Black Sea area, the letter treats matters of household economy. Especially noteworthy is the mention in the 4th line of the letter of monetary units (ἕκτας), viz. fractions of Cyzicines, which were widespread in the Greek colonies on the northern shore of the Black Sea. Cyzicines also served in the domestic market in Olbia, at an earlier stage of its history, as coins of large nominal value. The letter thus confirms the circulation of Cyzicene staters in Olbia in the 5th BC, corresponding to the archaeological data.

Статья посвящена восстановлению текста письма на свинцовой пластинке, впервые опубликованного В. И. Назарчуком (2011 г.). Письмо было найдено в 2010 г. в Ольвии на участке Т-3 в верхнем слое завала бута, образовавшемся над жилым домом эллинистического периода в первые века н. э. Ввиду отсутствия надежного археологического контекста места находки датировка письма осуществлялась по палеографическим критериям. В статье приводится таблица, включающая палеографические данные уже известных ольвийских и березанских писем и граффити. Анализ особенностей шрифта этих надписей дает возможность датировать памятник приблизительно серединой V в. до н. э. Поскольку пластинка имеет плохую сохранность и невозможно установить даже приблизительно длину строк, восстановлению поддаются только отдельные слова. Письмо содержит следующий текст на ионийском диалекте: [- - -χλ]ανίδ[α ? - - - -]χρήμα[τα- - -] /ΥΣΩΙ(?) τούτοι [- - -]καὶ το[- - -] /αι τῆς μητρὸς θή[κ]ην πεν[τε- - -] / ἕκτας ἰδὲ μὴ ταῦτα ποιήσ[η]ς e.g. - - -] / ΕΣΣΙ τὸν οἶκον ξυν[- - -]/τα. – “[---]плащ(?) деньги (товар)? [---] / [---] ему [---] и [---] / матери сундучок(?) [---]пять ? [---] / гект. Смотри не сделай это (Смотри! Не делай этого) [---]/[---]дом [---]/[---]”. Как и большинство частных писем, найденных в Северном Причерноморье, текст имеет хозяйственный характер. Примечательно упоминание в 4-й строке письма денежных единиц (ἕκτας), которые являлись фракциями кизикинов и имели широкое распространение в греческих колониях на северном побережье Черного моря, в том числе в Ольвии, где на раннем этапе кизикины выполняли функцию крупного монетного номинала на внутреннем рынке. Таким образом, публикуемое письмо является еще одним эпиграфическим источником, подтверждающим обращение кизикских статов в Ольвии, что согласуется и с археологическими данными.

STUDENTS' SUICIDE IN PTOLEMAIC ALEXANDRIA?

The sketchy and largely hearsay evidence for the suicide allegedly committed by the listeners of the Cyrenaic Hegesias, who is commonly believed to have taught his pessimistic ethics in Alexandria around the first decade of the 3rd century BC,¹ comes down to us from three sources. These, in chronological order, are Cicero *Tusc.* 1. 83, Valerius Maximus 8. 9 (ext.) 3 and Plutarch *De amore proliis* 497 D 5. The vulgate version of the story runs as follows: Hegesias showed life to be unbearably awful, and communicated his doctrine in so convincing a manner that some of his students later killed themselves; consequently, King Ptolemy (Soter) prohibited him from delivering these deadly lectures. This anecdote is supposedly confirmed by the nickname of Hegesias cited by Diogenes Laertius (2. 86) and in the *Suda* (α 3908, cf. π 1471) – Πεισιθάνατος, the “Death-Persuader”.² Of the above mentioned three testimonies two are probably derivative: Kurt Lampe, the current authority on the Cyrenaics, considers Plutarch to have borrowed immediately from Cicero, and forgets to mention Valerius Maximus altogether.³ Yet, even if the account of Valerius is of no independent value, the way he and Plutarch deal with their source helps to gain understanding of how the students’ suicide story actually came about. This curious anecdote, as the present study aims to prove, rests entirely on a misinterpretation of the crucial passage, that of Cicero, a closer look at which would reveal quite other, much less romantic story on the ground.

As is well known, in the opening sections of the *Tusculanes* it is argued that death is by no means an evil. Since soul is immortal, in losing life one will lose nothing worth keeping, but escape troubles that make our earthly existence virtually intolerable, 1. 83: *a malis igitur mors abducit, non a bonis, verum si quaerimus*. Next comes the locus in question:

¹ Murray 1893, 27; Pauen 1997, 34; Matson 1998, 553 *et al.*

² Murray 1893, 27.

³ Lampe 2015, 21; 125–127. Murray (1893, 25) mentions Valerius, but forgets Plutarch.

Et quidem hoc a Cyrenaico Hegesia sic copiose disputatur, ut is a rege Ptolemaeo prohibitus esse dicatur illa in scholis dicere, quod multi in auditis mortem sibi consciscerent.

The text quoted here and further on is that of the scrupulous 1905 edition by Th. W. Dougan.⁴ The MSS identified by him as the best have the mistaken *quo* instead of *quod* which might be thought-provoking⁵ if indeed not a result of haplography in the majuscule or a misunderstood abbreviation – to this we will shortly return.

The translation by A. E. Douglas renders the phrase thus: “Indeed the Cyrenaic Hegesias argued for this so eloquently that it is alleged he was forbidden by King Ptolemy to make those statements in his classes because many on hearing them committed suicide”.⁶ Wallace M. Matson, whose paper concentrates on Hegesias’s teaching, cites this rendering as perfectly reliable.⁷ Apparently, it makes of the suicide story a historically attested event. Yet readers may notice a deviation from Latin in the main clause: Douglas translates *disputatur* with the past tense “argued”. This seemingly trifling inaccuracy creates a false impression that Cicero means something that really took place in Egypt.⁸ But in fact, the present is quite coherent, for it is not with Hegesias’s lectures but his writings that the narration here is concerned. *Copiose* normally characterizes an exposition rich in arguments and examples (*ex. gr. Verr. 2. 3. 155; De or. 1. 48. 3*), and *copiose disputatur* must refer to the reasoning set out in some essay of Hegesias. Dougan comments on the text in just this way,⁹ whereas

⁴ Dougan 1905, 106.

⁵ Some earlier editors tried to defend it: see Kühner 1853, 139 *in app. cr.*

⁶ Douglas 1985, 65.

⁷ Matson 1998, 553. For the paraphrase of J. Clark Murray, whose essay is, to my knowledge, the only one before Matson’s dealing with this subject, see the next note.

⁸ The same mistake is made by Giannantoni (1958, 446 [F 3]: “questo concetto fu messo in discussione così ampiamente da Egesia Cirenaico che, si dice, il re Tolomeo gli vietò di insegnare quelle idee nelle scuole, poiché molti, uditele, si davano spontaneamente la morte”) and Gasparov 1975 [Марк Туллий Цицерон. *Избранные сочинения*. Пер. М. Л. Гаспарова], 235: “Недаром киренаик Гегесий рассуждал об этом так пространно, что царь Птолемей, говорят, запретил ему выступать на эту тему, потому что многие, послушавши его, кончали жизнь самоубийством”). Cf. Murray 1893, 27: “To this fact [i. e. that Hegesias was the author of Ἀποκατεργῶν] Cicero adds a second bit of information, that in his lectures in the schools of Alexandria this theme was treated by Hegesias with so much eloquence that he was said to have induced many of his hearers to commit suicide, and to have been therefore prohibited from lecturing on the subject by the Ptolemy of his day”.

⁹ Dougan 1905, 46 (n. 3), providing a valuable refinement: “the present is correct where the writings quoted are extant at the time when the quotation is made”.

Lampe's fairly literal translation combines a writer with a lecturer: "This is so abundantly argued by the Cyrenaic Hegesias, that he is said to have been prohibited by Ptolemy from giving this lecture in the schools, because many people were killing themselves after hearing it".¹⁰ Instead of ruling out the problem this version makes it salient. Where and when did the fatal lectures take place? How do they correspond to the book?

To this book of Hegesias Cicero returns having reported about a certain Cleombrotus of Ambracia, who "though suffering no molestation was so impressed by reading Plato's book,¹¹ that he threw himself from the wall into the sea". This, however, is told not as a bare historical fact but in paraphrasing a famous poem of Callimachus, 1. 84: *Callimachi quidem epigramma in Ambraciotam Cleombrotum est, quem ait, cum ei nihil accidisset adversi, e muro se in mare abiecisse lecto Platonis libro*. Apparently, we are dwelling in the world of books. Cicero casts an eye on the shelves of his Tusculan library reflecting on the power of persuasion possessed by the written word. All the more clear is the fact that *disputatur* is applied to someone who teaches – or should we say 'taught'? – philosophy not in school (as for instance in *Off.* 2, 87: *ab ullis philosophis ulla in schola disputatur*, or in *Fin.* 5. 18: *me in Academia tamquam philosophum disputaturum*), but in his book (as in *Lucull.* 7. 1–3: *sunt etiam, qui negent in iis qui in nostris libris disputent fuisse earum rerum, de quibus disputatur scientiam*).

What follows after the Callimachean example, is a brief survey of Hegesias' treatise, 1. 84. 3–7:

Eius autem, quem dixi, Hegesiae liber est Ἀποκατερῶν, quo a vita quidam per inediam discedens revocatur ab amicis; quibus respondens vitae humanae enumerat incommoda.

In Lampe's translation: "This Hegesias whom I mentioned has a book called *The Man Starving Himself to Death* in which a man who is departing from life by fasting is recalled by his friends. In response he enumerates the discomforts of human life". The standard 1918

¹⁰ Lampe 2015, 125.

¹¹ Viz. the *Phaedo*; cf. Call. *Ep.* 23 Pfeiffer (*AP* 7. 31): Εἴπας “Ἦλιε χαῖρε” Κλεόμβροτος ὠμβρακιώτης / ἤλατ' ἄφ' ὑψηλοῦ τειχεος εἰς Ἀἴδην, / ἄξιον οὐδὲν ἰδὼν θανάτου κακόν, ἀλλὰ Πλάτωνος / ἐν τῷ περὶ ψυχῆς γράμμ' ἀναλεξόμενος. Some good MSS (and editions) of the *Tusculanes* have *Theombrotum* which might even be authentic and thus a citation mistake rather than originally Callimachean. This Cleombrotus is possibly the one mentioned in *Phaedo* (59 c 3) among those who were absent.

Teubner-edition by Max Pohlenz differs from this in that it prints *quidem* instead of *quidam*. This seems to be an unconscious emendation or a simple pen slip of Pohlenz, since any remark concerning *quidem* in the apparatus is lacking and the editors are completely unaware of this alternative.¹² To be sure, even if *quidem* was intended as a conjecture,¹³ it is hardly acceptable, because Ἀποκαρτερῶν, to my opinion, presupposes an undefined speaker. But, erroneous as it may be, the particle hints at the correct understanding of the above-cited review: it would make Hegesias himself the protagonist of his book, which almost certainly was in a dialogue form with the *amici* also speaking. The author as a persona would by no means be an exception: it is the case with Cicero as probably was with Aristotle. And though the ‘Self-Starver’ remained, in fact, anonymous (*quidam*), the impression of an author speaking was no less unavoidable. The way Cicero concludes his excursion leaves no doubt that he perceived it likewise, 1. 84. 7–10: *Possem idem facere, etsi minus quam ille, qui omnino vivere expedire nemini putat* (“I could do the same, although less than he, who believes that living is advantageous to absolutely no one”). Obviously, *ille* is Hegesias, which means that he was thought to be the one behind *quidam* and Ἀποκαρτερῶν.

The author, who spoke in the person of a suicide starver trying to prove that the escape from the misery of life is to be found in death, was likely to gain notoriety among the reading public, and the Alexandrians were well known for their bent for contriving learned anecdotes. Both Matson and Lampe rightly notice that Cicero tells the story not on his own behalf, but prudently enough refers to the rumors (*dicatur*).¹⁴ Still, no interpreter elaborates on what exactly these rumors are. Previous to the causal clause (*quod multi is auditis sibi mortem consciscerent*) it is retold that Ptolemy prohibited Hegesias to deliver lectures on the matter he so eloquently discusses (*sic copiose disputatur, ut is a rege Ptolemaeo prohibitus esse dicatur illa in scholis dicere*). The “abundance”, may it be repeated, refers to the book, and it is perfectly understandable that

¹² In his earlier commentary based on the school edition by Otto Heine (Pohlenz 1912) the text is rendered with *quidam*.

¹³ The lost hyparchetype (*X* in the sigla of Polenz) probably had *qdm*, which could stand for both a pronoun and a particle. The abbreviations of this kind are more than frequent throughout (Dougan notices most of them); *quo* in the immediate vicinity of *quidam* was contracted in the like way, some scribes understood it as *quod* (providing explanation for Ἀποκαρτερῶν), and Kühner kept this as *lectio difficilior*, while Bentley conjectured *in quo* (for the polemic see Kühner 1853, 139). The same case has been pointed out above.

¹⁴ Lampe 2015, 128; Matson 1998, 553; cf. Murray 1893, 27.

Cicero exhibits caution in reporting how an Alexandrian king reacted to a literary opus. His reason is given in the *quod*-sentence. Normally *quod* as adverbial subordinator expressing the cause needs no subjunctive. The subjunctive appears if there is an expression of opinion.¹⁵ The point at issue with this particular *quod* is that it falls within a reported speech where every statement is a priori subjective. To recount an event that has actually taken place indicative can certainly be used,¹⁶ but Cicero could have hardly put *consciverunt* instead of *consciscerent* or even *quoniam* instead of *quod* without thus pledging for the truth of the anecdote, whatever the exact reason for Ptolemy's verdict. But though subjunctive is not particularly instructive here, I still think that the reader should perceive the *quod*-clause as Ptolemy's assumption. (The same implication might have been intended by the clumsy *quo*.) Parallels are pretty difficult to find, but Sen. *Helv.* 9. 6 is much the same case: *Brutus ait C. Caesarem Mytilenas praetervectum, quia non sustineret videre deformatum virum*. Here, the *quia*-clause with subjunctive being part of Brutus' narration expresses not the narrator's view on things but most probably Caesar's own motivation for not visiting the exiled Marcellus. Seneca rephrases it shortly after speaking as if on his own authority, 9. 6–7: *illum exulem Brutus relinquere non potuit, Caesar videre; Brutus sine Marcello reverti se doluit, Caesar erubuit*. What seems to be decisive is that the text before *quod* gives no reason to believe that Hegesias has already practised as a lecturer. All we read about is that he has ingeniously put his theory on paper. Ptolemy is apprehensive that Hegesias's listeners might fall under the spell of his persuasive pessimism.¹⁷

That said, the text in question no longer remains evidence for the students' suicide. The story tells of how the king concerned about his subjects prohibited teaching what he had read in or heard about "The Self-Starver". This becomes more obvious after we examine how the legend was born. In this Valerius Maximus and Plutarch prove helpful. Their messages are much more affirmative. Valerius, who is closer to Cicero, puts it in the following way:

¹⁵ Ghiselli 1953, 231; Fugier 1989, 98. Both authors cite sets of examples.

¹⁶ Menge–Burkard–Schauer 2005, 659. *Quoniam* is more affirmative and unlike *quod* easily takes the indicative in indirect speech. Hereto see also Baños 2011, 222.

¹⁷ Olof Gigon seems to have put this sense in his translation, where the Latin subjunctive is literally rendered by the German: "weil viele, nachdem sie ihn gehört hatten, sich den Tod gegeben hätten" (Gigon 1992, 79). *Impf. consciscerent* stands for potentiality in the past. Note that *plqmpf. coni. of conscisco* is extremely rare and not to be found in Cicero. The same is true of *consciverunt*. Something like *quod multos is auditis mortem sibi consciscere posse putaret* would certainly be too heavy an ending for this already overloaded phrase.

Quantum eloquentia valuisse Hegesian Cyrenaicum philosophum arbitramur? qui sic mala vitae repraesentabat, ut eorum miseranda imagine audientium pectoribus inserta multis voluntariae mortis oppetendae cupiditatem ingeneraret: ideoque a rege Ptolomaeo ulterius hac de re disserere prohibitus est.

What power must we think the Cyrenaic philosopher Hegesias exercised through his eloquence? He displayed the troubles of life in such a way that having engraved their miserable image in the hearts of his listeners he filled many of them with the desire to take voluntary death, and thus king Ptolemy forbade him to talk on this subject further.

It can hardly be doubted that the story is drawn from Cicero: structure, rhythm and even vocabulary (*mala vitae; audientes; prohibitus*) reveal similarities that make the source recognizable. But the intention of Valerius is different. He needs an example of real persuasion working on real people to put it in line with Caesar, Peisistratus and Pericles (8. 9. 2 and ext. 1–2). Bookish eloquence does not suit him. Consequently, the Ciceronian pattern undergoes a certain transformation. *Eloquentia* and *repraesentabat* do not presume oral delivery and *audientium* can be said of readers. The concluding *disserere* is more definitive, since it seldom signifies written speech (cf. *De or.* 3. 128: *de natura rerum et disseruit et scripsit*). Taken separately, every component still allows Hegesias to be thought of as an eloquent writer. But put together they create a different image, namely that of an eloquent lecturer. The book of Hegesias, central in Cicero, is passed over in silence. Two elements are crucial for the birth of the suicide legend: (1) the imperfect *repraesentabat*, which has, just as in the above-cited translation by Douglas, replaced the present *disputatur* of the original text, implies that Hegesias had been lecturing over some time before Ptolemy interdicted it, and (2) *ulterius* going together with *disserere* explicitly confirms this.¹⁸ This implication is lacking in Cicero.

Unlike Valerius, who ignores Ἀποκαρτερῶν, Plutarch seems to have centered on it. As one might have expected, it is the Greek word that grabs the attention of a Greek author in Cicero's report most. The historicity of the suicide story in Plutarch's rendering is indisputable. It is mentioned along with the terrible examples of people harming themselves contrary to human nature (as Oedipus who blinded himself: 497 D 2–4). The message is markedly short:

¹⁸ Cf. Walker 2004, 290: "for this reason King Ptolemy prevented him to give any more lectures on this topic".

Ἡγησίας <δὲ> διαλεγόμενος πολλοὺς ἔπεισεν ἀποκατερῆσαι τῶν ἀκρωμένων.

Hegesias, as he spoke, persuaded many of his listeners to starve themselves to death.

Lampe noticed that Plutarch describes the manner of suicide that coincides with the title of Hegesias's book in Cicero. In view of the expressive evidence his conclusion is too general: "The literary fiction has given birth to a biographical fiction".¹⁹ But it is quite obvious that Plutarch knows nothing about the book of Hegesias except for its title which he learned from Cicero (cf. 497 D 1: πολλοὶ σφάπτουσιν ἑαυτοὺς καὶ κατακρημνίζουσιν: "throwing off the rock" reminds immediately at Cleombrotus the Ambracian). What suited his subject best was the "self-starving", so from the native word he came across in his source a pretty weird image has emerged: even if a real suicide was meant, it would be strange to think that all the victims of Hegesias' rhetoric have chosen this uncomfortable way of ending their lives.²⁰ The intermediate source is also worth considering, since it was Valerius Maximus who actually contrived the suicide story. Plutarch used the whole of biographical literature, Greek and Roman, and could have hardly overlooked a book as widely read as *Facta et dicta memorabilia*. One telling detail suggests his acquaintance with Valerius' report: τῶν ἀκρωμένων literally renders *audientium* which in turn goes back to *is auditis* in Cicero's text. (Could it be that the present participle διαλεγόμενος which risks creating an absurd impression of simultaneity echoes *disputatur*?)

To sum up, both derivative testimonies give a certain idea of how the students' suicide tale could have been read out of Cicero. The philosopher who propagates death might be nicknamed Πεισιθάνατος irrespective of the form of delivery. According to the core text Hegesias certainly did it in written form, and we have enough reasons not to believe that Cicero tells anything about his actual lecturing in Alexandria. Whether or not the story Cicero recalls has any historic background,²¹ it is about how

¹⁹ Lampe 2015, 128.

²⁰ What could make people imitate this particular manner of death, was the *reading* of Ἀποκατερωῶν: see n. 22.

²¹ In his note on Hegesias in the *RE* Wilhelm Weinberger goes as far as to suppose that Hegesias was banished from Alexandria (Weinberger 1912, 2607). In any case Hegesias was himself not prone to practise what he wrote about. Cf. Diog. Laert. 6, 48: Ἡγησίου παρακαλοῦντος χρῆσαι τι αὐτῷ [*sc.* Διογένει] τῶν συγγραμμάτων, "μάταιος", ἔφη, "τυγχάνεις, ὦ Ἡγησία, ὃς ἰσχάδας μὲν γραπτὰς οὐχ αἰρή, ἀλλὰ τὰς ἀληθινὰς: ἄσκησιν δὲ παριδὼν τὴν ἀληθινὴν ἐπὶ τὴν γεγραμμένην ὀρμάς".

the king prohibited the dangerous theories from reaching the students audience. He would perhaps have banned Hegesias's book as well, had he known that copycat suicides could actually be induced by reading.²²

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- K. Lampe, *The Birth of Hedonism: The Cyrenaic Philosophers and Pleasure as a Way of Life* (Princeton 2015).

A philosopher, who comes to Diogenes asking him “to lend him one of his books” and is rebuked as someone who “passes over the true training and would apply himself to written rules”, must be thought of primarily as a restrained man of letters rather than a charismatic teacher of many, and contrary to Lampe (2015, 21) οἱ Ἡγησιακοὶ in Diog. Laert 2. 86 and 2. 93 do not imply “a group of students”, no more than the “Marxists” mean the students of Marx.

²² The “Werther effect” supposedly due to the “influence of suggestion of suicide”: Philips 1974, 240. Goethe's *Die Leiden des jungen Werthers* caused many imitative suicides and was banned by some local authorities.

- W. I. Matson, "Hegesias the Death-Persuader; or, the Gloominess of Hedonism", *Philosophy* 73 (1998) 553–557.
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The romantic story of the forceful lectures of the Cyrenaic Hegesias held responsible for suicides among his audience in Alexandria and consequently weaned off lecturing by Ptolemy Soter, although well-rooted both in derivative tradition, translation and commentary, hangs on a single *locus* in Cicero's *Tusc.* 1. 83 and appears to have been spun out of thin air. This piece aims at unwinding this story all the way through the fully derivative testimonies of Valerius Maximus and Plutarch, both serving their own ends, down to its source text which plainly is not about lecturing, but the power of the written word, to which Cicero, while disclaiming responsibility for the evidence, drew concern Ptolemy voiced about the potentially harmful theory.

История о самоубийстве, которое якобы совершили слушатели киренаика Гегесия, передана тремя авторами – Цицероном, Валерием Максимом и Плутархом. По общепринятой версии анекдот сводится к следующему: Гегесий будто бы доказывал, что жизнь нестерпима, причем у него выходило настолько убедительно, что некоторые из слушавших покончили с собой; в результате царь Птолемей запретил философу учить. В новейшей монографии о киренаиках К. Лампе сообщение Плутарха возводится к Цицерону, тогда как Валерий Максим оказывается и вовсе забытым. Между тем, оба производных свидетельства ценны для осмысления источника. Ключевое место (*Tusc.* 1, 83: hoc a Cyrenaico Hegesia sic copiose disputatur, ut is a rege Ptolemaeo prohibitus esse dicatur illa in scholis dicere, quod multi is auditis mortem sibi consciscerent) претерпевает одинаковое искажение в парафразе Валерия Максима (8, 9 [ext.], 3) и в ряде переводов на новые языки: *disputatur* передают прошедшим ("repraesentabat", "argued", "рассуждал", "fu messo in discussione", "was treated"), что создает ложное впечатление, будто автор "Тускуланских

бесед” повествует о событиях, некогда произошедших в Александрии. На деле речь о книге Гегесия, которую Цицерон реферирует ниже после пересказа эпиграммы Каллимаха на смерть Теомброта Амбракийского (1, 84). Валерий включает случай Гегесия в ряд исторических примеров, свидетельствующих о силе красноречия; книжная риторика ему не годилась. Комбинируя оба римских источника, Плутарх, в свою очередь, привлекает историю о самоубийстве в качестве иллюстрации противоестественной способности людей калечить и убивать себя (*De amore proliis* 497 D 2–5). Вычитанное у Цицерона заглавие книги Гегесия – Ἰστορικὸν – превращается в анекдот о том, как ученики Гегесия уморили себя голодом. Производные свидетельства ясно обнаруживают, как легенду вычитали из текста Цицерона. Если *disputatur* подразумевает не устные лекции, а книгу, значит, лекции упоминаются только один раз – в придаточном причини *quod multi is auditis mortem sibi consciscerent*. Хотя вся история передана с чужих слов, описывается, думаем, не историческое событие, а суждение Птолемея (для сравнения годится *Sen. Dial.* 12, 9, 6, где в чужой рассказ вплетена высказанная Цезарем мотивировка): прочтя книгу, или узнав о ее содержании, царь запретил философу доказывать высказанные положения перед слушателями, опасаясь, что, подпав чарам убеждения, те могут совершить непоправимое.

PROVOCATIO GEGEN DAS URTEIL DER DUUMVIRI PERDUELLIONIS*

Auf Cic. *Leg.* III, 6¹ basiert Th. Mommsens Provokationstheorie:² Jede magistratische Todes- und Körperstrafe sowie große Geldstrafe wurde erst nach der Bestätigung im Volksgericht vollstreckbar, welches durch die Provokation des Verurteilten in Gang gesetzt wurde. Kraft des Volksurteils wurde die Strafe entweder bestätigt oder kassiert, aber nie abgeändert. Die Provokation an das Volk war ein untrennbarer Teil solch eines magistratisch-komitialem Prozesses.

Diese Theorie lässt sich schwerlich durch konkrete Belege nachweisen: Kurz gesagt, ist die Provokation nicht gegen das magistratische Urteil, sondern *nur* gegen nicht gerichtliche, sog. “koerzitive” Maßnahmen überliefert.³

Es gibt jedoch eine wichtige Ausnahme: Gut bezeugt ist Provokation gegen das Todesurteil der *duumviri perduellionis* (Liv. I, 26, 5–14; Fest. p. 390 L.; Suet. *Caes.* 12; Dio Cass. XXXVII, 25, 4–28, 4), die zu Mommsens Theorie genau passt. J. Bleicken schlägt aber eine neue Interpretation von Cic. *Rab. perd.* 12 vor und folgert daraus, dass das Duoviralverfahren zu allen Provokationsgesetzen in krassem Wider-

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¹ *Magistratus nec oboedientem et noxium civem multa vinclis verberibusque coerceto, ni par maiore potestas populusve prohibessit, ad quos provocatio esto. Cum magistratus iudicassit inrogassitve, per populum multae ponaeve certatio esto.* Zitiert nach: Powell 2006.

² Mommsen 1899, 38 Anm. 1; 167 f.; 473–477; 1887a, 136–169. Klare und hilfreiche Darstellung seiner Theorie und späterer Kritik s.: Kunkel 1962, 9–11; 18–45.

³ Bleicken 1959, 329–345.

spruch stehe; d.h. dieses Verfahren lasse keine Provokation zu und die angeführten Zeugnisse von Livius und anderen Berichterstattern seien unglaubwürdig.⁴

Als Ergebnis sieht Bleicken in der Provokation ein rein politisches Schutzmittel gegen ein ohne Gericht verhängtes Urteil des Magistrats (das sog. koerzitive Urteil). Dieses Schutzmittel stamme aus den Ständekämpfen und sei bis zum ersten Provokationsgesetz rechtlich unerheblich, aber doch wirksam als Demonstration des Willens aller Plebejer.⁵ A. Lintott hat diese Ansicht noch weiter entwickelt: Die Provokation sei ein gesetzlich nicht definierter Versuch, die Hilfe bei den Mitbürgern zu suchen. Sie sei mindestens in Theorie gegen beliebige Strafen zulässig, egal, ob es um ein gerichtliches Urteil geht oder nicht. Das Recht auf Provokation sei für manche Fälle gesetzlich anerkannt, und in den übrigen Fällen sei sie nicht unmöglich: Ihr Erfolg hänge nur von Hilfsbereitschaft der Mitbürger ab.⁶

Für die Wahl zwischen diesen drei Möglichkeiten sind die Zeugnisse über die Provokation gegen die *duumviri perduellionis* besonders wichtig. Die Bleickensche Kritik dieser Berichte erweckt in folgender Hinsicht Zweifel:

1) Bleicken erklärt nicht, noch stellt er die Frage, wie die Provokation in die Überlieferung über die *duumviri* eingedrungen ist;

2) das Hauptargument der Kritik, *Rab. perd.* 12, lässt sich anders interpretieren, als Bleicken es will; dann gibt es keinen Grund, die Erwähnungen der Provokation abzulehnen.

Das Ziel unseres Beitrags ist es, die Zuverlässigkeit der überlieferten Zeugnisse für die Provokation gegen das Urteil der *duumviri*, v.A., Ciceros *Rab. perd.*, wieder zu beurteilen, ohne dabei die Frage nach dem Wesen der Provokation zu behandeln. Wir hoffen aber, dass die Ergebnisse unserer Forschung auch zur künftigen Lösung dieser Frage beitragen werden.

1. Die Berichte über den Duoviralprozess

Es sind 3 Prozesse vor *duumviri* belegt: die sagenhafte Anklage Horatius' wegen Schwesternmordes in der Zeit der Regierung von Tullus Hostilius (Liv. I, 26, 5–14; Fest. p. 390 L.; Cic. *Mil.* 7; Val. Max. VIII, 1, abs. 1); ein Hinweis auf eine Version des Todes von M. Manlius Capitolinus

⁴ Bleicken 1959b, 333–337. Vgl. id. 1955, 115 Anm. 2.

⁵ Bleicken 1959b, 347–363; v.A., 348–350.

⁶ Lintott 1972.

(Liv. VI, 20), der jedoch wegen seiner Knappheit nutzlos ist; zum Schluss ist ein von T. Labienus angestrebter Prozess gegen G. Rabirius im J. 63 v.Chr. (Cic. *Rab. perd.*; cf. *In Pis.* 4; Suet. *Caes.* 12; Dio Cass. XXXVII, 25, 4–28, 4)⁷ gut überliefert, u.A. ist eine Primärquelle teilweise erhalten geblieben. Dieser Prozess spielt, folglich, die erste Rolle; aber Widersprüche zwischen den Quellen über ihn erschweren die Untersuchung.

Nur Dio berichtet die ganze Geschichte der Verfolgung. Beide, er (*ibid.* 25, 4 – 26, 3) und Cicero (*Rab. perd.* 2–5; 18), nennen den Mord des Saturninus als Vorwand für die Anklage, welche in Wirklichkeit dafür nötig sei, zu zeigen, dass man wegen einer Tat aufgrund des *senatus consultum ultimum* sogar viele Jahre später verurteilt werden könne. So würde das Recht des Senats auf *SCU* in Frage gestellt. Über die Erfüllung dieses Planes berichtet Dio das Folgende:

XXXVII, 27, 1. σπουδαί τε οὖν ταραχώδεις καὶ φιλονεικίαι ἀφ' ἐκατέρων περὶ τε τοῦ δικαστηρίου, τῶν μὲν ὕπως μὴ συναχθῆ, τῶν δὲ ἴνα καθιζήσῃ δικαιούντων, καὶ ἐπειδὴ τοῦτο διὰ τε τὸν Καίσαρα καὶ δι' ἄλλους τινὰς ἐνίκησε, περὶ γε τῆς κρίσεως ἀθις συνέβησαν. **2.** καὶ ἦν γὰρ αὐτὸς ἐκεῖνος καὶ μετὰ τοῦ Καίσαρος τοῦ Λουκίου δικάζων (οὐ γὰρ ἀπλῶς, ἀλλὰ τὸ δὴ λεγόμενον περδουελλίωνος ὁ Ῥαβίριος ἐκρίθη), κατεψηφίσαντο αὐτοῦ, καίτοι μὴ πρὸς τοῦ δήμου κατὰ τὰ πάτρια, ἀλλὰ πρὸς αὐτοῦ τοῦ στρατηγοῦ οὐκ ἐξὸν αἰρεθέντες. **3.** καὶ ἐφῆκε μὲν ὁ Ῥαβίριος, πάντως δ' ἂν καὶ παρὰ τῷ δήμῳ ἐάλω, εἰ μὴ ὁ Μέτελλος ὁ Κέλερ οἰωνιστὴς τε ὢν καὶ στρατηγῶν ἐνεπόδισεν· ἐπειδὴ γὰρ οὔτε ἄλλως ἐπείθοντό οἱ, οὔθ' ὅτι παρὰ τὰ νενομισμένα ἡ κρίσις ἐγεγόνει ἐνεθυμοῦντο, ἀνέδραμεν ἐς τὸ Ἰανίκουλον πρὶν καὶ ὀτιοῦν σφας ψηφίσασθαι, καὶ τὸ σημεῖον τὸ στρατιωτικὸν κατέσπασεν, ὥστε μηδὲν ἔτ' αὐτοῖς ἐξεῖναι διαγῶναι.

28, 4. οὕτω μὲν δὴ τότε ἦ τε ἐκκλησία καθαιρεθέντος τοῦ σημείου διελύθη καὶ ὁ Ῥαβίριος ἐσώθη· ἐξῆν μὲν γὰρ τῷ Λαβιήνῳ καὶ ἀθις δικάσασθαι, οὐ μὲντοι καὶ ἐποίησεν αὐτό.⁸

27, 1. Von beiden Seiten waren es mit Unruhen drohende Bemühungen sowie Wettstreite und wegen des Gerichtes: Die einen hielten es für berechtigt, es nicht zu versammeln, die anderen – es tagen zu lassen; und – als die letztere Meinung dank Cäsar und einigen anderen sich

⁷ Weitere Quellen s. Marek 1983, 57 f. Alle Zitate aus *Rab. perd.* werden nach dieser Ausgabe gegeben.

⁸ Zitiert nach Marek 1983, 57.

durchgesetzt hatte, – auch wegen der Verurteilung. **2.** Und (er war ja selbst der Richter, zusammen mit L. Cäsar; Rabirius wurde ja nicht bei gewöhnlichem Gericht, sondern bei dem sog. Gericht *perduellionis* verklagt) sie haben ihn verurteilt, obwohl sie nicht nach väterlichem Herkommen vom Volk, sondern vom Prätor selbst rechtswidrig gewählt waren. **3.** Und Rabirius, obwohl er provozierte, wäre auf jeden Fall auch vom Volk verurteilt worden, wenn Metellus Celer (der damals Augur und Prätor war) es nicht verhindert hätte. Als sie weder in anderen Hinsichten auf ihn hörten, noch in Betracht nahmen, dass das Gericht gegen den Brauch stattgefunden hatte, lief er auf Janiculum hinauf, bevor sie für irgendetwas abstimmten, und holte die Militärfahne ein, sodass sie nichts mehr beschließen konnten.

28, 4. So war nach der Einholung der Fahne die Volksversammlung aufgelöst und Rabirius gerettet. Denn Labienus durfte auch zum zweiten Mal einen Prozess anstrengen, aber er tat das nicht.

Die erhaltenen Fragmente der Ciceronischen Verteidigungsrede erwähnen nur spärliche Details des Verfahrens, dem, wahrscheinlich, die nicht erhaltene Rede Hortensius' gewidmet war, der vor Cicero sprach (*Rab. perd.* 18).⁹ Dio sagt kein Wort über die Teilnahme von beiden Rednern.

Bis auf 1820 glaubte man, Cicero habe seine Rede vor Zenturiatkomitien gehalten, die wegen der Provokation von Rabirius berufen waren.¹⁰ 1820 hat B. G. Niebuhr¹¹ die von Cicero erwähnten Details zusammengefasst, die dem Bericht Dios widersprechen: *multae inrogatio* (*Rab. perd.* 8) zähle die Straftaten von Rabirius auf, von denen keine mit Perduellion verbunden ist; die Klage von Labienus, dass Cicero die über Rabirius verhängte Todesstrafe aufgehoben hätte (*ibid.* 10); im überlieferten Text der Rede geht es um die Rabirius drohende Verbannung (*ibid.* 36 f.), nicht, wie im Falle des Duoviralverfahrens, um ein Todesurteil.

Rabirius hat seinen Neffen testamentarisch adoptiert und ihm sein Vermögen vererbt. Demzufolge liegt es nahe, dass er freigesprochen

⁹ Nach Tyrrell 1978, 104 soll Hortensius nicht in derselben, sondern in der vorangegangenen *contio* gesprochen haben.

¹⁰ Greenidge 1901, 354–359 schließt sich dieser Meinung an, die kaum anzunehmen ist, wenn man seine Interpretation von *De domo* 45 ablehnt (s. u. Anm. 44); vgl. u. Anm. 54. Auch Lintott 1972, 261 f., *cf.* 236 Anm. 52. scheint diese Rekonstruktion anzunehmen; leider bringt er keine Argumente vor.

¹¹ Niebuhr 1820, 69 f.

wurde.¹² Aufgrund der von Niebuhr bemerkten Unterschiede zwischen der *Rab. perd.* und dem Bericht von Dio sind aber vielfältigste Rekonstruktionen der Rabiriusaffäre möglich, von denen die meisten einem der folgenden zwei Schemata entsprechen:¹³

1) Die Rede Ciceros wurde im von Labienus nach der Einholung der Fahne angestregten Multprozess gehalten. Der Multprozess wird von Dio, die Einholung der Fahne von Cicero verschwiegen. Hier werden alle Punkte von Dios Bericht angenommen, außer einem: dass Labienus auf weitere Versuche der Verfolgung verzichtete. Diese Hypothese hat Niebuhr vorgeschlagen.¹⁴ Ihre Schwäche liegt in der Tatsache, dass Cicero nicht nur über die Tat von Celer schweigt, sondern seinen Verdienst, das Duoviralurteil aufgelöst zu haben, sich selbst zuschreibt (*Rab. perd.* 10–17).

2) Dio verschweigt die Annullierung des Duoviralurteils von Cicero. Celer hat nicht das Duoviralverfahren, sondern den darauf folgenden tribunizischen Perduellionsprozess vereitelt (in diesem Prozess lautete das Urteil entweder auf Todesstrafe oder auf Geldstrafe mitsamt Todesstrafe, würde aber in beiden Fällen Exil verursachen). In diesem zweiten Prozess war Labienus der Ankläger, und Cicero hat seine Verteidigungsrede kurz vor Einholung der Fahne gehalten. Cicero hat das Duoviralurteil annulliert, folglich hat kein Provokationsverfahren stattgefunden: Entweder war die Provokation im Duoviralverfahren überhaupt nicht zulässig, oder Cicero griff früher ein, als dass sich das Volk wegen einer Provokation versammelte. D.h., Dio hat die Tatsachen völlig verdreht, aber richtig darauf hingewiesen, dass Labienus nach dem Eingriff von Celer die Verfolgung nicht wiederaufgenommen hatte.

Diese Meinung beruht auf Schwierigkeiten, die von Niebuhrs Theorie nicht gelöst werden. Dio sagt ausdrücklich, Labienus habe die

¹² Vonder Mühl 1914, 25; Tyrrell 1978, 135.

¹³ Ausführlicher bei Tyrrell 1978, 37–42. Eine reichhaltige Bibliografie bietet Tyrrell 1978, 136–143; es sind Primmer 1985a u. 1985b hinzuzufügen. Wir hatten keine Möglichkeit, die ganze unüberschaubare Literatur zum Thema kennenzulernen, aber hoffentlich haben wir alle Hauptargumente berücksichtigt. Manche Probleme mussten wir beiseite lassen: *Rab. perd.* wurde vor der Veröffentlichung überarbeitet, aber von dieser Seite erregten nur die Stellen Verdacht, die für uns nicht in Betracht kommen (s. Primmer 1985b, 50–59); es wurde diskutiert, wem zugunsten Celer handelte und ob es in der Tat Pompeius war, der Rabirius anklagen ließ (dagegen s. Primmer 1985b, 29–35; Tyrrell 1978, 44–46; Gelzer 1939, 870 f.).

¹⁴ Niebuhr 1820, 69 f.; mit einigen Berichtigungen angenommen auch von Mommsen (1887b, 298 Anm. 3; 613–618). Dieser Meinung folgen: M. Gelzer (1919, 526–527; 1939, 870–872; ein wenig verändert: 1969, 76–79); seine Argumentation wurde weiter entwickelt von A. Primmer (1985a; 1985b). An den angeführten Stellen ist sachliche Kritik der Einwände gegen diese Hypothese zu finden.

Anklage nicht wiederaufgenommen. Cicero selbst bezeichnet seine Verteidigungsrede als *in C. Rabirio perduellionis reo* (Pis. 4) und gibt keinen Hinweis auf die Rede im Multprozess.¹⁵ Wenn das Duoviralverfahren von Cicero aufgelöst war, konnte Celer nur den Prozess sabotieren, in dem Cicero seine Rede hielt.¹⁶ Schließlich dient die als Hinweis auf die Unmöglichkeit der Provokation im Duoviralverfahren interpretierte Passage *Rab. perd.* 12 für J. Bleicken, W. Kunkel und W. Tyrrell¹⁷ als Hauptargument.

Die Entscheidung zugunsten einer dieser Möglichkeiten¹⁸ hängt von der Antwort auf drei Fragen ab:

1. Gab es eine Provokation im Duoviralverfahren? Wenn nicht, konnte Celer nur die Zenturiatkomitien auflösen, die sich im tribunizischen Perduellionsprozess versammelten, wo auch Cicero seine Rede gehalten hat.

¹⁵ Meyer 1922, 549–563.

¹⁶ Jones 1972, 40–44; Lengle 1933, 328–340 (der Letztere schließt die Provokation von Rabirius aus).

¹⁷ Bleicken 1959b, 337–341; Kunkel 1962, 22 f.; Tyrrell 1978, 41–50.

¹⁸ Separat zu behandeln ist die Rekonstruktion von R. Bauman (1969, 1–21): zuerst würde ein tribunizischer Perduellionsprozess angestrengt, der durch die Einholung der Fahne vereitelt sei; dann folge das Duoviralverfahren, dessen Grundzüge die Vereinigung mehrerer Strafen in einem Urteil (d.h. *multa* u. *poena capitis*, *pace De domo* 45) und die Verwendung des Verfahrens ausschließlich für die Wiederaufnahme der vereitelten Prozesse seien; als Ergebnis der Provokation gegen das Duoviralurteil sei das zweite Komizialverfahren gefolgt, in dem die *Duumviri* Vorsitzende wären und die Untersuchung von Labienus durchgeführt würde (angenommen schon von Greenidge 1901, 357; vgl. 348 f.); im zweiten Verfahren würde Rabirius freigesprochen (Suet. *Caes.* 12). Aufgrund der Annahme, dass die Funktion von *duumviri* nicht ein Perduellionsprozess, sondern eine Wiederaufnahme einer beliebigen Anklage war, hält Bauman das Existieren eines „allgemeinen“ Gesetzes über *duumviri* für ausgeschlossen (solch ein Gesetz könnte nicht alle Fälle im Voraus umfassen): Die *Duumviri* würden von Mal zu Mal nach einem konkreten Verfahren durch ein konkretes Gesetz ernannt. – Baumans Vorschlag muss abgelehnt werden (es ist aber zu bemerken, dass sein Beitrag eine hilfreiche Kritik der früheren Erklärungsversuche enthält). Die Vermutung, dass die *Duumviri* für die Wiederaufnahme gescheiterter Anklagen dienten, beruht auf den Erwähnungen, Horatius wäre vor dem Duoviralverfahren von seinem Vater oder vom König, sowie Manlius Capitolinus vom Volk freigesprochen worden (Bauman 1969, 5–7). Bestenfalls folgt aus ihnen, dass ein Duoviralverfahren für solch eine Wiederaufnahme geeignet war, nicht dass für ein Duoviralverfahren ein vorheriger Prozess obligatorisch war; gerade das Letztere ist aber Baumans Folgerung, die ihn gezwungen hat, vor dem Duoviralverfahren gegen Rabirius ein durch keine Quelle belegtes Komizialverfahren zu vermuten (*ibid.* 9 f.). S. auch u. Anm. 44 über Möglichkeit der Vereinigung *multa* u. *poena capitis* im Duoviralprozess; s. u. S. 283–285. hinsichtlich *iniussu vestro* (*Rab. perd.* 12) u. S. 297 über Suet. *Iul.* 12.

2. Hat Cicero seine Rede vor *comitia centuriata* oder *tributa* gehalten und welche Strafe drohte Rabirius? – Kapitalurteile wurden von Zenturien verhängt (*XII Tab.* 9, 2), und tribunizische Multprozesse sind nur für *comitia tributa* belegt.¹⁹
3. Wenn das Duoviralverfahren von Celer vereitelt wurde, so entsteht die Frage: Was erlaubt Cicero, sich diese Tat zuzuschreiben? Wenn von Cicero, aus welchem Anlass hat die von Celer aufgelöste Volksversammlung stattgefunden?

2. Provokation im Duoviralverfahren

Das Hauptargument, auf das sich die Ablehnung der Berichte über die Provokation stützt, ist der Einwand Ciceros, Labienus hätte durch die Anstrengung des Duoviralverfahrens alle die römischen Bürger schützenden Gesetze verletzt (*Rab. perd.* 12):

Porcia lex virgas ab omnium civium Romanorum corpore amovit, hic misericors flagella rettulit; Porcia lex libertatem civium lictori eripuit, Labienus, homo popularis, carnifici tradidit; **C. Gracchus legem tulit, ne de capite civium Romanorum iniussu vestro iudicaretur, hic popularis a duumviris iniussu vestro non iudicari de cive Romano, sed indicta causa civem Romanum capitis condemnari²⁰ coegit.**

Das Porcische Gesetz hat die Ruten vom Körper aller römischen Bürger entfernt; dieser Barmherzige hat Geißeln wiederum gebracht; das Porcische Gesetz hat dem Lictor die Freiheit der Bürger weggenommen, Labienus, ein volksliebender Mann, hat sie dem Henker überreicht; **G. Gracchus hat das Gesetz eingebracht, dass ohne euren Befehl kein römischer Bürger vor Kapitalgericht gezogen sein dürfe; dieser Volksliebende hat durchgesetzt, dass die Duumvirn einen römischen**

¹⁹ Mommsen 1899, 168 f.

²⁰ Tyrrell 1978, 87: mit *condemnari* wurde nur ein endgültiges Urteil bezeichnet; das Wort bezog sich meistens auf Geschworenengerichte; es kann nicht einen vorläufigen Urteilsantrag bezeichnen (den Tyrrell für Provokationsverfahren vermutet). Aber soweit wir wissen, wurde das Urteil, gegen welches man provozierte, vor der Provokation nicht für einen vorläufigen Strafantrag gehalten; eben Liv. I, 26, 7 *duumviri* <...> *se absolueri non rebantur ea lege ne innoxium quidem posse*, wo eine Provokation für die Einleitung des Verfahrens unentbehrlich zu sein scheint, lässt die Möglichkeit offen, dass der Verurteilte nicht provozierte, und so das Urteil zu vollstrecken war. U.E. schließt *condemnari* in *Rab. perd.* 12 die Provokation im Rabiriusprozess nicht aus. Zu Tyrrells Hauptargument s. weiter im Text. – Von hier an wird Liv. I–V zitiert nach Conway–Walters 1936.

Bürger ohne euren Befehl nicht vor Gericht zogen, sondern ihn ohne Verfahren kapital verurteilten.²¹

Vermuten wir, dass die Provokation gegen das *duumvirale* Urteil nicht zulässig war. Dann wäre es für Cicero günstig, es klar und offen zu sagen: Das wäre ein schwerwiegender Vorwurf gegen Labienus. Stattdessen ist Ciceros Kritik so formuliert, dass sie *unabhängig von der Provokation* berechtigt klingt – auch wenn er die mit der Provokation direkt oder indirekt verbundenen Gesetze erwähnt.²² Dafür sehen wir nur eine Erklärung: Die Provokation war im Rabiriusprozess mindestens möglich, und ihre Erwähnung würde jeden Eindruck von Ciceros Vorwürfen vernichten. In diesem Fall gibt es keinen Grund, die Berichte über die Provokation von Rabirius abzulehnen.

Bleicken und Tyrrell verstehen *iniussu vestro* als ein direktes Zeugnis für die Unzulässigkeit der Provokation.²³ Auf den genauen Sinn dieses Ausdruckes ist näher einzugehen.

²¹ Tyrrell 1978, 87–89, gibt eine richtige Analyse der Stelle: *ein Gesetz – ein „gewöhnlicher“ Verstoß – der beispiellose Verstoß von Labienus. Z.B., lex Porcia – Rutenstrafe – Geißeln. Die Einwände von Primmer 1985b, 37 f. leuchten uns nicht ein: Für uns unverständlich, erklärt er die Annahme für irrig, dass der Normalverstoß in iniussu vestro iudicari enthalten sei, der schlimmere in indicta causa condemnari; dass Tyrrell iniussu vestro unkorrekterweise nur auf iudicari bezieht (Tyrrell 1978, 85), stimmt auch nicht: Er formuliert auf misslungene Weise einen Einwand gegen die Versuche, iniussu vestro nur mit condemnari oder nur mit coegit zu verbinden und so die Annahme zu begründen, Labienus hätte ein Plebiszit in Kraft gesetzt; ibid., 86 bezieht er iniussu vestro auf beides, iudicari und condemnari; den Widerspruch (ibid. 88 f.) zwischen: „Labienus violated the lex Sempronia not in ordinary way, but violate it he did“ und: „Labienus violated the lex Sempronia in the ordinary way ... and in a severe way ...“ gibt es auch in der Wirklichkeit nicht, vgl. ibid.: „He could not have set up the court in accord with the lex Sempronia and then railroaded Rabirius through it without defence“ – es soll einfach um den Mangel an einem Volksbeschluss gehen. In den Punkten, die Primmer kritisiert, stimmen Tyrrell und Primmer in der Tat überein.*

²² Über *lex Sempronia* s. weiter. Über *leges Porciae* s. Rotondi 1912, 268 f.; von den drei Porcischen Gesetzen (Cic. *De Rep.* II, 54) kann Cicero hier zwei meinen: Das eine verbot, einen römischen Bürger im Falle der Provokation *more maiorum* hinzurichten (Liv. X, 9, 4); das andere verbot, Körperstrafen bzw. Rutenstrafe gegen römische Bürger entweder überhaupt (Festus s. v. *pro scapulis*), oder *adversus provocationem*. Wegen der angeführten Stellen ist Baumans These (1969, 19–20) zweifelhaft, Cicero erwähne *Rab. perd.* 12 weder Provokation noch Provokationsgesetze. Dass es im von Festus erwähnten Gesetz auch um Provokation ging, glaubt auch Bleicken 1959a, 2448 f. nicht: „Provocabel konnte die coercitive Prügelstrafe natürlich nicht gemacht werden, weil Coercitionsmaßnahmen kein (anfechtbares) Urteil voraussetzen“ – die These, die seiner eigenen Provokationstheorie widerspricht.

²³ Bleicken 1959b, 338 f.; Tyrrell 1978, 87–89.

Seit Langem galt das Sempronische Gesetz als ein der Provokationsgesetze;²⁴ u.A. versteht es auch Bleicken so.²⁵ Aber das Gesetz war gegen den Konsul von 132 v.Chr. P. Popilius Laenas gerichtet (Plut. *C. Gr.* 4), der Quästionen über die Anhänger von Ti. Grachus vorgesessen hatte. Die Unmöglichkeit der Provokation in diesen Prozessen lässt sich daher vermuten, weil die Provokation in den *quaestiones* überhaupt nicht belegt ist; außerdem wird niemals erwähnt, dass die Quästionen 132 v. Chr. das Berufungsrecht verletzen würden,²⁶ oder dass es um dieses Recht im Sempronischen Gesetz gehe. Eine typische Beschreibung des Gesetzes lautet: *iniussu populi non licebat quaeri de capite civis Romani* (Schol. Gronov. in orat. *Catilinarias* p. 289 Stangl).²⁷ Das kann nur schwerlich als Verbot eines vor dem Volk nicht anfechtbaren Urteils verstanden werden; und diese Erklärung stimmt nicht mit dem überein, was wir über die verbotenen Gerichte wissen – das waren außerordentliche Gerichte auf Grund des Senatsbeschlusses. Jetzt gilt das Sempronische Gesetz als das Verbot der *quaestiones*, die nicht durch einen Beschluss des Volkes eingesetzt werden.²⁸

²⁴ S. Ungern-Sternberg 1970, 52 Anm. 2.

²⁵ Bleicken 1959b, 364–367.

²⁶ Sall. *Jug.* 31, 7; 42, 4; Vell. Pat. II, 7, 3; Val. Max. IV, 7, 1; Cic. *Lael.* 37; Plut. *Ti. Gr.* 20, 4–7; id. *G. Gr.* 4, 2.

²⁷ Weitere Belege s. Rotondi 1912, 309 f. Davon kann sich *Pro Cluent.* 151 *Ne quis iudicio circumveniretur* auf ein anderes Gesetz beziehen (s. Stockton 1979, 121–126; Ungern-Sternberg 1970, 51 Anm. 34), und belegt Plut. *C. Gr.* 4 εἰ τῆς ἄρχων ἄκριτον ἐκκεκηρύχτοι πολίτην den Verbot einer nicht gerichtlichen Kapitalstrafe (zu ἐκκεκηρύχτοι s. Ungern-Sternberg 1970, 51 Anm. 32). Ungern-Sternberg gibt eine elegante Erklärung zu dieser Stelle: Aus der Aussage von Plutarch (*ibid.*), das Gesetz sei gegen P. Popilius persönlich gerichtet, folgert er, dass in den vom Senat in Gang gesetzten außerordentlichen Gerichten das Urteil nicht vom Konsilium, sondern vom vorsitzenden Magistrat gefällt wurde; solch ein Urteil konnte als Verurteilung eines *civis indemnatus* betrachtet werden (Ungern-Sternberg 1970, 36 Anm. 57). Vgl. aber die Vermutung von Stockton 1979, 120, dass das Sempronische Gesetz allgemein genug formuliert war, um Anklage gegen jeden Teilnehmer an den Verfolgungen des J. 132 zu ermöglichen; aber, wie D. Stockton selbst zugibt, widerspricht die angegebene Plutarchstelle dieser Annahme. Wir können hier diese Frage nicht behandeln.

²⁸ S. Kunkel 1962, 28 Anm. 89; Tyrrell 1978, 81–86 mit der einschlägigen Literatur; vgl. *ibid.* Kritik der Erklärungen von *iniussu vestro* (*Rab. perd.* 12), die einen Volksbeschluss über das Duoviralverfahren voraussetzen. Vgl. Ungern-Sternberg 1970, 48–54, dass das Sempronische Gesetz nur indirekt das Provokationsrecht schützte: Es hat dem Senat die Möglichkeit entzogen, die berufungsfreien Quästionen in politischen Sachen zu verwenden (die bis 132 v. Chr. nur in den durch Volksbeschluss in Gang gesetzten Quästionen verhandelt wurden).

Folglich lässt sich *iniussu vestro* (*Rab. perd.* 12) nicht als Vorwand gegen ein Urteil ohne *Überprüfung* durch die Volksversammlung, d.h., ohne Provokation, verstehen. Tyrrell sieht das; er geht davon aus, dass die von der *lex Sempronia* verbotenen Gerichte keine Provokation zuließen. Seiner Meinung nach spricht Cicero davon, dass es zwischen dem Duumviralverfahren und den Quästionen des Jahres 132 *nur einen* (wesentlichen) Unterschied gebe: Die Duumvirn würden ihr Urteil ohne Gerichtsverhandlung fällen; damit ist auch die Unzuverlässigkeit der Provokation gemeint.²⁹ Diese Interpretation ist plausibel, aber es wird nicht erklärt, warum Cicero seinen Leser ein so starkes Argument vermuten lässt und es nicht ausdrücklich formuliert.

Es bleibt die Frage, ob Cäsar und Labienus sich desselben Verfahrensmusters, das Liv. I, 26, 5–9 beschreibt, bedient haben.

Bleicken hält eine Kompilation von einem Annalisten für die Quelle der *lex* bei Livius.³⁰ Aus *Rab. perd.* 15: *ex annalium monumentis atque ex regum commentariis* folgert er, die Zitate aus dem von Labienus angeführten Gesetz (*Rab. perd.* 13) seien auch aus alten Annalen genommen; aber Labienus hätte eine andere Fassung, die keine Provokation enthalten würde.³¹ Das ist nicht einleuchtend: Die in *Rab. perd.* 13 zitierten Sätze zur Hinrichtung des Verurteilten stimmen mit dem Text von Livius wörtlich überein.³² Höchstwahrscheinlich kennen Cicero und Livius denselben Text des Gesetzes. Wenn wir der Meinung von Bleicken zustimmen, den Popularen im J. 63 würde eine andere Gesetzesfassung vorgelegt, die keine Provokation erwähnen würde, folgt daraus zwangsläufig, dass Livius oder seine Quelle selbständig das Gesetz verändert haben, das vorlag und nicht lange davor in einem anstößigen Verfahren

²⁹ Tyrrell 1978, 89.

³⁰ Die Kritik an den Bericht von Livius s. Bleicken 1959b, 334–337; er nimmt nur die Teile an, die Cicero zitiert. Die von Bleicken bemerkten Probleme sind durch die unvermeidliche Knappheit der Zitate aus dem Gesetz verursacht. Sachliche Kritik an Bleicken s. Bauman 1969, 13–18.

³¹ Bleicken 1959b, 338. – Ernsthafte Bedenken äußert Bauman 1969, 17 Anm. 17, der das Wiederaufleben eines veralteten Gerichtes aufgrund literarischer Quellen für unglaubwürdig hält. Abzulehnen ist sein Schluss (16 f.), Labienus habe die annalistischen Berichte über *duumviri* angeführt, nur um zu zeigen, dass ihr Urteil immer ohne Untersuchung verhängt würde, obwohl solch ein Verfahren im Volksbeschluss über den Rabiriusprozess nicht vorausgesetzt würde (daher *iniussu vestro!*). S. Tyrrell 1978, 86 zur Kritik.

³² Auch die Worte *indicta causa civem Romanum capitis condemnari coegit* (*Rab. perd.* 12) können durch Livius' Bericht erklärt werden (I, 26, 7): *Hac lege duumviri creati, qui se absolvere non rebantur ea lege ne innoxium quidem posse* (Bleicken 1959b, 340 Anm. 39; Ogilvie 1965, 116; dagegen, Mommsen 1899, 155 Anm. 1 betrachtet die Worte von Cicero als „eine advocatische Flause“).

angewandt worden war. Dies macht es nötig, zu zeigen, wie und aus welchem Grund die Überlieferung gefälscht würde – und außerdem, warum diese neue Fassung von Sueton und Dio bevorzugt wurde.³³ Viel wahrscheinlicher ist die Annahme, dass Cicero und Livius dieselbe Gesetzesfassung anführen.³⁴

3. Wurde *Rab. perd.* im Prozess vor Zenturiat- oder Tributkomizien gehalten?

Seit Langem wurde bemerkt, dass unsere Quellen keine eindeutige Antwort auf diese Frage geben. Cicero spricht zur Volksversammlung als zum Volk, das ihn zum Konsul gewählt hatte; aber das ist sicher eine Rhetorik.³⁵

Dadurch, dass Labienus die Redezeit begrenzt hat (*Rab. perd.* 6), wird das Verfahren vor Tribus³⁶ oder vor Zenturien³⁷ auch nicht bewiesen: Es sei berücksichtigt, dass die Rede nicht auf der Volksversammlung selbst,

³³ Weder Bleicken noch Tyrrell stellen die Frage, wie die Provokation in die Überlieferung eingedrungen ist, wenn es ursprünglich keine gab. – Nach Bleicken 1959b, 339 Anm. 36 habe Sueton nicht verstanden, warum die Zenturien einberufen worden waren, und darum das Doppelverfahren falsch interpretiert, wobei ihm „die reformatorische Appellation im Strafprozess der Kaiserzeit“ als Muster gedient hätte. Aber die Appellation der Kaiserzeit hatte nicht ein Komizialverfahren zur Folge; wie könnte sie Sueton oder Dio als Muster dienen? Vgl. Bauman 1969, 15.

³⁴ Die wenigen Widersprüche zwischen *Rab. perd.* und Liv. I, 26, 5–14 beweisen nicht, dass sie verschiedene Quellen verwendeten, und sind wahrscheinlich durch verschiedene Interpretationen des Gesetzes über *duumviri* zu erklären: z.B. das Kreuz in *Rab. perd.* 11 statt einer *infelix arbor* bei Livius, das auch eine rhetorische Übertreibung sein kann (zu *infelix arbor* s. Ogilvie 1965, 115 f.; er vermutet die Rutenzüchtung als ursprüngliche Form der Strafe).

³⁵ Primmer 1985b, 49 mit Anm. 100; manche Forscher erwähnen diese Schwierigkeit, aber bevorzugen unbegründet die Zenturiatkomizien: Meyer 1922, 555 aufgrund *Rab. perd.* 18 (*numquam <...> populus Romanus, hic, qui silet, consulem me fecisset*), vgl. Tyrrell 1978, 106; Lintott 1972, 262 Anm. 189 aufgrund *Rab. perd.* 5; 36 f.; 8 *non modo homines sed regiones ipsae*. – Vgl. auch zu *populus* statt *plebs*: Kunkel 1995, 262 Anm. 35; 621 Anm. 207; Bleicken 1955, 122; Taylor 2003, 60 (auch *lex* statt *plebiscitum*: Bleicken 1955, 43 mit Anm. 1; Taylor 2003, 138 Anm. 3).

³⁶ So Primmer 1985b, 49.

³⁷ So Meyer 1922, 555 f. aufgrund der *ibid.* 556 Anm. 1 angeführten Belege (die Tribune verlangen von einem Stadtprätor einen Tag für die Abstimmung der Zenturien). Aber s. Taylor 2003, 100–102; 156 f. Anm. 41; 157 f. Anm. 42 zur Kritik an der Annahme, dass sich die Volkstribune und die Quästoren für jedes Verfahren vor Zenturien das Recht auf Auspizien von einem Prätor oder Konsul liehen und dann selbstständig die Zenturiatkomizien leiteten. L. R. Taylor schließt, das Verfahren würde von dem anklagenden Magistrat durchgeführt, die Zenturien würden doch von einem anderen Magistrat zur Abstimmung einberufen. Für die Frage ist Varro, *L. L.* VI, 86–95, v.A. 90 wichtig; wir stimmen der Interpretation von Taylor zu.

sondern auf einer *contio* an demselben Tag gehalten wurde.³⁸ Unabhängig von der Art der Volksversammlung, konnte Labienus die *contio* selbst leiten.³⁹

Folglich hängt die Antwort davon ab, um welche Strafe es geht. Das Problem wird dadurch erschwert, dass sich die Erwähnungen von drohender Verbannung sowie der Gefahr für *caput* des Angeklagten in *Rab. perd.* sowohl durch eine hohe Geldstrafe, als auch durch ein Todesurteil erklären lassen.⁴⁰

Wir können zwei Einwände gegen die Annahme des Kapitalverfahrens anführen:

1. Geht es um ein Todesurteil, dann wurde *Rab. perd.* in einem tribunizischen Perduellionsprozess gehalten; in diesem Fall würde der Satz *de iudicio perduellionis, quod a me sublatum esse criminari soles* (*Rab. perd.* 10) eine Präzisierung verlangen, z.B., **priore iudicio*.⁴¹
2. Wurde *Rab. perd.* in einem Kapitalverfahren gehalten, dann ist es unklar, über welche *multae inrogatio* (*Rab. perd.* 8)⁴² Cicero

³⁸ Wir sehen im Rabiriusprozess keinen Grund für die Nichteinhaltung des gewöhnlichen Verfahrens, über welches s. Taylor 2003, 7 u. 102; Botsford 1909, 259 f.

³⁹ Wir bedanken uns bei Herrn Dr. V. Khrustal'jov für die Hilfe mit diesem Abschnitt.

⁴⁰ Schon Mommsen 1899, 907 hat bemerkt, dass Cicero oft in den Rechtsstreiten um große Geldsummen über das bedrohte *caput* des Beklagten spricht (schlagendes Beispiel: *Quinct.* 33); Gelzer 1939, 872 u. 1969, 79 schlägt treffend vor, auf gleiche Weise auch *caput* in *Rab. perd.* zu interpretieren; cf. e.g. Meyer 1922, 553 Anm. 1 darüber, dass das viel erwähnte *caput* der Annahme einer großen Geldstrafe nicht widerspricht. Vgl. auch Primmer 1985b, 8 Anm. 4; *ibid.* über die in *Rab. perd.* 37 erwähnte Verbannung; über die freiwillige Verbannung der kapital Verurteilten s. Tyrrell 1978, 135.

⁴¹ Primmer 1985b, 63 Anm. 131 mit Literatur.

⁴² Grundlegend für die Interpretation von *Rab. perd.* 6–9 ist die Frage, wofür die Strafe angetragen wurde. Der Strafantrag hat sicher einen Vorwurf wegen Schamlosigkeit enthalten (*Rab. perd.* 8 in *eadem multae inrogatione praescriptum, hunc nec suae nec alienae pudicitiae pepercisse*), der möglicherweise nicht zu den Anklagepunkten gehört (s. weiter). Das viel bestrittene *eadem* kann entweder beweisen, dass einer oder mehrere Punkte von *Rab. perd.* 7 f. auch in der *inrogatio* gezählt wurden, oder dass der Strafantrag kurz davor von Labienus zitiert wurde oder einfach vor den Augen der Zuhörer stand. Wir neigen zur Ansicht, dass *eadem* mehrere Punkte der *inrogatio* verbindet; sonst wäre die Aussage Ciceros zwar den Zuhörern verständlich, nicht aber den Lesern der nach einiger Zeit veröffentlichten Rede. – Nicht alles, was in *Rab. perd.* 7–9 gezählt ist, sind Anklagepunkte in einem Multprozess (behauptet von Tyrrell 1978, 62 f.; 70–73; Primmer 1985b, 44 f. fügt ein wichtiges Argument hinzu, dass Rabirius von mehreren Punkten schon in anderen Prozessen freigesprochen war); wenn irgendetwas davon auch ein Anklagepunkt war, können es nur die in *Rab. perd.* 8 erwähnten Verstöße gegen das Porcische Gesetz sein (u. das Fabische? dagegen Primmer *loc. cit.*); alles andere mag aus der Rede von Labienus

- spricht. Dafür wurden manche Erklärungen vorgeschlagen:⁴³
- Labienus hatte eine Todesstrafe mitsamt einer schweren Geldbuße beantragt;
 - Labienus hatte eine schwere Geldbuße beantragt, aber im Laufe des Verfahrens hat er das Volk so feindlich gegen Rabirius gestimmt, dass es von Labienus verlangte, den Multprozess in einen Kapitalprozess zu verwandeln.

stammen. Tyrrell bezieht den Strafantrag auf ein anderes Verfahren (s. u. Anm. 43); darum verwundert es ihn nicht, dass Cicero so leicht alle Punkte des Antrages abtut. Doch beweist gerade diese Leichtigkeit, dass *Rab. perd.* 7–9 keine Punkte enthält, für welche Rabirius bestraft werden konnte: Sonst müsste entweder Cicero oder Hortensius sie bestreiten; aber Cicero beruft sich nur einmal auf Hortensius, – wenn er über den Mord des Saturninus spricht (*Rab. perd.* 18), der höchstwahrscheinlich die Hauptanklage war. Primmer 1985b, 43–48 mag Recht haben, dass *in inrogatione praescriptum* die Punkte bedeutet, welche in der Vorrede des Strafantrags zusätzlich gezählt worden waren (er verteidigt das überlieferte *praescriptum* gegen die Konjekturen *perscriptum*, aber verlangt von der handschriftlichen Lesung zu viel, wenn er sie zu einem der zwei Hauptargumente macht). – Für Tyrrell (*loc. cit.*) ist die Tatsache, dass nicht alle Punkte *Rab. perd.* 7 f. aus der *inrogatio* stammen, eines der Hauptargumente gegen die Rekonstruktion Niebuhrs; wahrscheinlich ist dieser Einwand konkret auf folgende Aussage zu beziehen: „Ciceronis defensio ... ad multae inrogationem pertinet, cui propria erant tot alia crimina ab accusatore in reum collata, a perduellione maxime aliena“ (Niebuhr 1820, 69), dessen Schwäche liegt aber nicht darin, dass viele dieser Punkte nicht zum Strafantrag gehörten, sondern darin, dass die Hauptanklage der Mord an Saturninus war. Das Hauptproblem ist, in welchem Prozess die Geldbuße angetragen wurde, und hier leuchtet uns die Erklärung von Tyrrell nicht ein (s. u. Anm. 43).

⁴³ Tyrrell erwähnt die Geldbuße in seiner eigenen Rekonstruktion des Rabiriusprozesses nicht (Tyrrell 1978, 41–50); er bemerkt indessen (*ibid.*, 75), Rabirius würde wahrscheinlich wegen *stuprum* von einem plebejischen Ädil angeklagt (auf dieses Verfahren bezieht Tyrrell die in *Rab. perd.* 8 – d.h., *in eadem multae inrogatione* – erwähnten Verstöße gegen die Moral sowie gegen das Fabische und das Porcische Gesetz); vielleicht vermutet er, dass diese Anklage vor dem von Labienus angestregten Kapitalverfahren erhoben wurde (*cf.* 73: „With the sentence beginning with Ergo ad haec crimina Cicero dismisses *these former* accusations“ – Kursive von uns). In diesem Fall konnte der Multprozess in der Verteidigungsrede nur darum erwähnt werden, weil Labienus sich auf ihn bezog; wenn er schon beendet war, warum hat Cicero nicht einfach das freisprechende Urteil angeführt (im Falle der Verurteilung wäre es zu gefährlich, den Prozess überhaupt zu erwähnen); wenn er parallel verlief, ist es immerhin erstaunlich, dass er nirgends erwähnt wird: Primmer 1985b, 46 erhebt den Einwand gegen Tyrrell, Cicero würde mit *in eadem multa inrogatione* (*Rab. perd.* 9) in diesem Fall seine Zuhörer verwirren; auch wenn Primmer nicht Recht hat, wäre der Hinweis auf den Ankläger im Multprozess für den Leser, der die veröffentlichte Rede las, unbedingt notwendig. Wir können mit Primmer 1985b, 47 f. nicht einverstanden sein darin, dass die Ironie Ciceros im Bezug auf *multae inrogatio* verloren sei, wenn man die Erklärung von Tyrrell annehme: In diesem Fall würde die Ironie eines der Argumente Labienus’ betreffen. Vgl. o. Anm. 42.

Die erste Möglichkeit ist wegen *De domo* 45 (*Nam cum tam moderata iudicia populi sint a maioribus constituta, primum ut ne poena capitis cum pecunia coniungatur* <...>) und mangels Beispielen abzulehnen, obwohl sie manchmal in Erwägung gezogen wurde.⁴⁴

Die zweite Version versucht J. Lengle⁴⁵ durch zwei Parallelfälle zu bestätigen. Der erste, der Prozess gegen M. Postumius (Liv. XXV, 3, 8–4, 11), passt nicht: Hier geht es nicht um die Verwandlung des Multverfahrens ins Kapitalverfahren im Laufe der Untersuchung, sondern um die Anstrengung des Perduellionsverfahrens nach der Auseinanderjagung des *concilium plebis* durch die Publikaner im Laufe des Multverfahrens. Auf den zweiten Parallelfall ist näher einzugehen:

Liv. XXVI, 2, 7. C. Sempronius Blaesus die dicta Cn. Fulvium ob exercitum in Apulia amissum in contionibus uexabat <...> 3, 5. Bis est accusatus pecuniaque anquisitum. Tertio testibus datis <...> 6. tanta ira accensa est ut capite anquirendum contio succlamaret. 7. De eo quoque nouum certamen ortum; nam cum bis pecunia anquisisset, 8. tertio capitis se anquirere diceret, tribuni plebis appellati collegae negarunt se in mora esse quo minus, quod ei more maiorum permissum esset, seu legibus seu moribus mallet, anquireret quoad uel capitis uel pecuniae iudicasset priuato. 9. Tum Sempronius

⁴⁴ U.E. beweist *De domo* 45 die Unzulässigkeit des Strafantrages, der die Todesstrafe mit einer Geldstrafe vereint. Greenidge 1901, 358 f. lehnt diese Interpretation ab – die Verbannung wurde oft mit Vermögenskonfiskation vereint – und vermutet, die parallel verlaufenden Prozesse aufgrund derselben Anklage seien verboten, was auch Nisbet 1939, 110 f. annimmt. Wir glauben aber, dass in diesem Fall die Art der Strafe keine Rolle spielen sowie Cicero darüber deutlicher sprechen würde; der Einwand von A. Greenidge kann dadurch widerlegt werden, dass *pecunia* eigentlich als eine Geldbuße (nicht eine Vermögenskonfiskation) interpretiert wird, vgl. Ciceronische (*loc. cit.*) *ut ter ante magistratus accuset intermissa die quam multam inroget aut iudicet* (zitiert nach Nisbet 1939). – Die Vereinigung der Geld- und Kapitalstrafe im Rabiriusprozess hält Meyer 1922, 555 für möglich; aus demselben Grund wie Greenidge ist Lengle 1933, 337 f. sogar dazu geneigt, die angeführte Aussage von Cicero für unrichtig anzusehen. – Bauman 1969, 7 nimmt an, im Duoviralverfahren sei es statthaft, die Strafen verschiedener Arten zu vereinigen; dies sei ein Unterscheidungsmerkmal des Duoviralgerichtes. Diese Annahme basiert nur darauf, dass Liv. VI, 20, 4 im Manliusprozess verschiedene Anklagen zählt (Analyse der Stelle s. Bauman 1969, 3 f.); aber daraus folgt nicht, dass der Strafantrag auf verschiedene Strafen lautete; diese Vermutung von Bauman ist umso voreiliger, als verschiedene Strafen wegen desselben Vergehens verhängt werden konnten (e. g. das angeführte Liv. XXVI, 2, 7). Übrigens ist auch der Schluss von Bauman 1969, 11 f. irrig, Labienus habe Rabirius wegen aller *Rab. perd.* 7–8 gezählten *crimina* angeklagt (s. o. Anm. 42).

⁴⁵ Lengle 1933, 338 f.

perduellionis se iudicare Cn. Fulvio dixit, diemque comitiis ab C. Calpurnio praetore urbano petit <...> 3, 12. <...> postquam dies comitorum aderat, Cn. Fulvius exsulatum Tarquinius abiit. Id ei iustum exsilium esse sciuit plebs.⁴⁶

2, 7. C. Sempronius Blaesus hatte Gn. Fulvius bei Gericht verklagt und quälte ihn an den *contiones* <...>. 3, 5. Er wurde schon zweimal angeklagt und der Antrag wurde auf Geldbuße gestellt. Wenn am dritten Termin die Zeugen vorgeladen wurden <...> 6. – ein so starker Zorn hat sich entzündet, **das die Versammlung schrie, der Antrag sei auf Todesstrafe zu stellen. 7. Daraus ist ein neuer Streit entstanden: Denn, als <Bläsus> schon zweimal den Antrag auf Geldbusse gestellt hatte und am dritten Termin sagte, er stelle den Antrag auf Todesstrafe, haben die Tribune, an die es appelliert wurde, verweigert, seinem Kollegen Hindernisse in den Weg zu legen, wenn er (was ihm herkömmlicherweise erlaubt war), wie er möchte, den Gesetzen oder den Sitten gemäß, die Untersuchung durchführt, bis er eine Privatperson zur Geldstrafe oder zum Tode verurteilen wird. 9. Dann sagte Sempronius, er strenge gegen Gn. Fulvius einen Prozess wegen Hochverrats an, und verlangte von dem Stadtprätor G. Calpurnius den Tag für Volksversammlung.** <...> 3, 12. <...> Nachdem der Tag der Versammlung kam, ging Gn. Fulvius nach Tarquinius ins Exil. Die plebejische Versammlung hat beschlossen, das Exil sei für ihn gerecht.

Die fettgedruckten Worte von Livius belegen, dass Labienus die Möglichkeit hatte, vom Volk auf ähnliche Weise die Berechtigung zu bekommen, die Geldstrafe durch eine Todesstrafe zu ersetzen. Das wird auch durch Liv. II, 52, 2–5 bestätigt:⁴⁷ *In multa temperarunt tribuni; cum capitis anquisissent, duorum milium aeris damnato multam dixerunt.*⁴⁸ Livius erwähnt hier leider keine Modalitäten des Verfahrens; vermutlich ist aber deshalb kein formeller Anlass zur Milderung der Strafe genannt, weil er in solch einer Situation nicht nötig war. Es ist nicht klar, ob er für Verschärfung der Strafe obligatorisch war. Lengle vermutet, Labienus habe die Menschenmenge erregt und so die gewünschte Forderung erlangt, nach dem Muster, das im Fulviusprozess zu sehen ist. Aber laut Lengle wäre das tribunizische Perduellionsverfahren aus Anlass des vereitelten Duoviralverfahrens angestrengt (so versteht er *Rab. perd.* 10).⁴⁹ Durch

⁴⁶ Zit. nach Conway–Johnson 1964.

⁴⁷ Cf. Dion. Hal. *Ant. Rom.* IX, 27, 1–5.

⁴⁸ Zit. nach der o. Anm. 20 angeführten Fassung.

⁴⁹ *Nam de perduellionis iudicio, quod a me sublatum esse criminari soles, meum crimen est, non Rabiri.* Vgl. Lengle 1933, 338: „Denn der Anklagepunkt de

die Erinnerung an frühere Anklagen, darunter auch an die wegen Saturninismordes, habe Labienus das Volk gegen Rabirius aufgehetzt und so einen Anlass zur Anstrengung des Kapitalprozesses bekommen. Es wäre doch eine wirklich unerhörte Anmaßung von Labienus, **Rabirius** wegen des **vom Konsul Cicero** vereitelten Verfahrens anzuklagen.⁵⁰ Außerdem belegt Lengle seine Annahme irrtümlicherweise mit der Auseinanderjagung des *concilium plebis* im Prozess gegen Postumius – dieser Prozess hat mit dem Rabiriusverfahren auch in der Interpretation von Lengle nichts Ähnliches.

Vermuten wir doch, Labienus habe einer anderen Anklage nicht bedurft: Er wurde von der angeregten Menge zur Verschärfung des Urteils berechtigt. Hier bieten sich zwei Erklärungen an. Die erste: die Zenturien haben sich nach der Provokation von Rabirius nicht versammelt, und Cicero hat im von Celer vereitelten Prozess gesprochen; dann machte es nur Sinn, zuerst eine mildere Strafe zu beantragen, wenn man die Anklage wegen Mordes an Saturninus als eine für ein Todesurteil nicht genügende betrachtete; doch würde die Durchsetzung des Duoviralgerichtes solchen Gedanken keinen Raum mehr geben. Die zweite: die Zenturien haben sich aus Anlass der Provokation versammelt und wurden von Celer aufgelöst, danach hat Labienus einen Multprozess angestrengt. Dann wäre es sinnlos, die Geldbusse durch Kapitalstrafe zu ersetzen – dabei würden sich die Zenturien statt der Tribus versammeln; und die Einholung der Fahne durch Celer machte klar, dass der Prozess vor Zenturien sehr leicht zu vereiteln ist.

Folglich lassen sich die Erwähnungen von einer Geldbusse in der *Rab. perd.* im Falle des Kapitalverfahrens auf keine Weise erklären. Die Rede konnte nur im Multprozess vor Tributkomitien gehalten sein. Folglich können die von Celer vereitelten Zenturiatkomitien nur wegen einer Provokation gegen das Duoviralurteil einberufen worden sein; die Provokation konnte nur vor dem Multprozess stattfinden.

nece Saturnini wird von Cicero näherhin als Aufhebung des Perduellionsgerichtes beschrieben“. S. Primmer 1985b, 65 f.; vgl. 43 zur Analyse der Stelle: Die Formulierung Ciceros erweckt den Eindruck, als ob die Vereitelung des Gerichtes auch zur Liste der Anklagepunkte gehöre; dann zieht Cicero die volle Aufmerksamkeit der Zuhörer auf sich, um nicht zu erwähnen, dass Rabirius vom Volk beinahe verurteilt wurde – die Tatsache, die Labienus in seiner Anklagerede als Argument vorgebracht haben mag.

⁵⁰ Und es wäre ein Akt grenzenloser Barmherzigkeit von Cicero, sich keine Ironie darüber zu erlauben.

4. *Iudicium perduellionis sublatum*: Ciceros Eingriff ins Duoviralverfahren

Wir sind zum Schluss gekommen, dass Celer gerade die Versammlung aufgelöst habe, von der Dio spricht. Was aber hat dann Cicero gegen das Duoviralgericht unternommen? Er selbst sagt nichts Konkretes darüber (*Rab. perd.* 9–17). U.E. ist es gefährlich, irgendwelche von ihm erwähnten Details wörtlich zu verstehen und aufgrund deren irgendwelche seiner Maßnahmen zu vermuten.⁵¹ Sicher ist nur, dass Cicero seinen Eingriff als eine mit dem Sinn der Provokationsgesetze und mit Interessen des Volkes übereinstimmende Tat betrachtet (z.B. *Rab. perd.* 9).

Es ist nicht wunderlich, dass Cicero die stattgefundene Provokation und die Einholung der Fahne durch Celer mit keinem Wort erwähnt: Das würde den ganzen Eindruck von *Rab. perd.* 9–17 zerstören.⁵² Wahrscheinlich spricht Cicero aus demselben Grund auch über seine eigenen Handlungen nicht konkret. Dass auch Dio die Teilnahme von Cicero nicht erwähnt, lässt sich durch Dios kritische Einstellung zu Cicero erklären.⁵³ Es ist desweiteren zu berücksichtigen, dass Ciceros Teilnahme nicht so groß sein mag, als es *Rab. perd.* 9–17 denken lässt, wo Cicero absichtlich die volle Aufmerksamkeit der Zuhörer auf seine eigenen Handlungen richtet.

Es ist fraglich, ob Cicero selbst oder durch Senatsbeschluss das Urteil aufheben konnte:⁵⁴ Es gibt keine Belege, dass der Senat oder der Konsul

⁵¹ Z.B. folgert Tyrrell 1978, 96 aus *Rab. perd.* 15, dass die Zensoren Labienus Hindernisse in den Weg gelegt hatten, indem sie dem Henker untersagten, sich in der Stadt zu unterhalten; wahrscheinlicher ist die Annahme von Hitzig 1899, 1599 f., der Henker habe immer außerhalb der Stadt gewohnt. Wir glauben auch nicht, dass Labienus wirklich ein Kreuz auf dem Marsfeld hingestellt oder Rabirius zu peitschen versucht hatte.

⁵² Für diese Bemerkung gebührt unser Dank Prof. Dr. A. Verlinsky. Vgl. Primmer 1985b, 22: es ist ungünstig, in der Verteidigungsrede daran zu erinnern, dass der Angeklagte nur durch einen glücklichen Zufall nicht verurteilt wurde.

⁵³ Primmer 1985a, 490: Dio Cass. XXXVII, 25, 3. 4 erwähnt die Fortschritte Ciceros im Kampf gegen die Popularen nur beiläufig, und erzählt weiter über die Rettung von Rabirius, dass Labienus selbst die Lust an der Verfolgung verloren hat, obwohl niemand ihn daran hindern konnte.

⁵⁴ Greenidge 1901, 355 und Meyer 1922, 554 vermuten, dass Cicero Labienus gezwungen hatte, *im Laufe des Duoviralprozesses* die Todesstrafe durch *multae inrogatio* zu versetzen (für Ed. Meyer heißt es, eine Geldbusse; für Greenidge – eine Verbannung mitsamt der Vermögenseinziehung). Wir sehen keine Möglichkeit dafür. Als Anlass für einen Eingriff schlägt Meyer schwere Verstöße gegen das Porcische und das Sempronische Gesetz vor; dieselben Verstöße würden laut Lengle 1933, 331–335 den von Cicero durchgesetzten Senatsbeschluss ermöglichen, welcher das Plebiszit über Ernennung der *duumviri* für nichtig erklärte. Aber es kann nicht um

solche Befugnisse hatte. Bestenfalls könnte Cicero die Hinrichtung stören oder die Provokation von Rabirius in Gang bringen. Der Senat könnte vermutlich ein formell rechtswidriges Urteil für ungültig erklären. Im Moment haben wir aber keine Belege dafür. Eine große Frage ist auch, ob Dio Cass. XXXVII, 27, 2 (μη πρὸς τοῦ δήμου κατὰ τὰ πάτρια, ἀλλὰ πρὸς αὐτοῦ τοῦ στρατηγοῦ οὐκ ἔξδὸν αἰρεθέντες) von einem formellen Verstoß oder einfach von einem der Argumente von Optimaten spricht. Livius erwähnt nicht, auf welche Weise die Duumvirn ernannt wurden. Auch wenn *duumviros ... secundum legem facio* (I, 26, 5) eine Ernennungsformel darstellt, sollten die Duumvirn nach Beginn der Republik irgendwie anders bestellt werden.⁵⁵ Mommsen⁵⁶ nimmt an, dass „eine allgemein gültige Bestellungsform des Perduellionengerichts überhaupt nicht bestand“ und dass der Prätor im Rabiriusprozess dem Muster der Bestellung der Geschworenen gefolgt ist. Auch wenn die Bestellungsprozedur bekannt war, konnte Livius sie wahrscheinlich nicht in die Königszeit versetzen.

formelle Verstöße gegen *lex Porcia* und *Sempronia* gehen, obwohl Cicero mit seinen Einwänden einen solchen Eindruck erweckt: Genau genommen spricht er nur darüber, dass die Verfasser dieser Gesetze das Duoviralverfahren nicht zulassen würden; auch die Duumvirn können nicht durch Plebiszit ernannt sein (s. u. S. 294). Nicht selbstverständlich ist auch, dass Ciceros Handlungen im Laufe des Streites im Senat nach dem Duoviralurteil (Dio Cass. XXXVII, 27, 1: παραχώδεις καὶ φιλονεικίαι <...> περί γε τῆς κρίσεως αἰθις συνέβησαν) stattfanden (e.g. Meyer *loc. cit.*; er bezieht darauf auch die Erwähnung des Senats in *Rab. perd.* 32 [vgl. Lengle 1933, 332], die indes zur Erzählung über den gescheiterten Gesetzesantrag von Rullus gehören mag); Lengle 1933, 332–334 sieht weitere Anlässe für einen Senatsbeschluss in *Rab. perd.* 17 (*omnem auctoritatem senatus, omnis religionem atque auspicioꝝ publica iura neglexisti*), aber die Senatsentscheidung war in solchen Fällen nicht verbindlich (Mommsen 1899, 169), und *religiones atque auspicioꝝ publica iura* lassen sich viel leichter durch in *Rab. perd.* 11 erwähnte Details, als durch nirgends belegte Ereignisse erklären. Primmer 1985b, 29, 35 f. sagt dagegen, die Worte von Dio sollten die Debatten vor dem Duoviralverfahren beschreiben; diese Interpretation scheint uns nicht unbestreitbar.

⁵⁵ Pace Brecht 1938, 153 Anm. 3 u. Anm. 5 (vgl. Mommsen 1887b, 615 Anm. 2): der Bericht von Livius enthalte alles, was zum 1. Jh. v. Chr. über die Duumvirn bekannt wäre, folglich, sei der Rabiriusprozess eine Kopie der Horatiussage. U.E. lässt sich nicht beweisen, dass diese Sage den einzigen im J. 63 bekannten Präzedenzfall darstellt (vgl. Mommsen 1899, 155 Anm. 1; 1887, II.1, 318 Anm.1; Kunkel 1995, 632; Ogilvie 1965, 323–326).

⁵⁶ Mommsen 1887b, 616 f.: die Ernennungsweise wurde im Spezialgesetz vorgeschrieben; gewöhnlich war es eine Volkswahl. Das folgert er aus *Rab. perd.* 12: Labienus konnte nur durch einen Volksbeschluss den Prätor zur Ernennung der Duumvirn zwingen; d.h., *iniussu vestro* kann nur einen Mangel an Volkswahl bedeuten, über den auch Dio spricht. Solch eine Interpretation wirkt ziemlich abwegig; und sie erklärt nicht, warum Cicero hier über das Sempronische Gesetz spricht.

Einerseits scheint der Verstoß gegen die traditionelle Wahlform unwahrscheinlich:⁵⁷ In diesem Fall wendet Cicero das Argument nicht ein, welches die Gültigkeit des Duoviralurteils anfechten würde. Darum mag οὐκ ἔξὸν αἰρεθέντες (vgl. XXXVII, 27, 3: παρὰ τὰ νεομισμένα ἢ κρίσις ἐγγόνει) einfach eine Meinung der Optimaten sein.

Andererseits ist es möglich, dass die Duumvirn wirklich durch das Volk ernannt werden sollten, aber dass die Erwähnung davon für Cicero ungünstig war – z.B., wenn die Duumvirn aufgrund des Senatsbeschlusses ernannt worden waren. Vgl. die Erwähnung von Dio (XXXVII, 27, 3), dass Celer die Ungültigkeit des Verfahrens *vergeblich* anführte.

Die Frage, was Dio meint und ob er Recht hat, bleibt ungelöst – keine der angeführten Erwägungen ist entscheidend. Der Volksbeschluss ist wegen *iniussu vestro* unwahrscheinlich; darum nehmen wir an, dass der Senat einen Prätor beauftragte, die Duumvirn zu ernennen. Wenn dies gegen die (vermutlichen) traditionellen Modalitäten verstieß, dann konnte der Senat wahrscheinlich seinen eigenen Beschluss auf Ciceros Vorschlag hin aufheben.⁵⁸

Wir sehen auch eine andere Möglichkeit: Labienus versuchte nach der Einholung der Fahne das Duoviralurteil für gültig zu erklären oder das Duoviralverfahren erneut anzustrengen, aber das wurde von Cicero verhindert. Hier ist es wichtig, ob die Vereitelung der Provokation zur Beseitigung des Urteils oder zur Vertagung der Abstimmung führte.

Die Vereitelung der Abstimmung durch ein ungünstiges Vorzeichen bedeutete gewöhnlich eine auf später verschobene Volksversammlung.⁵⁹ Dafür ist es aber nötig, dass der vorsitzende Magistrat die Versammlung wieder einberuft – und er war berechtigt, dies nicht zu tun. Außerdem spricht Dio über vereiteltes *Provokationsverfahren*, das auch nicht durch ein Vorzeichen vereitelt wurde. *De domo* 45 belegt eindeutig, dass infolge der Auflösung vom *Volksgericht* das ganze Verfahren aufgehoben wurde. Schließlich weisen die Worte ἐξῆν μὲν γὰρ τῷ Λαβιήνῳ καὶ ἀῦθις δικάσασθαι, οὐ μέντοι καὶ ἐποίησεν αὐτό (Dio XXXVII, 28, 4) darauf hin, dass das Duoviralverfahren annulliert worden ist. Es gibt keine Parallelstellen für Dios Erzählung über die Einholung der Fahne; doch ist die Vereitelung des Komizialverfahrens belegt.

⁵⁷ Brecht 1938, 152 f.; 161–163.

⁵⁸ So Primmer 1985a, 488; 1985b, 41–43.

⁵⁹ Botsford 1909, 468 Anm. 3; Taylor 2003, 7 f. Hier geht es um *obnuntiatio*, welche, falls der Augur sie anerkannte, eine Vertagung der Abstimmung herbeiführte (Cic. *Leg.* II, 31). Daraus folgert Meyer 1922, 553 f., das Duoviralverfahren wäre von Cicero aufgehoben und der Eingriff von Celer sei mit zweitem Verfahren zu verbinden.

Niebuhr⁶⁰ führt den Prozess gegen P. Claudius Pulcher an, der die römische Flotte in der Seeschlacht von Drepana verloren hatte (*Schol. Bob. in orat. in Clodium et Curionem* Fr. 24 Stangl):

Ob id factum dies ei dicta est perduellionis a Pullio || et Fundanio tr. pl. Cum comitia eius rei fierent et centuriae introducerentur, tempestas turbida coorta est: vitium intercessit. Postea tr. pl. intercesserunt ne idem homines in eodem magistratu perduellionis bis eundem accusarent. Itaque actione mutata, iisdem accusantibus, multa inrogata populus eum damnavit aeris gravis CXX milibus.⁶¹

Wegen dieser Tat wurde er von Volkstribunen Pullius und Fundanius des Hochverrats angeklagt. Als die Versammlung aus diesem Anlass stattfand und die Zenturien zur Abstimmung eingeladen wurden, brach ein stürmisches Gewitter los. Das ungünstige Zeichen wurde zum Hindernis. Danach haben die Tribune untersagt, dass dieselben Leute in demselben Amt zweimal denselben Mann des Hochverrats anklagen. So wurde – nach der Veränderung des Verfahrens, aber von denselben Anklägern – die Geldbuße angetragen; das Volk hat ihn zu 120 000 alte Asse Strafe verurteilt.

Hier sollten die Tribune nach einem ungünstigen Vorzeichen das Verfahren wieder in Gang setzen. Dabei waren sie gezwungen, die Prozessform zu verändern.

Schließlich können wir auf einen Fall hinweisen, in welchem das Provokationsverfahren durch ein Gewitter vereitelt wurde (Liv. XL, 42, 8–11). Hier geht es um einen Streit zwischen dem großen Pontifex und L. Cornelius Dolabella, dem Flottenduumvir, der zum Opferkönig ernannt wurde, aber dafür sein Amt verlassen sollte:⁶²

Liv. XL, 42, 9–11.⁶³ Recusantique id facere, ob eam rem **multa duumuiro dicta a pontifice, deque ea cum prouocasset, certatum ad populum. 10. Cum plures iam tribus intro uocatae dicto esse audientem pontifici duumuirum iuberent, multamque remitti si magistratu se abdicasset, uitium de caelo quod comitia turbaret interuenit. Religio inde fuit pontificibus inaugurandi Dolabellae; 11. P. Cloelium Siculum inaugurarunt, qui secundo loco nominatus erat.**⁶⁴

⁶⁰ Niebuhr 1820, 70.

⁶¹ Zit. nach Stangl 1912. Der Apparat zur Stelle in Orellius–Baiterus 1833 erweckt Zweifel an dem Namen Pullius. Vgl. Broughton 1951, 215. Wir möchten Herrn Dr. V. Khrustal'jov für die Hinweise auf die betreffende Literatur danken.

⁶² Zur Stelle s. Rosenberg 1914, 722; Kübler 1936, 827; Briscoe 2008, 518 f.; Wissowa 1900, 1208.

⁶³ Zit. nach Walsh 1999.

⁶⁴ S. Bleicken 1957, 452 f.; in seinem Beitrag sind auch weitere Belege für eine priesterliche Provokation gegen pontifikale Geldbuße zu finden.

Als er sich weigerte, das zu tun, **hat ihn der Pontifex deswegen mit einer Geldstrafe belegt, über welche die Verhandlung vor dem Volk stattfand, nachdem <Dolabella> provoziert hatte. 10. Und als schon mehrere Tribus, zur Abstimmung geführt, den Duumvir dem Pontifex gehorchen und die Strafe aufgehoben sein ließ, wenn er das Amt verlassen würde, wurde ein böses himmlisches Vorzeichen zum Hindernis, das die Versammlung störte. Aufgrund dessen war es den Pontifices religiös verboten, Dolabella zu weihen. 11.** Sie haben P. Cloelius Siculus geweiht, der zweite auf der Liste der ernannten stand.

Der Fall lässt sich auf zwei Weisen erklären. Livius weist darauf hin, dass ein Blitzschlag ein böses Zeichen bei Amtsantritt darstellte.⁶⁵ Aber aus den angeführten Belegen vom Scholiasten und von Dio scheint sich zu ergeben, dass es neben dem religiösen auch einen anderen Grund gab: Wenn eine wegen einer Provokation einberufene Versammlung aufgelöst wurde, war dadurch auch das ganze Verfahren aufgehoben; in diesem Fall war das nur unter der Ernennung eines anderen Opferkönigs möglich.

Somit scheint es wahrscheinlich, dass Labienus nach der Einholung der Fahne das Duoviralverfahren wiederaufzunehmen versuchte, aber von Cicero daran gehindert wurde. Wenn unsere Annahme stimmt, dass das Provokationsverfahren durch die Einholung der Fahne aufgehoben wurde, so war es für Cicero unsinnig, das Duumviralurteil durch Senatsbeschluss für nichtig zu erklären, auch wenn es möglich war.

So nehmen wir an, *Rab. perd.* sei im Multiprozess gehalten worden; Celer sei es, der das Duoviralverfahren zum Scheitern brachte; Cicero habe entweder das Provokationsverfahren in Gang gesetzt und Sofortvollzug des Urteils verhindert oder die Wiederaufnahme des Duoviralverfahrens vermieden.

Es bleiben zwei Probleme.

Das erste: *In Pis.* 4 und der in Handschriften überlieferte Titel *Pro Rabirio perduellionis reo* setzen voraus, dass die Rede in einem Perduellionsprozess gehalten wurde. Niebuhr schlägt vor, *perduellionis reo* aus dem Titel auszustreichen.⁶⁶ Doch bezieht sich *In Pis.* 4 sicher auf die Rede, deren Text überliefert ist;⁶⁷ die Schwierigkeit ist nicht beseitigt.

⁶⁵ Mommsen 1887a, 80 Anm. 2; Botsford 1909, 109.

⁶⁶ Niebuhr 1820, 70. – Primmer 1985b, 7 Anm. 1; 28 Anm. 52; 29 Anm. 55 nimmt die Konjektur an: Meistens wird die Rede in Quellen einfach als *Pro Rab.* erwähnt; die Worte *perduellionis reo* sind nur im sog. *apographon Poggianum* überliefert. Diese Argumentation ist stark entkräftet durch *In Pis.* 4 u. dadurch, dass alle Handschriften außer den von Niebuhr gefundenen Palimpsesten gerade auf *apographon Poggianum* zurückgehen (Marek 1983, 54 f.).

⁶⁷ Meyer 1922, 550 f.

Wir sehen hier zwei mögliche Erklärungen: Entweder beruft sich Cicero *In Pis.* 4 auf die Rabiriusaffäre, die seine Zuhörer mit der Anklage wegen Hochverrats assoziierten (Primmer);⁶⁸ oder *perduellionis reo* weist nicht auf ein Verfahren vor Zenturien hin; dann ist es auch möglich, den handschriftlichen Titel *Rab. perd.* anzunehmen.

Bei Livius weist *gen. criminis „perduellionis“* gewöhnlich auf Kapitalverfahren vor Zenturien hin – meistens geht es um tribunizischen Prozess: vgl. das oben angeführte *tum Sempronius perduellionis se iudicare Cn. Fulvio dixit* (Liv. XXVI, 3, 9); *diem dictam perduellionis* (*id.* II, 41; als Ankläger sind irrtümlich zwei Quästoren genannt); vgl. Liv. XLIII, 16, 11–12; Gell. VI, 9, 9; Val. Max. VI, 5, 3; bei Cicero: *Pro Mil.* 36, aber schon *Rab. perd.* 10, sowie *περδοουελλίωνος ὁ Ῥαβίριος ἐκρίθη* (Dio Cass. XXVII, 27, 2) und Suet. *Iul.* 12 beziehen sich auf Duoviralverfahren; d.h., wenn auch *perduellionis iudicare* u. dgl. ein *terminus technicus* ist, kann es im Bezug auf verschiedene Modalitäten benutzt werden. Es scheint möglich, dass beides, *In Pis.* 4 und der Titel *Pro Rabirio perduellionis reo*, die Anklage, nicht eine Prozessform belegen.⁶⁹

Das zweite Problem liegt in Suet. *Iul.* 12: die Stelle scheint voraussetzen, dass das Volk nach der Provokation zur Freisprechung geneigt war (<Cäsar> *sorte iudex in reum ductus tam cupide condemnauit, ut ad populum prouocanti nihil aequae ac iudicis acerbitas profuerit*).⁷⁰ U.E. ist solch ein Schluss nicht zwingend: Sueton sagt nur, Cäsars Verhalten sei für die Ankläger ungünstig; es könnte den Befürwortern der Freisprechung den Eingriff erleichtern. Eine der möglichen Erklärungen ist, dass es schwer war, die Provokation in Gang zu setzen, so mag die offensichtliche Befangenheit von Cäsar geholfen haben, die Schwierigkeiten zu beseitigen.

Zum Schluss wollen wir unsere Ergebnisse zusammenfassen.

Es gibt keinen Grund, die Zeugnisse für eine Provokation im Duoviralverfahren abzulehnen:

1. *Rab. perd.* 12 belegt keine Verletzungen des Provokationsrechtes. Folglich ist Dios Bericht über den Rabiriusprozess in seinem Hauptteil

⁶⁸ Primmer 1985b, 28.

⁶⁹ Cf. Gelzer 1919, 527. – Vgl. Kunkel 1995, 634: der Rabiriusprozess sei der einzige sichere Fall einer tribunizischen Perduellionsanklage, die im *concilium plebis* vorgebracht wurde; die Anklage würde auf eine Mult gerichtet. Die Bemerkung steht in krassem Widerspruch zu seiner früheren Ansicht (Kunkel 1962, 22 f.).

⁷⁰ Bleicken 1959b, 339 Anm. 36 sieht hier einen Beleg für Suetons mangelnden Sachverstand. Gelzer 1939, 871 folgert aus der Stelle, Rabirius sei im Multprozess mehrheitlich freigesprochen; das scheitert an *ad populum prouocanti*.

zuverlässig. Dio verschweigt nur die Ereignisse nach dem von Celer vereitelten Provokationsverfahren, nämlich dass Labienus einen zweiten Prozess angestrengt hat, in welchem Hortensius und Cicero erfolgreiche Verteidigungsreden hielten. Die Verschweigung ist wahrscheinlich durch Dios missbilligendes Verhältnis zu Cicero zu erklären.

2. Die Erwähnung von einer *multae inrogatio* (*Rab. perd.* 8) lässt sich nur dadurch erklären, dass die Rede im Multprozess gehalten wurde. Daran scheidet die Annahme, *Rab. perd.* würde vor Zenturiatkomitien in einem (von Celer vereitelten) Kapitalprozess gehalten. Cicero hat manche für Verteidigungsrede nicht passende Details, darunter das Provokationsverfahren, verschwiegen.

3. *Rab. perd.* und Liv. I, 26, 5–14 setzen dieselbe Fassung des Gesetzes über Duumvirn voraus. Die Vermutung, das im Rabiriusprozess verwertete Gesetz kenne keine Provokation, verlangt unerklärbare Entstellungen der Überlieferung über Duumvirn und über den Rabiriusprozess.

Aus dem Gesagten ergibt sich, dass der Anwendungsbereich der Provokation noch festzustellen ist: Entweder stellt das Duoviralverfahren das einzige Beispiel eines der Provokation unterworfenen gerichtlichen Urteils dar, oder das Urteil der *duumviri* ist als Kapitalkoerzition⁷¹ zu betrachten. Diese Frage überlassen wir der Zukunft; vor ihrer Lösung ist es voreilig auf den Rabiriusprozess als Argument für irgendeine Provokationstheorie zu verweisen.

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⁷¹ Für eine solche Ansicht spricht die Tatsache, dass die Duumvirn ihr Urteil ohne Gerichtsverhandlung fällten (s. o. Anm. 32), sowie dass Cicero das Duumviralverfahren mit den Quästionen des Jahres 132 vergleicht, die höchstwahrscheinlich eine Art Kapitalkoerzition darstellten (s. Ungern-Sternberg 1970, 36 Anm. 57). Wir bedanken uns bei Herrn J. von Ungern-Sternberg für seine klaren und hilfreichen Erklärungen darüber.

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The paper considers the *duumviri perduellionis*, a court which has long been a matter of debate. It is attested only three times: the legendary trial of Horatius during the reign of Tullus Hostilius (Liv. I, 26, 5–14; Fest. p. 390 L.; Cic. *Mil.* 7; Val. Max. VIII, 1, abs. 1); one version of M. Manlius Capitolinus’ death (Liv. VI, 20);

and the trial of Rabirius in 63 BC for his part in quelling the Revolt of Saturninus, well-attested but inconsistently described by the sources (Cic. *Rab. perd.*; cf. *In Pis.* 4; Suet. *Caes.* 12; Dio Cass. XXXVII, 25, 4 – 28, 4). The purpose of this article is to answer the question of reliability of the sources pointing at the possibility to appeal to the people against the verdict of the *duumviri* (Suet. *Caes.* 12; Dio Cass. XXXVII, 25, 4 – 28, 4; Liv. I, 26, 5–14): it is the only instance of *provocatio* against the court verdict, not against an attempt to impose corporal punishment, a high fine or capital punishment out of court. The main argument against the possibility of *provocatio* is Cic. *Rab. perd.* 12, with a number of scholars regarding it as an indication that Rabirius could not appeal against the verdict of the *duumviri* in the court. The paper proves that Cicero's testimony, in fact, does not contradict the statements of Dio Cassius and Suetonius that Rabirius did appeal to the people; besides, some considerations on the reconstruction of the Rabirius trial are brought forward.

Статья посвящена давно ставшему предметом споров суду *duumviri perduellionis*, засвидетельствованному всего три раза: легендарный суд над Горацием в правление Туллы Гостилия (Liv. I, 26, 5–14; Fest. p. 390 L.; Cic. *Mil.* 7; Val. Max. VIII, 1, abs. 1); одна из версий гибели М. Манлия Капитолийского (Liv. VI, 20); и суд над Рабирием в 63 г. до н. э. за участие в подавлении мятежа Сатурнина, – хорошо засвидетельствованный, но противоречиво описываемый источниками (Cic. *Rab. perd.*; cf. *In Pis.* 4; Suet. *Caes.* 12; Dio Cass. XXXVII, 25, 4 – 28, 4). Цель статьи – ответить на вопрос о достоверности источников, указывающих на возможность провокации к народу против приговора дуумвиров (Suet. *Caes.* 12; Dio Cass. XXXVII, 25, 4 – 28, 4; Liv. I, 26, 5–14): это единственный пример провокации против приговора суда, а не против попытки без суда назначить телесное наказание, высокий штраф или смертную казнь. Главным аргументом против возможной провокации служит Cic. *Rab. perd.* 12, понимаемое рядом исследователей как указание на то, что Рабирий в суде дуумвиров не имел возможности подать провокацию на их приговор. В статье доказывается, что свидетельство Цицерона на самом деле не противоречит сообщениям Диона Кассия и Светония о том, что Рабирий провокацию подал; кроме того, предлагаются некоторые соображения о реконструкции процесса Рабирия.

HORAZ, *CARM.* II, 9–11: EINE MITTELTRIAS

In tuas, uxorcule amabilis, manus fidissimas.

Man liest zuweilen, das zweite Odenbuch des Horaz sei zweigeteilt,¹ und zwar so, dass zwischen *Carm.* II, 9 und II, 11 eine kompositorische Fuge liege, dass also die drei Gedichte keine Einheit bilden. Ziel des hier vorgelegten Aufsatzes ist es zu zeigen, dass die drei Gedichte *Carm.* II, 9–11 sehr wohl eine formal und inhaltlich fest geschlossene Gruppe bilden, die nicht – wie es oft geschieht – durchtrennt werden darf, um eine Struktur von 10 plus 10 Liedern zu bekommen. Vor allem aber soll gezeigt werden, welches der Sinn und die Absicht dieser Gruppierung ist.²

Carm. II, 9

Einem Menschen ist das Unglück widerfahren, dass ein ihm Nahestehender verschied. Nun kann es geschehen, dass ein Freund des Hinterbliebenen es sich zur Aufgabe macht, den Betroffenen zu trösten. Seit Homer haben Dichter nach Wegen zu Herz und Verstand von Trauernden gesucht,³ und so steht das Trostgedicht des Horaz an den Dichter-Freund Valgus in einer langen und reichen Tradition. Doch um diese soll es hier nicht gehen, Gegenstand der Untersuchung soll vielmehr zunächst der Bau und die Vorgehensweise von *Carm.* II, 9 sein, und zwar in Unterscheidung von R. G. M. Nisbets und M. Hubbards Erklärungswerk und von H. P. Syndikus, der in seinem zu Recht viel gelobten Kommentarwerk die Ode wie auch Nisbet–Hubbard literaturgeschichtlich, nämlich von seiner ersten Zeile an als „Kontrastbild“ zur Elegie und als Umkehrung

¹ Z. B. Günther 2013, 214.

² Das Folgende stützt sich auf Heinze 1955; Nisbet–Hubbard 1978; Syndikus 1990; Maurach 2006. Ob die Ausführungen von Tarrant 1995, 43; Lowrie 1997, 87; West 1998, 72 und bes. 77 weiter als nur in die Nähe des vom Dichter Gemeinten führen, das zu untersuchen, würde hier weitab führen.

³ Es sei an *Il.* XVIII, 217 ff., an die schreiende Klage Achills um Patroklos, oder an Archilochos frg. 7 Diehl erinnert.

elegischer Motive versteht. Doch auch dies soll nicht im Zentrum der folgenden Interpretation stehen, sondern recht eigentlich Weg, Sinn und Ziel des horazischen Gebildes und seiner Begleiter *Carm.* II, 10 und II, 11.

Der Bau des Gedichtes *Carm.* II, 9 scheint einfach: Am Anfang liest man zwei Strophen voller „Naturbilder“,⁴ geordnet zu drei eingliedrigen und einem durch ein *et* in v. 8 gespaltenen: Nicht immer zerfurcht der Regen das Land⁵ oder wühlen immerzu wechselnde Winde das Kaspische Meer auf, noch steht in armenischen Landen das Gebirgseis unbeweglich zu allen Jahreszeiten starr oder müht sich stets der Eichwald des Garganus und gehen die Eschen ihrer Blätter verlustig.⁶ Nun folgt (v. 9) mit energischer Gegensatzung (*tu semper* im Gegensatz zu *non semper* v. 1) das Gegenbild aus drei Elementen (*tu – nec – nec*) des unaufhörlich um seinen Mystes klagenden Freundes Valgius. Abgeschlossen wird also auch diese Strophe mittels einer Gabelung (*nec – nec*). Das exzessive Trauern des Valgius (in Form von traurigen Liedern)⁷ ist somit in Gegensatz gestellt zum Schlimmen in der Natur, nur dass dieses in ewigem Wechsel immer wieder ein Ende nimmt, des Valgius Trauern dagegen nicht: Es ist somit gleichsam naturwidrig. Diese Naturbilder legen den versöhnlichen Gedanken daran nahe, dass bei aller Wildheit⁸ doch immer auch ein Wechsel zurück zum Guten und Ruhigen stattfindet, ein Gedanke, der sich dann auch in *Carm.* II, 10, 17 ff. findet.

Die dritte Strophe enthält ein vorsichtiges Missfallen,⁹ wenn nicht gar eine Kritik am Fehlverhalten des Freundes, der es nicht abstellen mag. Diese Kritik wird dann ganz deutlich ausgesprochen in der vierten

⁴ Syndikus 1990, 387.

⁵ In v. 1 findet sich das seltene, immerhin bei Verg. *Aen.* X, 210 verwendete Adjektiv *hispidus*, gesagt von einem vom Regen zerfurchten Ackerland; man hat das Wort früher zu *Histicos* geändert, um auch in dieser Zeile ein geographisches Beiwort zu gewinnen. Die neueren Ausgaben vermeiden diese Überladung mit Erdkunde.

⁶ Man kann freilich auch anders analysieren: Auf ein *non* mit Verb (v. 1 f.) und ein *aut* mit Verb (v. 2–4) folgt in ähnlicher Weise ein *nec* mit Verb (v. 4–6) und wieder ein *aut*, diesmal aber mit zwei Verben, die ein *et* verknüpft: Auch hier eine klare Ordnung. Die Spaltung des letzten Gliedes einer Aufzählung als Gliederungszeichen ist spätestens seit Pindar üblich und gesucht, vgl. Maurach 2006, 198, 203. Der Grund, warum im vorliegenden Aufsatz solches Technische nicht übergangen, vielmehr als wichtig angesehen wird, zeigt sich besonders bei der Besprechung von *Carm.* II, 9, 15 f.

⁷ Zu *amores* als Lieder oder Gedichte s. Verg. *Ecl.* 8, 23.

⁸ „Fury“ (Nisbet–Hubbard 1978, 135).

⁹ Manche Interpreten sprechen hier von Spott oder von „Parodieren“, s. Anm. 19.

Strophe, die mit einer scharfen Partikel der Gegensätzlichkeit beginnt (*at* in v. 13). Dem übermäßig trauernden Freunde wird das Gegenbeispiel des langlebigen Nestor vor Augen geführt, der um seinen lebenswürdigen¹⁰ Antilochos nicht „all die Jahre“ trauerte, und das der Eltern und Schwestern des Knaben Troilus, die ebenfalls „nicht immer“ um den Dahingeschiedenen weinten.¹¹ Zwar findet sich in v. 15 f. wieder eine Gabelung (*parentes aut Phrygiae sorores*), aber dies Gliederungszeichen trennt hier nicht Strophen, sondern nur Gedankenkomplexe; das Gedicht geht über dieses Gliederungszeichen rasch hinweg, bewirkt keinen tiefen Einschnitt. Aber warum eilt der Dichter über diese Gabelung und das stark hervorgehobene *semper* so rasch hinweg? Man wird mit aller Vorsicht davon sprechen dürfen, dass der Dichter sich jetzt nicht mehr aufhalten lässt, d. h. dem für das ganze Gedicht entscheidenden *desine tandem* zueilt.¹² Das *desine tandem* ist ja der Zielpunkt alles Vorhergegangenen: Ein hilfreicher, wenn auch harter Ratschlag.¹³ Er verlangt einen Wechsel der Blickrichtung: Fort von sich und der eigenen Lage und Trauer, hinauf zu Höherem, zu bewunderndem Aufschauen zu den jüngsten Erfolgen des Augustus.¹⁴ Und nicht nur Lieder über die Erfolge römischer Außenpolitik stellt der Dichter dem Dichter-Freunde als erhebende Alternative¹⁵ vor Augen, er stellt ihm ein *gemeinsames* Singen in Aussicht; er nimmt den trauernden Freund zu sich, nimmt ihn gleichsam zu gemeinschaftlichem Tun und Dichten bei

¹⁰ Nisbet–Hubbard 1978, 146 f. hören aus *amabilem* eine erotische Anspielung heraus, was man getrost beiseite legen kann, denn eine solche Anspielung, wenn sie denn überhaupt vorhanden ist (man könnte auf *Il.* XXIII, 556 verweisen, wo er als „lieber Gefährte“ des Achill bezeichnet wird, aber auch nur dies), hat für die horazische Ode keine andere Bedeutung als die Liebe des Vaters zum Sohn.

¹¹ Dies dritte *non semper* steht in exponierter Endstellung, so wie die ersten beiden in exponierte Anfangsposition gestellt waren.

¹² Tempobeschleunigungen in der archaischen Lyrik der Griechen sind in Maurach 1968, 15–20 nachgewiesen.

¹³ Beim Trösten darf der Tröstende sehr wohl auch einmal hart zupacken, vgl. die Belege bei Maurach 2013, 69 f. (§ 84, vgl. auch § 92, jeweils mit neuerer Literatur zur Trauerarbeit). Das „endlich“ in „Höre endlich auf!“ ist energisch genug.

¹⁴ Vgl. hierzu Syndikus 1990, 389; Kienast 1992, 75 und 352 (zu den *nova tropaea* im Kantabrer-Krieg) und Nisbet–Hubbard 1978 zu *Niphaten* in v. 20 und S. 137 zu Vergilstellen, die auf die Ostpolitik zielen.

¹⁵ Syndikus spricht von einer „Aufgabe“, die der Dichter stelle (388 Ende; 389, Abs. 2 Ende). Ganz ähnlich lässt, wie B. Dunsch brieflich hervorhob, Seneca seine Trostschrift *Ad Helviam matrem* ausklingen: „Im Aufblick zu dem schönsten Schauspiel, dem am Himmel, treffen sich Mutter und Sohn“ (Maurach 2013, § 90, S. 74).

der Hand.¹⁶ Die ins Auge gefassten Themen betreffen die erfolgreiche Außenpolitik, metaphorisch angedeutet in drei stellvertretenden Ortsangaben, wobei die ersten beiden (*Niphates* und *Medum flumen gentibus additum*) zunächst nur von Einverleibung ins Römische Reich sprechen, das Folgende jedoch die Bezwingung und Beschränkung von zu Großem meint (*minores vertices* und *intra ... praescriptum*). Der Dreischritt markiert kraftvoll das Ende des Gedankens und Gedichtes.

Fragt man nun nach Sinn und Wert der Ode,¹⁷ so drängt sich zunächst der Eindruck eines formal vollendeten, beeindruckenden Kunstwerkes auf. Beeindruckend auch die Meisterschaft der Tektonik, zu der besonders die zumeist wenig beachtete Beschleunigung hin zu dem entscheidenden *desine* in v. 17 gehört. Will man sich nun aber dem Sinn und der Absicht des Gebildes nähern, so muss man weitgehend absehen von den gattungsbezogenen Überlegungen bei Nisbet–Hubard (136 f.) und Syndikus. Wichtiger ist die Ähnlichkeit mit *Carm.* II, 11: Ein Hypochonder wird auch dort aufgeheitert durch Hereinnahme in den Umkreis des Dichter-Freundes (*potamus* in v. 17 wie *cantemus* in II, 9, 19), durch Hinleitung zu einem schöneren Tun,¹⁸ wie es auch in II, 9 geschah, nur dass es am Ende von *Carm.* II, 11 nach düsteren Zeilen dann erheblich lustiger, trivialer und ausgelassener zugeht. Sinn und Wert der Ode II, 9 ist also dieser Liebesdienst für einen Freund.

Nicht minder wichtig ist nun aber die Erkenntnis, dass von Valgius gefordert wird, sich zu lösen von seinem Schmerz, wenn man so will: sich endgültig zu lösen von *Mystes* als realer Gestalt. Das ist zwar ein schmerzhafter Prozess, aber er verhindert das eigene Absinken.

¹⁶ Gegenstand des gemeinsamen Lobsingens im Einklang mit Vergil seien Zielpunkte der damaligen Außenpolitik, nämlich das zentralarmenische Bergmassiv des *Niphates* (vgl. Verg. *Georg.* III, 30) und der Euphrat (Kienast 1992, 75: Der Fluss wurde zur Reichgrenze gebändigt, er musste „seinen Wellengang mäßigen“, ähnlich Verg. *Aen.* VIII, 726). Mäßigen mussten auch die skythischen Gelonen die Ziele ihrer Unternehmungen, wie auch Vergil, *Aen.* VIII, 725 andeutet.

¹⁷ Syndikus 1990, 387 legt viel Wert auf seine Vermutung, Horaz habe in Valgius einen „gefühlsmäßigen Widerwillen“ gegen die Naturbilder erzeugen, habe ihn dadurch „von seinem Jammer weglenken“ wollen – eine schwierige Konstruktion.

¹⁸ Man darf auf motivische Ähnlichkeiten mit Senecas Trostschriften verweisen: Auch für ihn ist ständiges Trauern, im Unterschied zu den stets wechselnden Umständen in der Natur (*Marc.* 7, 1; *Helv.* 6, 7 f., wozu J. Pigoñ brieflich Polyb. VIII hinzufügt) unnatürlich wie in den ersten Strophen des Horazgedichts; auch Seneca erlaubt sich einen Befehlston (*Helv.* 16, 1), und auch Seneca versucht, dem Depressiven eine neue Sicht zu öffnen (*Marc.* 25 f.).

Carm. II, 10

Dieses Gedicht beginnt schroffer als das vorhergegangene,¹⁹ setzt es doch ein mit einer deutlichen Anweisung: „Besser wird es dir ergehen,²⁰ wenn du nicht ungeduldig immer auf die hohe See hinaus drängst und Dich auch nicht aus Furcht vor Sturm allzu vorsichtig und allzu nahe an der gefährlichen Küste hältst“. Mit „immer“ und „allzu“ wird auf zu meidende Extreme ungeduldigen Strebens bzw. ängstlichen Scheuens angespielt; die Seefahrt, von der das Gedicht seine Metaphern entleiht, ist die des Kauffahrers, und fragt man nach dem von der Metaphorik Gemeinten, so sieht man, dass die Bilder auf das Gewinnen und Verlieren zielen, auf das Sich-Fallen-Lassen bzw. das übermäßige Hochstreben. Es wird dem gegenüber zu einem „goldenen Mittelweg“ geraten, den man „lieben“ soll: *auream quisquis mediocritatem diligit*“ (v. 5 f.), d. h. als hohen Lebenswert einschätzen.²¹ Nach dem Abstrakten, dem gnomisch klingenden Satz (*quisquis ... diligit*) folgt gleich wieder Konkret-Lebensnahes (Hütte und Palast; die Gabelung mittels der beiden voluntativ aufzufassenden *caret*²² beschließt die Strophe). An das Bild von Hütte und Palast fügt Horaz eine Strophe, die in Bildern das warnende Fazit zieht, nämlich drei Bilder aus Sicht- und Erlebbarern: Außergewöhnlich hohe Bäume²³ schüttelt

¹⁹ *Carm.* II, 11 wird dann, wieder anders, mit freundlichem, milden Spott einsetzen. Spott und Parodieren spürten z. B. West 1998, 64 ebenso wie Nisbet–Hubbard 1978, 136 auch in *Carm.* II, 9 heraus, mit wie viel Berechtigung, sei dahingestellt.

²⁰ Heinze bespricht *rectius* zu Hor. *Epist.* I, 2, 41 und I, 6, 29: Es bewegt sich in der Mitte zwischen „prinzipientreu leben“ und „gut ergehen“; vgl. auch *Epist.* I, 7, 3 und Nisbet–Hubbard 1978, 260.

²¹ Ausführlich besprochen in Maurach 2007, 15. Was die Bezeichnung eines Abstrakten als „golden“ angeht, so nennt Pindar (*Pyth.* 3, 73) die Gesundheit „golden“; Sophokles in der *Ant.* 699 eine besonders hohe Ehrung. C. Bailey wies im Kommentar zu Lucr. III, 12 auf solche Lobesausdrücke auch bei Lukrez hin. Wenn Horaz die *mediocritas* „golden“ nennt, dann erhebt er paradoxal und wohl auch ungewöhnlich das Mittelmaß zu einem Höchsten. Was *diligit* (v. 6) betrifft, so sprach Heinze 1955, 199 von einem Wort, das „mehr auf Wertschätzung als auf innere Zuneigung geht“; Nisbet–Hubbard 1978, 169 fassen es als philosophische Prohairesis auf, Syndikus 1990, 392, Anm. 9 als „geschätztesten Wert“: Eine emotionale Komponente wird man nicht leugnen wollen.

²² Nisbet–Hubbard zu v. 6 (*caret*) „avoids“, vgl. „verzichtet“ bei Heinze.

²³ Besonders hoch hinaus ragende Wipfel bewirken keine *Frequenz* (dies würde *saepius* meinen, das Pöschl 1970, 162 und 210 vorzieht) der Stürme, wohl aber provozieren sie eine besonders verheerende *Auswirkung*, also *saevius* mit Heinze, mit Klingners und Shackleton Baileys Ausgaben und dem Kommentar von Syndikus 395, Anm. 14. Zu einstürzenden Hochhäusern vgl. *Juv.* 10, 105 f. (J. Pigoñ fügte brieflich noch Ps.-Sen. *Oct.* 379 f. hinzu).

der Sturm besonders stark, besonders hoch gebaute Türme stürzen mit besonders schwerem Fall in sich zusammen, und es sind gerade die Gipfel der Berge, die der Blitz sucht.²⁴

Nach den drei ersten Strophen (v. 1–12) mit ihren Warnungen vor einem schäbigen Verachten angemessenen Besitzes und einem zu hoch zielenden Streben, richtet sich nun (v. 13 ff.) der Blick auf Umfassenderes, auf den Lauf des Lebens im Ganzen, auf Glück und Unglück, und nicht mehr nur auf Besitz und Armut („Hütte“ und „Palast“). Hier ist jetzt der tragende Begriff nicht mehr ein *mediocritatem diligere*, sondern der eines Vorbereitetseins in Sinn und Herz auf *jeglichen* Schicksalsfall: *bene praeparatum pectus* (v. 14 f.).²⁵ Und auch hier klären Bilder aus der Natur das Gemeinte, insbes. das Bild wechselnder Göttergunst. Dieser zweite Teil aus erneut drei Strophen vom Vorbereitetsein auf den Wechsel der Lebensschicksale überhaupt (nicht mehr nur im Sinn des materiellen Erfolges und Misserfolgs) klingen aus mit einem Pendant zu den Seefahrtsbildern in den Anfangsstrophen: „Zeige Dich, wenn gut vorbereitet, zuversichtlich in Notlagen, aber reffe das Segel bei allzu (also verdächtig) günstigem Winde“, will sagen: verhalte Dich skeptisch einer Glückssträhne gegenüber.²⁶ Auch dies ein „goldener Mittelweg“, der nun nicht mehr nur Vorsicht verlangt (*cautus*, v. 3), sondern mehr: Klugheit, wenn nicht gar Weisheit (*sapienter*, v. 22), die Klugheit eines *bene praeparatum pectus*.²⁷

Das Gedicht bedient sich in v. 9–11, dann in v. 15–17, wo es von sichernden und gefährdenden Verhaltensweisen spricht (v. 1 und 5 f.), naturgemäß einer, wenn man so will, abstrakt-philosophischen Terminologie;

²⁴ Dieser erste Liedteil ist wieder sehr klar gebaut: Kopfsatz (*rectius vives, Licini*), dann *nec – nec* mit zwei konträren Beispielen, gefolgt von einem Allgemeinsatz (Forderung), danach erneut zwei konträre Folgerungen (v. 6–8) und ein Beweisgang aus drei Naturerscheinungen (v. 9–12).

²⁵ Gemeint ist hier die *praemeditatio*, von der z. B. Cicero (*Tusc.* III, 29) und Seneca (*Epist.* 91, 8 und 107, 4) sprechen. *Pectus* ist der Sitz sowohl des Willens als auch des Mutes, ihm zu folgen, und zwar aus Überzeugung: Verg. *Aen.* VIII, 151; Sall. *Jug.* 102, 11 (vgl. die schöne Bemerkung bei Fraenkel 1957, 324 Anm. 2).

²⁶ Der Wechsel wird durch die Kurzformel *infestis – secundis*, durch das Bild des Wetterwechsels, des Wechsels von scheußlichem Sturm zu endlich abziehendem Unwetter bezeichnet und des Bildes von Apoll, der einmal den Bogen spannt, wenn er Hybrides vernichten will, und dann wieder die Kithara rührt: Dreimal führt das Gedicht hier von Abstraktem (v. 13 f., 17 f. und 21 f.) zu Bildhaftem (v. 15 f., 18–20, 22 f.).

²⁷ Die gelingende Güterwahl steuert Streben und Meiden; die Wahl der richtigen Güter schützt vor selbstverschuldetem Niedergang bzw. vor gefährdendem Übermaß. Komplementär hierzu wirkt die *praemeditatio* (14–16): Das Wissen um den Wechsel des Auf und Ab schützt vor Verzweiflung (v. 21 f.) und auch vor Übermut (v. 22 f.) und gibt die Weisheit selbstgewählter Beschränkung.

daneben aber auch einer reichen Bildersprache, die der Natur entlehnt ist. Warum? Der kluge Mensch wird den „Rhythmus“ seines Lebens als dem der Natur verwandt erkennen, hier insbesondere den Wechsel in ihm. Er wird sich dem Wechsel in der Natur anheim geben, denn sie ist ja nicht ohne die Götter, darum hier die Nennung des Juppiter und des Apoll. Die letzte Strophe verbindet dann eine allgemein formulierte Forderung (Imperativ in v. 22 wie in II, 9, 17) mit einem maritimen Bild, das die Seebilder der ersten Strophe anklingen lässt.

Das Lied *Carm.* II, 10 blickt also zunächst auf das eigene Tun, auf Streben und Meiden (v. 1–12). Dann stellt es das Schicksal, also dem Menschen Entzogenes in den Blick (*sortem*, v. 14), worauf er mit Hoffen auf Besseres bzw. mit Furcht vor allzu viel Glück reagieren kann. Auch hier wieder muss er sich lösen können, lösen vom Verzagen im Pech und lösen vom blinden Genießen einer Glückssträhne. Man muss vorbereitet sein auf den Unglücksfall und ebenso auf den verführenden Glücksfall, muss tapfer nicht die Hoffnung fahren lassen und weise allzu leichtem Gelingen gegenüber Skepsis üben. Also auch hier gilt es, sich von aller Verführung zu lösen und bei sich zu bleiben im Wissen des Wechsels.

Carm. II, 11

„Diese friedfertigste aller Oden²⁸ beginnt mit einem drohenden Ton“, so Nisbet–Hubbard (169 zu v. 1). Gewiss waren die Kantabrer in Nordspanien und die Skythen im Nordosten an und für sich gefährlich genug, aber schon die leicht saloppe Frage, „was sie wohl im Schilde führen“²⁹ dämpft, vollends der Gedanke daran, dass zwischen den Skythen und der römischen Reichsgrenze ja die Adria gelegen ist,³⁰ entschärft alle Drohung;³¹ und auch um die Deckung eines geringen Tagesbedarfs, so heißt es in v. 5, braucht Quintius sich keine Sorgen zu machen,³² da ja

²⁸ So friedlich ist *Carm.* II, 11 allerdings keineswegs. Die Erinnerung an das baldige Lebensende und das drohende Greisentum ist nicht dazu angetan, auf längere Zeit Frieden und Wohlgefallen zu erzeugen.

²⁹ So gibt Heinze das *cogitet* aus v. 2 wieder; vgl. *quid cogitet umidus auster* in Verg. *Georg.* I, 462.

³⁰ Und nicht davon zu reden, dass auch die Kantabrer durch eine natürliche Barriere von Italien getrennt sind.

³¹ *Remittas* in v. 3 scheint keineswegs ein „slackening of tension“ (Nisbet–Hubbard) zu meinen, sondern gerade (entgegen Nisbet–Hubbard) ein „abandonment“, vgl. neben den gemeinhin angegebenen Belegen auch Lucr. VI, 68.

³² Zu *trepido* mit finalem *in* („besorgte Gedanken richten auf etwas“) s. Maurach 2006, 46 § 61 und besonders Norden zu Verg. *Aen.* VI, 51.

das kurze Menschenleben nicht eben viel verlangt. Schon ist das graue Haar dabei,³³ das lustvolle Leben, die glatte Haut und den leicht sich einstellenden Schlaf der Vergangenheit anheim zu geben. Wie gehen wohl die beiden Gedanken (Bescheidung und Schwund der Jugend) zusammen? Die Erkenntnis, dass die Lebenszeit rasch verrinnt (das liegt in *fugit*, v. 5), lässt ebenso wie der Gedanke an den ständigen Wechsel die Angst um den Besitz sowie das Gieren nach mehr widernatürlich erscheinen: Wozu also seine Gedanken in ferne Zukunft schicken (v. 11 f.)? Man wende sich dem Jetzt zu und genieße es.

Und wieder – wie so oft in den Gedichten II, 9–11 – der Blick auf Vergleichbares in der Natur: Nicht immerfort (*non semper*, vgl. II, 9, 1; 10, 2: ein deutlich verbindendes „Leitwort“) gleich schön sind die Frühlingsblüten, und der rötliche³⁴ Mond hat nicht immer die gleiche Gestalt – „was bürdest Du also derart weit reichende Befürchtungen Deinen Gedanken auf, die eh nicht in die Ewigkeit reichen“? Erstens sind also die Befürchtungen des Quintius grundlos, zweitens sind sie der *condition humaine* unangemessen – was also tun?

Wieder ergreift der Dichter gleichsam die Hand des Freundes (wie schon in *Carm.* II, 9, 19 ff.) und führt ihn zu Heitrerem: „Hier“ unter den hohen, schattenden Bäumen „lass’ uns doch einfach „mal so“ (*sic temere*) lagern und in angenehmem Duft der Blüten zusammen trinken“, der Wein zerstreut ja die Sorgen (v. 17), und der Gedanke an den Wein leitet schon über zum Ruf nach dem Mundschenken in lockerem, alltäglichem Ton so, als hätte es nie schwere Gedanken gegeben. Das Ich des Dichters hat also die Führung übernommen und ruft jetzt gar nach der Lyde, dem hübschen, fröhlichen Mädchen mit ihrer Lyra – Ruhen im Freien, im Schatten, Trinken, Musik und eine schöne Frau – was bleibt da wohl von den schweren Gedanken?³⁵

³³ *Pellente* in v. 7 legt den Gedanken an langsames Überhandnehmen nahe.

³⁴ Horaz meint kaum eine stark rote Färbung des Mondes, auch nicht seine Reaktion auf menschliche Zustände (eine gute Sammlung von solchen Belegen bei Nisbet–Hubbard 1978, 172 unten), sondern den leicht rötlichen Hauch, welcher zuweilen den Mond freundlich überzieht, der ja nicht immer blass gleißt.

³⁵ Treffend bespricht Syndikus 1990, 403 die Mittel, die Horaz anwendet, um dem Gedicht formale Einheit zu geben; ob aber die „Eile, mit der die Festvorbereitungen getroffen werden“, wirklich die „Antwort auf das vom Menschen nicht aufzuhaltende Verfliegen der Zeit“ sein sollte, wäre noch zu überlegen. Aber auch er gibt keine Auskunft darüber, was es wohl bedeutet, dass *Carm.* II, 11 im Bau *Carm.* II, 9 ähnelt und dass es auch im Gedanken dem früheren Liede gleicht: Auch in *Carm.* II, 11 hebt der Sprechende den leidenden Freund, die Initiative ergreifend, gleichsam zu sich und seinem Optimismus herauf, um ihm eine andere, erfreulichere Perspektive zu geben: Die beiden Gedichte sollten als Paar gelesen werden.

Man kann *Carm.* II, 11 gewiss mit Nisbet–Hubbard „friedfertig“ („peaceful“) nennen, kann bezüglich des Beginns von *Carm.* II, 11 von einem „Wegschieben des Gewichtes“ sprechen (Syndikus 1990, 399), aber wird dies Gebilde wirklich „immer lockerer, freier, unbeschwerter“ (Syndikus *ebd.*)? Dass die schöne Jugend „hinter mir“ (*fugit retro*, v. 5), die erschlaffende Runzelhaut (dies etwa der Gegensatz zur *levis iuventas* in v. 6), nicht mehr verborgen, dass die herrliche Laszivität der jungen Jahre (v. 7) vorüber ist, macht all dies locker und unbeschwert? Nein, diese Verdüsterung ist nicht „wegzuschieben“, ist da und bleibt, im Herbst der Menschen wie im Herbst der Natur. Die aber wird sich erneuern, die Jugend, einmal vorbei, ist nicht zurück zu holen. Da ist nichts Heiteres, das muss hingenommen und ausgehalten werden. Dies ist was *Carm.* II, 11 bitter über den Lauf der Jahre sagt; das alles kann man für eine kurze Zeit übertönen in kurzem Augenblicksgenuss, aber es bleibt bei einem Genuss angesichts des Endes. Hinter dem *carpe diem*, hinter dem *potamus uncti* kommt der Tod. Dieser Gewissheit gegenüber ist die vage Kriegsgefahr weit hinten an der Grenze ein Nichts. Für ein paar herrliche Stunden darf man feiern, muss man feiern, will man nicht in der Angst versinken. Auch dies gehört zum *bene praeparare pectus*. So gesehen gehört hier alles eng zusammen, von *Carm.* II, 9 bis zum Ende von *Carm.* II, 11.

Carm. II, 9–11 als Triade

Alle drei Gedichte sind gleich gebaut, nämlich zu zweimal drei Strophen gegliedert; sie sind ferner durch wörtliche Anklänge verknüpft: Das Wort *semper* tritt in jedem der Carmina auf (II, 9, v. 1 und 9; II, 10, 2 und 19; ferner II, 11, 9) und bindet sie zusammen.³⁶ Eingegrenzt wird diese Dreiergruppe durch Gedichte gänzlich verschiedenen Charakters, auf der einen Seite durch das „hübsche Neckgedicht“³⁷ auf die ungetreue Schöne und auf der anderen durch die „Selbstaussage des Dichters über die Eigenart seines Dichtens“³⁸ in der Form der *recusatio*.³⁹ Auf den Inhalt gesehen, zeigen die Gedichte II, 9 und II, 11 eine gleiche Gedankenbewegung: Nach der Erwähnung eines Kammers, einer Sorge im Herzen des Angesprochenen (II, 9, 1–12 bzw. II, 11, 1–12) reicht der

³⁶ In der Umgebung der Trias von *Carm.* II, 9–11 findet sich das Wort *semper* im 2. Odenbuch nur in *Carm.* II, 6, 3, und dort ohne Negation. Die Ballung von *semper* bzw. *non semper* ist also signifikant und darf als verbindend angesehen werden.

³⁷ Syndikus 1990, 381.

³⁸ *Ibid.*, 405.

³⁹ Heinze 1955, 205.

Dichter dem Bekümmerten gleichsam die Hand und führt ihn zu einem anderen, schöneren Gedanken (in II, 9 zum Vorschlag, gemeinsam Augustus zu besingen; in II, 11 zum Vorschlag, hier und jetzt im Park zu trinken und es sich zusammen wohl ergehen zu lassen).

Carm. II, 10 steht zwischen den beiden Seitengedichten in der Weise zentral, dass es ihnen gleichsam das Fundament liefert, indem es die Haltung benennt, welche zur Bewältigung der in den Randgedichten angesprochenen Kümmernisse vonnöten ist: Zunächst (II, 10, 5 f.) eher materiell das *mediocritatem diligere*, danach allgemein und fürs ganze Leben gültig (*ebd.* 14 f.) das bene *praeparatum pectus*, das – auf die Natur blickend – sich auf den von den Göttern gleichsam vorgelebten Wechsel der Lebenslagen verlässt. *Carm.* II, 10 hält also die Gruppe gleichsam zusammen, indem es die tragenden Begriffe für die beiden Außengedichte beibringt. Im Zentrum der drei Carmina aber steht der Gedanke an die Bereitschaft, sich zu lösen, sich zu lösen von der Trauer (was ja schwer genug ist), sich zu lösen auch von Optimismus und Verzweiflung und sich bereit zu halten für das Wechseln des Geschickes. Dies scheinen die Begriffe zu sein, welche diese Triade tragen. Sie werden überall aus dem Geschehen in der Natur abgeleitet, und dies so, dass sie dem Hörer nahe legen, sich gleichsam in den Ablauf der Natur hinein zu geben, sich von ihm tragen zu lassen, in Wohl und Wehe im Verlass darauf, dass auf jedes Tief auch wieder ein Hoch folgt. Horaz scheint auf diese, ihm ganz eigene Weise das *naturam sequi*⁴⁰ der Stoa verstanden und ihn poetische Worte gefasst zu haben.⁴¹

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⁴⁰ P. Grimal widmete diesem Gedanken ein längeres Kapitel in seinem „Seneca“ (Grimal 1978, 250 ff.).

⁴¹ Falls in dem vorgelegten Aufsatz Zutreffendes erkannt ist, müsste die Struktur des zweiten Odenbuches neu überdacht werden.

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- H. P. Syndikus, *Die Lyrik des Horaz I* (Darmstadt ²1990).
- R. J. Tarrant, "Da Capo Structure in Some Odes of Horace", in: S. J. Harrison (Hg.), *Homage to Horace: A Bimillenary Celebration* (Oxford 1995) 32–49.
- D. West, *Horace Odes II* (Oxford 1998).

The three central odes of Horace, book 2 are interpreted in a new way. In contrast to current scholarship, it is shown that *Carm.* 2. 9–11 form a closely knit triad. If this holds true, it is no longer advisable to lay a compositional break after *Carm.* 2. 10. The composition of book 2 has to be reconsidered.

В статье предлагается новая интерпретация трех центральных од из второй книги од Горация. Вопреки преобладающему сейчас в науке мнению автор доказывает, что *Carm.* II, 9–11 представляют собой тесно соединенную триаду. Если это справедливо, то в построении второй книги не следует предполагать тематический разрыв после *Carm.* II, 10, так что ее композиция нуждается в пересмотре.

EVIDENTIAL STRATEGIES IN LATIN*

1. Introduction

Evidentiality is a linguistic category whose primary meaning is source of information.¹ According to the basic classification of the ways knowledge can be obtained, evidentials encode different modes of access to information. The main types of evidence, therefore, can be divided into three groups, i.e. direct (perceptual, visual, firsthand), indirect inferential (obtained by means of inferring or induction based on the state of affairs or traces resulting from a previous actions) and indirect reported.² Languages vary in how many types of information sources they can express and whether they do it compulsorily or optionally. Thus, when an event is directly observable by both speaker and hearer, evidentials are rarely used.³ On the contrary, an indirect source of information is marked more frequently. Languages which compulsorily specify a source of information may express it in a variety of ways. Some of them have special affixes or clitics,⁴ while in other languages evidential markers are fused with markers of other categories. In languages with grammatical evidentiality, marking how one knows something is a must. Leaving this out results in a grammatically awkward “incomplete” sentence.⁵

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¹ Aikhenvald 2004, 3.

² About the classification of evidential values in detail see Plungian 2001, 353; 2010, 37.

³ Anderson 1986, 277.

⁴ Most of the languages with special evidential affixes and clitics are spread in the North and South America. There are also languages with overtly expressed evidentials among Tibeto-Burman, Balcan and some other families (Aikhenvald, Dixon 1998, 245).

⁵ Aikhenvald 2004, 6.

There is no doubt that the linguistic devices encoding the source of information do exist in every language but differ significantly in their grammatical status. In almost all languages, a source of information can be expressed lexically, for example, by “seemingly” or “reportedly” in English, “якобы”, “мол”, “дескать” in Russian, “il paraît que” in French, etc. Hence, the essential part of studies on evidentiality is occupied by the discussion on the nature of evidential markers: that is, are they part of a grammatical system or belong to the lexicon of the language?⁶

From the angle of such a dichotomy, languages can be divided into three groups:

- 1) languages in which evidentiality has been grammaticalized,
- 2) languages which render this category by lexical means, and
- 3) languages where evidential meanings are not conveyed by specific forms, but are occasionally expressed by forms whose central meaning is something else.⁷

A very apt definition “evidential strategies” was suggested by A. Aikhenvald⁸ for such forms or constructions which somehow relate to the source of information (i.e., in essence, for the third group in Lazard’s classification). She claimed that a grammatical technique is an evidential strategy if, in addition to its primary meaning, it can acquire one or more semantic features characteristic of evidentiality proper. Such strategies are devices whose evidential value becomes apparent only as a side effect. Thus, in a number of languages, forms of future or perfect tenses, passive constructions, modal expressions and so forth acquire inferential meanings which are not obligatory and appear only in certain kinds of linguistic or situational context. In the present study, I will try to show that the definition “evidential strategies” corresponds well to the evidential grammatical techniques we can single out in Latin. It is worth stressing that evidential functions in the linguistic units under consideration result only from the *interaction* with the context and does not reside in the units taken in isolation. The mechanisms of interaction triggering a “joint” evidential meaning belong to the realm of pragmatics and operate on stable meaning components other than properly evidential.⁹

Fortunately, over the last years the question of whether evidentiality is restricted to grammatical marking, which would preclude considering lexical expressions as evidentiality proper, has received due attention, and

⁶ A critical review of points under discussion is given in Boye–Harde 2009, 9–14.

⁷ Lazard 2001, 360.

⁸ Aikhenvald 2004.

⁹ Wiemer–Stathi 2010, 279.

many authors have argued that, given that evidentiality is a functional domain, it cannot be restricted to cases of obligatory grammatical marking.¹⁰ In this vein, G. Lampert and M. Lampert¹¹ have suggested to conceptualize evidentiality as a multi-dimensional contextual category and to include within the category “all linguistic representations that serve as cues for evidentiality in context”. Such an attitude to the problem seems quite reasonable, especially in the light of the fact that the evidential functions of grammatical markers are often inherited from their lexical sources (e.g. speech act or perceptive verbs with or without complementizers), and therefore the grammatical evidentials prove to be connected with lexical ones by genetic association.

According to B. Wiemer,¹² the distinction between grammatical and lexical evidentiality is not to be regarded as a dual polarity, but rather as a gradual continuum ranging from “highly grammaticalized” over “less grammaticalized” to lexical.

In my study, I argue that in this gradual continuum Latin occupies the medial position. Methodologically, I will apply an approach to evidentiality as a category which is not necessarily expressed by a restricted number of special markers, but may have different strategies for “the linguistic coding of epistemology”.¹³

It is worth mentioning that epistemic modality and evidentiality are partly overlapping categories and their interaction is a highly discussed problem. A detailed analysis of literature on the topic is beyond the scope of this paper but a few remarks may be of use. Thus, it is worth mentioning that in the early works on evidentiality it was often treated as a subcategory of epistemic modality, in the latest studies, on the contrary, quite a few scholars consider evidentiality and epistemic modality as two different categories which, however, are very close to each other and are often expressed by the same means.¹⁴ The affinity of these two categories is particularly obvious from the angle of rethinking evidentiality as encoding the mode of access rather than the source of information. What combines evidentiality with epistemic modality is the speaker’s “attitude towards knowledge”.¹⁵ From this point of view, a category which encodes the source of information is evidentiality in a narrow sense, whereas a category marking the speaker’s attitude towards

¹⁰ Cornillie et al. 2015, 3.

¹¹ Lampert–Lampert 2010, 319.

¹² Wiemer 2010, 63.

¹³ Chafe–Nichols 1986; Aikhenvald 2004.

¹⁴ Plungian 2010, 44–46; Haßler 2010, 239.

¹⁵ Givón 1982; Chafe 1986, 262; Willett 1988, 52.

knowledge is evidentiality in a broad sense.¹⁶ As T. Willett has shown, there is an interaction between evidentiality in the narrow and broad senses. In some languages with dedicated markers of evidentiality, they qualify information not only on the basis of its source but also on the basis of “precision”, “probability” and “expectation”.¹⁷

In recent studies, one can witness an intention to find out new explanations of why evidential and epistemic markers often coincide. B. Wiemer¹⁸ put forward a notion *reliability* as an intermediate layer between evidential and epistemic meanings. With reference to de Haan¹⁹ he argues that epistemic modality and evidentiality both deal with evidence but differ in what they do with that evidence: epistemic modality *evaluates* evidence and on the basis of this evaluation assigns a confidence measure to the speaker’s utterance while an evidential *asserts* that there is evidence for the speaker’s utterance but does not interpret the evidence in any way. Reliability, according to Wiemer, is the crucial concept *mediating* between reference to information source and epistemic judgment; however, it cannot be equated with either of them.

Since the eighties, evidentiality has become such a topical issue that the number of studies concerning evidential markers and strategies in the languages of the world has been increasing continuously. Over the last five or six years, there have appeared some important works concerning evidentiality in the dead languages as well.²⁰ Their authors make an attempt to regard particular grammatical phenomena and lexical expressions as relating to linguistic coding of information source. Van Rooy²¹ recently demonstrated the relevance of evidentiality for Ancient Greek. As regards Latin, a systematic overview of evidential strategies seems to have been still lacking. The aim of the present study is therefore to make such an overview that would be important both for the linguistic typology and – even more importantly – for the reinterpretation of some Latin grammatical phenomena whose meaning has so far been restricted only to tense, mode or voice in traditional Latin grammars. I will try to show that these phenomena may have evidential extensions. My claim is that strategies under consideration are part of Latin grammatical rather than lexical system, if one follows the extended notion of “grammatical system” which may include not only suffixes, clitics or particles, but

¹⁶ Willett 1988, 54.

¹⁷ Willett 1988, 55.

¹⁸ Wiemer 2017a, 646.

¹⁹ De Haan 1999, 85.

²⁰ Cuzzolin 2010, Greco 2013, Guardamagna 2017.

²¹ Van Rooy 2016.

also auxiliaries and free syntactic forms.²² The pure lexical expressions referring to the source of information could be a subject of further investigation.²³

Latin grammatical system seems to provide both morphological and syntactic means to convey all the basic sources of knowledge, i.e. direct (attested), indirect inferring and indirect reported evidences.

2. Direct evidence

Concerning direct evidence, one would say that it can be expressed lexically by simple indicative forms of the perception verbs such as *video*, *audio*, *sentio* etc., but it is not the case because this would violate one of the important conditions for identifying archetypal evidentials suggested by Anderson: “Evidentials are not themselves the main predication of the clause, but are rather a specification added to a factual claim about something else”.²⁴ Perception verbs actually have the indication of evidence as their primary meaning, but they are themselves the main predication of the clause and, therefore, cannot be treated as direct evidentials. Hence, we should look for alternative means of expressing direct evidence which are expected to correlate with Anderson’s principle.

2.1. *The Participle and Infinitive Constructions*

The first strategy to express direct evidence is the Accusative with Participle construction (*Accusativus cum Participio [AcP]*, *Participium praedicativum* in terms of traditional grammars)²⁵ governed by the verbs of perception, or *verba sentiendi* (*videre* ‘to see’, *audire* ‘to hear’ etc.), as exemplified in 1–3:

(1) **M. Catonem vidi** in bibliotheca **sedentem** (Cic. *Fin.* 3. 2. 7).

I saw M. Cato sitting in the library.

(2) *hostes vero, notis omnibus vadis, ubi ex litore aliquos singulares ex navi egredientes conspexerant, incitatis equis impeditos adoriebantur* (Caes. *BG* 4. 26. 2).

²² Anderson 1986, 275.

²³ It is worth stressing that functionally the inflectional systems cannot make as many distinctions in evidential values as productive syntactic systems (Woodbury 1984, 202).

²⁴ Anderson 1986, 274–275.

²⁵ The evidential value of the Accusative with Participle construction has already been investigated by Greco 2013.

But the enemy, who were acquainted with all the shallows, when from the shore they saw any coming from a ship one by one, spurred on their horses.

(3) Timoleon, quum aetate iam provectus esset, sine ullo morbo lumina oculorum amisit. Quam calamitatem ita moderate tulit, ut neque **eum querentem** quisquam **audierit...** (Nep. 20. 4. 1).

Timoleon in old age without disease lost his sight. He suffered this misfortune so patiently that no one heard him complaining.

The status of this construction as grammaticalized sensory direct evidential rests on the fact that neither the governing verb nor the participle *per se* can be regarded as evidentials: it is in this particular construction, that they receive the evidential value. Importantly, the propositional content of the utterance is rendered by the *AcP* rather than the governing verb which is semantically the perception verb, hence, Anderson's condition is not violated.

Such a strategy is attested in a number of languages. Thus, in English, the sentence 4

(4) I **heard France beating** Brazil²⁶

implies that "I actually heard how this happened" (for instance, by radio), that means a direct perception.

In Latin, the verbs of perception can also govern the Accusative with Infinitive construction (*Accusativus cum Infinitivo, AcI*), and given it contains Present Infinitive,²⁷ which implies simultaneity of actions expressed by the governing verb and the infinitive, the *AcI* also acquires the meaning of direct sensory evidential,²⁸ as in example 5:

(5) sed **eccos video incedere** patrem sodalis et magistrum (Plaut. *Bacchid.* 403).

But I see them approaching: the father of my friend and his tutor.

²⁶ The example is taken from Aikhenvald 2004, 118.

²⁷ The importance of the grammatical tense should be stressed here. According to Woodbery 1986, 188, "when grammatical categories occur together, their semantic content limits the ways they can interact", in other words, the experiential (direct) value of the *AcI* is possible because the grammatical tense of the governing verb and the infinitive is the same. Otherwise, the resulting evidential value would be nonexperiential (indirect): Woodbery 1986, 198.

²⁸ Greco 2013, 181.

As it has been demonstrated, both participle and infinitive construction can occupy the same syntactic position and be treated as a strategy expressing direct evidence. The question arises what the difference is. This point proved to be highly discussed. P. Greco²⁹ convincingly argues that these two subordinate clauses which can be governed by verbs of perception, differ, however, in their syntactic distribution and, allegedly, in their meaning. The *AcI* construction has a wider distribution insofar as it can occur after all types of perception, cognition, and utterance predicates while the *AcP*, on the contrary, can only be governed by perception verbs. According to traditional Latin grammars,³⁰ *AcI* is used to convey cognition meanings while *AcP* expresses a perceptual meaning. In other words, “the difference between the two constructions is that in the case of the *AcP* the aspect of ‘perception’ is central, and with the *AcI* that of ‘cognition’ and ‘reflection’”³¹ is most significant. Interestingly, the *AcP* may always be replaced by a corresponding *AcI*, while the converse is not true. As is clearly highlighted by Greco with reference to Riemann,³² in most cases the context allows both a direct and an indirect perception interpretation, and sometimes *AcI* is used “dans des cas où [...] on attendrait le participe”.³³ However, Riemann considers the latter cases to be instances of “popular Latin”.

The cases of *AcI* and *NcI* as indirect evidential strategies will be considered in the following sections.

2.2. *Historic present*

There is a stylistic device in Latin which makes an impression of a particular nearness. It is the historic present, which was referred to by Roman scholars as *demonstratio* or *evidentia*, and its definition surprisingly resembles that of the direct firsthand evidential:

Demonstratio est, cum ita verbis res exprimitur ut geri negotium et res ante oculos esse videatur (*Rhet. Her.* 4. 68).

Demonstratio is a way to express something in words so that it seemed as though events and things were taking place before our eyes.

²⁹ Greco 2013, 178–179.

³⁰ Riemann 1890, 469–470; Kühner–Stegmann 1966, 703–704; Hoffmann–Szantyr 1965, 387–388.

³¹ Pinkster 1990, 131.

³² Greco 2013, 178 n. 15.

³³ Riemann 1890, 470 n. 1.

The historic present creates an impression of the eyewitness report and is especially appropriate to texts characterized by a lot of detail.³⁴ See ex. 6:

(6) (Troilus) **fertur** equis curruque **haeret** resupinus inani lora tenens tamen. Huic cervixque comaeque **trahuntur** per terram et versa pulvis **inscribitur** hasta (Verg. *Aen.* 1. 476–478).

(Troilus) is carried along by his horses and fallen backwards, clings to the empty car, yet clasping the reigns; his neck and hair are dragged over the ground and the dust is scored by his reverse spear.

All the verbs marked in semi-bold are the historic present forms which describe the events of a distant past in a historic narrative as if the author had observed them personally.

The use of historic present is particularly appropriate for epic and folklore texts because it emphasizes the participation of the listener or reader in action, which reduces the distance between *hic et nunc* and the space of the text.³⁵

2.3. Impersonal passive

There is one more stylistic device to express sensory perceived direct evidence: this is the impersonal passive.

Generally speaking, passive forms including impersonal passive in many languages can be used as evidential strategies with inferential value. Thus, in Lithuanian, the impersonal passive is used when some direct physical evidence is available for the statement.³⁶ The evidence is based on visible results. Since the impersonal passive in Lithuanian is formed with the past passive participle (with an optional copula), which has a typical perfect meaning, it marks past actions still relevant to present, and its evidential extensions are similar to those expected for a perfect or resultative.³⁷ As regards the Latin language, it also uses impersonal passive forms to express different evidential values. Some occurrences seem to have overtones of direct evidentials, as in ex. 7:

³⁴ Pinkster 2015, 402.

³⁵ Makartsev 2013 [М. М. Макарец, *Эвиденциальность в пространстве балканского текста*], 225.

³⁶ See examples in Petit 1998, 106; Blevins 2003, 497–498; Aikhenvald 2004, 116; Wiemer 2007 [Б. Вимер, “Косвенная засвидетельствованность в литовском языке”, in: В. С. Храковский (ed.), *Эвиденциальность в языках Европы и Азии*], 213–215.

³⁷ Aikhenvald 2004, 116.

(7) **Itur** ad te, Pseudole. Orationem tibi para advorsum senem (Pl. *Pseud.* 453–454).

You're being approached, Pseudolus. Prepare your speech against the old man.

Eliminating the subject allows the speaker to focus on the action as such and to represent a situation as attested by the speaker or any other observer of the situation. These features can be considered as direct evidential implications.

There are also contexts where one can hardly distinguish between direct evidential and inferential overtones, as in ex. 8:

(8) Sed crepuit ostium. **Exitur** foras (Pl. *Cas.* 813).

But the door has creaked. They are coming out.

The impersonal passive *exitur* can be treated either as a representation of a situation perceived directly by the speaker (i.e. direct evidence) or as a conclusion drawn from the previously described action (i.e. inference).

It should be stressed that all instances of the impersonal passive with presumably evidential meaning are contextually determined and occur only in the language of Roman comedy. They are also restricted to the clauses with impersonal passives implying uncertain or plural agent or 1st person agent. To sum up, it is a convenient grammatical device which gives a possibility to witness an action but avoids reference to its agent, as exemplified in 9 and 10:

(9) Quid agitur? – Statur. – Video (Ter. *Eu.* 270–271).

What are you doing? – I am standing here. – I see.

(10) Salve. Quid agitur? – Statur hic ad hunc modum (Pl. *Pseud.* 457).

Hallo! What are you doing? – Just stand here.

It should be mentioned that contextually determined character of the Lithuanian impersonal passives is clearly stated by Wiemer³⁸ with reference to many scholars. He underlines that past passive participles which are found in the Lithuanian evidential constructions, especially preserving copulas, are hardly distinguished from the standard perfect forms. They need context to realize their evidential meaning. The same holds true for the Latin evidential strategies under consideration.

³⁸ Wiemer 2007, 206.

3. Indirect evidence

3.1. *Indirect inferring evidence*

Normally, indirect inferring or presumptive evidence is obtained by means of inferring or induction based on the state of affairs or traces resulting from a previous action. The Latin language provides a number of devices that can be treated as inferential evidential strategies. One of them has already been discussed (I mean the impersonal passive which shares properties of direct and inferential evidentials). Now I turn to other grammatical expressions of non-firsthand information. Some of them will have overtones of probability, expectation, uncertainty, subjectivity or distance.

3.1.1. The Nominative with Infinitive construction

The first to be analyzed is the Nominative with Infinitive construction (*Nominativus cum infinitivo, NcI*) governed by the verb *videri* ‘to seem’, as in ex. 11:

(11) **Ille** mi **par esse** deo **videtur**,
 ille, si fas est, **superare** divos,
 qui sedens adversus identidem te
 spectat et audit
 dulce ridentem (Catull. 51. 1–5).

He seems to me to be equal to a god, he, if such were lawful, to surpass the gods, who sitting across from you again and again gazes on you, and listens to you sweetly laughing (transl. by L. C. Smithers).

The inferential value of the construction governed by *videtur* is determined by the state of affairs that is described in the lines 3–5.

The verb *videri* ‘to seem’ is the present passive form of the verb *videre* ‘to see’, and acquires its particular meaning ‘to seem’ not only in the Nominative with Infinitive construction, but also in the clauses with noun predicates, where it functions as an auxiliary verb, see examples 12–15:

(12) Peregrina facies **videtur** hominis atque ignobilis (Pl. *Pseud.* 964).

The man’s face seems strange and unfamiliar.

(13) Audin, furcifer quae loquitur? satin magnificus tibi **videtur**?
 (Pl. *Pseud.* 194).

Do you hear how the jailbird talks? Hasn’t he a magnificent air? (transl. by H. Th. Riley).

(14) Illud, quia in Scaevola factum est, magis indignum **videtur**, hoc, quia fit a Chrysogono, non est ferendum (Cic. *Rosc.* 34. 5).

The one action, because it was done against Scaevola, appears scandalous; this one, because it is done by Chrysogonus, is intolerable (transl. by C. D. Yonge).

(15) Is enim mihi **videtur** amplissimus qui sua virtute in altiore locum pervenit, non qui ascendit per alterius incommodum et calamitatem (Cic. *Rosc.* 83. 4).

For that man appears to me the most honourable who arrives at a higher rank by his own virtue, not he who rises by the distress and misfortunes of another (transl. by C. D. Yonge).

In all passages under consideration, the verb *videri* ‘to seem’ acquires its inferential meaning due to the context describing the circumstances under which the inference is made.³⁹

Importantly, *videri* ‘to seem’ becomes an evidential marker both as the verb governing *NcI* and as an auxiliary verb. In both cases it cannot be treated as main predication of the clause and thus corresponds to the Anderson’s condition (see section 1).

The Nominative with Infinitive construction governed by *videri* ‘to seem’ can be compared with similar constructions attested in the European languages, for instance, the Complex subject in English (cf. English translation of ex. 7), and the German construction with *scheinen* in which this verb changes its original meaning from ‘shine’ to ‘seem’, as exemplified in 16:

(16) Sie scheint ihn zu kennen.

She seems to know him.⁴⁰

In the same vein, the Greek constructions with φαίνεται are used, ex. 17:

(17) ἡμῖν μὲν Ἑρμῆς οὐκ ἄκαιρα φαίνεται λέγειν (Aesch. *PV* 1036–1037).

Hermes seems to me to speak reasonably.

³⁹ The contextually determined evidential meaning of the *seem*-constructions is stressed in Lampert–Lampert 2010, 314–318.

⁴⁰ The example is taken from Hansen 2007, 250, who insists on the grammatical rather than lexical character of this means of expressing inferential value.

When analyzing properties of the verbs with similar semantics in other languages, G. Lambert and M. Lambert underline that “[*seem*]... may become an evidential marker if one draws upon the relevant context, functioning as an attentional *cueing* device toward the contextually sanctioned meaning of the construction in which *seem* is a component”.⁴¹

As regards grammatical vs. lexical status of such constructions, I will join to the opinion of G. Diewald and E. Smirnova: “The German evidential constructions *werden* & infinitive and *scheinen* / *drohen* / *versprechen* & zu-infinitive, like many analogous constructions in other languages found in the Indo-European family, clearly are of an intermediate stage as concerns the degree of grammaticalization. They are not yet full-fledged grammaticalized evidential systems as compared to those systems invoked by Aikhenvald, which have inflectional or clitic evidential markers, but they are instances of evidential systems on the rise”.⁴²

3.1.2. The potential subjunctive

The inferring evidential value can be conveyed by the potential subjunctive, ex. 18:

(18) Non tibi sunt integra lintea,
non di, quos iterum pressa **voces** malo (Hor. *Carm.* 1. 14. 9–10).

You have neither unharmed sail, nor images of the gods, that you **could pray** time and again when suffering disaster.

In this example, the deductive use of the present subjunctive **voces** is determined by the state of affairs that Horace describes in the preceding context: the sail is harmed, and the images of the protecting gods are swept away by the storm, therefore, the ship suppressed by the disaster will hardly achieve success in praying them.

This means of expressing inferential value is morphological, but not special, because, like in many languages, it belongs to the forms whose central meaning is rather hypothetical or presumptive (i.e. modal) than evidential *stricto sensu*. It is this zone of evidential category, that overlaps with epistemic modality. The fact that a question of probability arises, indicates that the speaker has no direct knowledge of a situation,⁴³ and this relates to indirect evidentiality.

The intersection of these two categories is successfully explained by V. Plungian: “If we regard such values as modal, we stress one of the basic

⁴¹ Lambert–Lambert 2010, 316.

⁴² Diewald–Smirnova 2010, 4.

⁴³ Plungian 2001, 354.

characteristics of modality, namely the assessment of a situation (as highly probable); regarding it as evidential, we stress one of the basic characteristics of evidentiality, namely the reference to logical conclusions as a source of information about a situation. This way, markers of presumptive evidentiality are the only evidential markers with inbuilt modal components and the only modal markers with inbuilt evidential components”.⁴⁴

It is worth stressing that inferential value of a potential subjunctive seems to be restricted to the 2nd and 3rd persons and to only certain types of clauses. It is seen best of all in the relative clauses (ex. 10) with the consecutive meaning and in the conditional periods of a potential type, where the subjunctive mood is used both in the main clauses and in the *si*-clauses (ex. 19):

(19) *si exsistat hodie ab inferis Lycurgus, gaudeat ruinis eorum (sc. moenium), et nunc se patriam et Spartam antiquam agnoscere dicat* (Liv. 39. 37. 3).

If Lycurgus had risen from the dead, he would have rejoiced because of the destruction of the walls and would have said that he saw again ancient Sparta.

In these types of clauses, the subjunctive has overtones of uncertainty featuring the non-firsthand information.⁴⁵

Such overtones of uncertainty may be discerned in some independent uses of the potential subjunctive, ex. 20:

(20) *iniussu signa referunt, maestique – crederes uictos – exsecrantes nunc imperatorem, nunc nauatam ab equite operam, redeunt in castra* (Liv. 2. 43. 9).

Contrary to orders they retreated and returned to their camp, in such dejection that you would have supposed them beaten, now uttering execrations against their leader and now against the efficient services of the horse (transl. by B. O. Foster).

The parallels to this evidential strategy can be found in a number of languages.⁴⁶

⁴⁴ Plungian 2010, 46.

⁴⁵ Aikhenvald 2004, 106 et passim.

⁴⁶ Cf. Konjunktiv I in German (Hansen 2007, 244–245), Conditionnel présent in French (Guentchéva 1994; Kordi 2007 [Е. Е. Корди, “Категория эвиденциальности во французском языке”, in: В. С. Храковский (ed.), *Эвиденциальность в языках Европы и Азии*], 258–262), Modul conjunctiv and Modul prezumtiv in Romanian (Manea 2005).

3.1.3. Latin Perfect tenses with resultative meaning

In many languages with overtly grammaticalized evidential markers, this category overlaps with that of tense, aspect or person.⁴⁷

The inferential overtones of perfect tenses are understandable from the angle of their resultative meaning. The primary meaning of the perfect is to focus on the results of an action, and an inference is based on the traces or results of a previous action or state. Hence, there is a semantic link between a non-firsthand evidential and a perfect. The examples of such an evidential strategy are found in some Caucasian, Iranian, Scandinavian languages, in Spanish of La Paz and so forth.⁴⁸ Historically, the Latin perfect inherited markers and values of two different tenses: a perfect tense proper and an aorist. Therefore, there are two meanings of classical Latin perfect: the historic perfect which denotes an action or process finished in the past (this is a heritage of the aorist) and the present perfect with a resultative meaning.

My claim is that the latter may have an inferential value in some contexts. Let us see ex. 21 and 22:

(21) **Occisi sumus** (Plaut. *Bacch.* 681).

We're dead.

(22) **Perii, interii, occidi!** Quo curram? Quo non curram? (Plaut. *Aul.* 713).

I'm done for, I'm killed, I'm murdered. Where should I run? Where shouldn't I run?

The conclusions made by the characters of the Plautus pieces are made on the basis of assessing the results of previous actions and thus can be compared with the inferring evidential.

As H. Pinkster pointed out,⁴⁹ instances like ex. 21, with a passive participle in combination with *sum*, that must be interpreted as states resulting from a previous terminative action or process, are easier to find than perfect active forms. This is presumably because a prototypical passive involves focusing attention on the original object and state it is in, as a result of an action.⁵⁰ As a consequence, passives often have resultative connotations, and this property has already been highlighted in section 2.3. with regard to the impersonal passive. It doesn't therefore come as a surprise that in cases like ex. 21, the inferential value of the perfect is reinforced by the passive.

⁴⁷ Willett 1988, 56.

⁴⁸ Aikhenvald 2004, 112–116.

⁴⁹ Pinkster 2015, 447.

⁵⁰ Aikhenvald 2004, 116.

3.1.4. Latin Future tenses with inferential overtones

Interestingly, an inferential evidence can be expressed by future tenses as well. Apart from its purely temporal use, the simple future is also used with all sorts of less temporal or even non-temporal values. There are various labels for these uses, which in practice are not always easy to distinguish and can best be regarded as contextually determined variants.⁵¹

Future indicative forms can develop extensions to do with inference and speculation, because they have overtones of uncertainty and prediction associated with future and can, therefore, be compared with the potential subjunctive.⁵²

The future indicative is sometimes used in sentences containing a conclusion which is based on evidence mentioned in the context or on general knowledge. Examples of such a ‘deductive’ use of the future are 23, 24:⁵³

(23) Haec **erit** bono genere nata. Nil scit nisi verum loqui (Plaut. *Per.* 645).
She’ll be from a good family; she knows how to speak nothing but the truth.

(24) Sed profecto hoc sic **erit**:
centum doctum hominum consilia sola haec devincit dea,
Fortuna (Pl. *Pseud.* 677–679).

In fact, this is always the case: the decision of a hundred wise men is won by this goddess, Fortune.

It is worth mentioning that in some languages the grammaticalized evidentials go back to the future markers.⁵⁴

3.1.5. The deductive use of *debeo*

The deductive, or presumptive evidence can also be expressed with the help of the verb *debeo* (‘must’), exs. 25, 26:

(25) ‘Plane’ inquam ‘hic **debet** servus esse nequissimus’ (Petron. *Sat.* 49. 7).
Definitely, it must be a worthless slave.

(26) Sex pondo et selibram **debet habere** (Petron. *Sat.* 67. 7).
She must have six-and-a-half pounds of gold on her.

⁵¹ Pinkster 2015, 425.

⁵² The affinity of the future and the present subjunctive is underlined by Pinkster 2015, 427.

⁵³ Examples 20–23 are taken from Pinkster 2015, 447; 426.

⁵⁴ Aikhenvald 2004, 111.

Evidential strategy of this type is also well attested for English *must*, French *devoir* and German *sollen*, see examples 27–29:

(27) It must have been a kid.

(28) Il devait avoir bû plus que de coutume.

He must have drunk more than usual.

(29) Er soll ein guter Lehrer sein.

He must be a good teacher.

A question arises whether such modal verbs should be treated as evidential strategy or they are just lexical expressions of presumptive evidentiality. The crucial criterion in answering this question, according to Aikhenvald,⁵⁵ is whether or not they form special grammatical constructions in which they acquire additional meanings related to an information source. It seems, that Latin *debere* is a case in point because it definitely acquires a special inferential value when it is construed with infinitives, as in ex. 25 and 26, by contrast with ex. 30, where inferential value can hardly be seen:

(30) ...mihi hodie attulerit miles quinque quas **debet** minas (Plaut. *Pseud.* 373).

Today the warrior will bring me five minas, which he owes me.

Inferential interpretation of Latin ‘*debere* + Infinitive’ construction by no means precludes a possibility for it to express the logical necessity, nevertheless, as it has been underlined many times in this paper, both inferential and modal interpretation must be confirmed by the context.

The overlapping of evidentiality and epistemic modality has already been discussed in section 1 and exemplified in section 3.1.2. with regard to the occurrences of the potential subjunctive with inferential overtones. The ability of a linguistic unit to express simultaneously epistemic and evidential values has resulted in creating a term “epistential”.⁵⁶ Evidential systems of such a type were defined as “modalized” by Plungian⁵⁷ who explains the affinity of these two phenomena as follows:

⁵⁵ Aikhenvald 2004, 150.

⁵⁶ Lampert and Lampert 2010, 314.

⁵⁷ Plungian 2001, 354–355; 2010, 49.

Indeed, an utterance which refers to the fact that a situation takes or took place, due to the existence of convincing reasons for it, is actually not different from one referring to the epistemic necessity of this situation: in both cases the speakers do not intend to become personally convinced of the fact a situation takes or took place, but consider it as highly credible, due to certain cause-and-effect relations known to them [...] The existence of a marker of epistemic necessity is therefore, if taken for itself, not an indicator for the presence of the grammatical expression of evidentiality within the system of a language. However, markers of this kind always exhibit an intersection of modal and evidential values.⁵⁸

3.2. *Indirect reported evidence*

According to Aikhenvald,⁵⁹ reported speech can be viewed as a universal evidential strategy. In Latin, means to express reported evidence occupy the borderline position between grammar and lexicon.

3.2.1. The Accusative (Nominative) with Infinitive construction and the subjunctive mood in reported speech

The *AcI* / *NcI* governed by speech verbs (*verba dicendi*) is one of the most frequent constructions which encode reported speech in Latin. They cannot be regarded as pure grammaticalized evidentials because they depend on the verbs of speaking as lexical elements, but they can be definitely called evidential strategies. See exs. 31–32:

(31) Ais Democritum dicere **innumerabiles esse mundos** (Cic. *Acad.* 2. 55)

You claim that Democritus said the worlds to be innumerable.

(32) Epaminondas fidibus praeclare cecinisse dicitur (Cic. *Tusc.* 1. 4).

Epaminondas is said to have played the lyre beautifully.

Nevertheless, there is a pure grammaticalized *AcI* when used in a historical narrative with the omission of a governing verb, as in ex. 33:

(33) (milites)... legatos ex suo numero ad Caesarem mittunt: **sese paratos esse portas aperire, quaeque imperaverit, facere** (Caes. *BCiv.* 1. 20. 5).

(soldiers) sent to Caesar the ambassadors from their number and said that they were ready to open the gates and carry out all his orders.

⁵⁸ Plungian 2010, 46.

⁵⁹ Aikhenvald 2004, 19.

It is worth noticing that the *AcI* along with the subjunctive mood is always used in passages which contain the reported speech. As a rule, in the reported speech the main declarative sentences are converted into the *AcI* while the dependent declarative, imperative or interrogative sentences are converted into the clauses with the subjunctive. Both the *AcI* and the subjunctive clauses form an evidential strategy for rendering reported evidentials. Thus, in ex. 34 all the verbs marked in semi-bold are either subjunctives or infinitives.

(34) [is (Divico) ita cum Caesare egit]: si pacem populus Romanus cum Helvetiis **faceret**, in eam partem **ituros** atque ibi **futuros Helvetios** ubi eos Caesar **constituisset** atque **esse voluisset**; sin bello persequi **perseveraret**, **reminisceretur** et veteris incommodi populi Romani et pristinae virtutis Helvetiorum. quod improviso unum pagum **adortus esset**, cum ii qui flumen **transissent**, suis auxilium ferre non **possent**, ne ob eam rem aut suae magnopere virtuti **tribueret** aut ipsos **despiceret** (Caes. *BG* 1. 13. 3–6).

He thus treats with Caesar: that, if the Roman people would make peace with the Helvetii they would go to that part and there remain, where Caesar might appoint and desire them to be; but if he should persist in persecuting them with war that he ought to remember both the ancient disgrace of the Roman people and the characteristic valor of the Helvetii. As to his having attacked one canton by surprise, [at a time] when those who had crossed the river could not bring assistance to their friends, that he ought not on that account ascribe very much to his own valor, or despise them.

3.2.2. Logophoric use of the reflexive pronoun

In addition to the *AcI* and subjunctive mood, Latin provides one more device for encoding evidentiality. This is the logophoric use of the reflexive pronoun.⁶⁰ One of the important functions of logophoric pronouns is to indicate whether the speaker and the subject or the object of a dependent predication is the same person or not, hence, logophoric markers help to reduce ambiguity in indicating the source of information.⁶¹

⁶⁰ The term *logophor* was introduced by C. Hagège (1974) to refer to the source of indirect discourse: logophoric elements, which occur in embedded clauses introduced by verbs of saying, thinking or feeling, must be bound by the antecedent whose speech, thoughts, or feelings are being reported. The phenomenon was first observed in African languages that have a distinct set of logophoric pronouns that are morphologically differentiated from regular pronouns. In Latin, the indirect reflexive pronouns may serve the same function as logophoric pronouns.

⁶¹ Nikitina 2012a, 242; 2012b, 296.

The affinity of logophoric markers and evidentials has been pointed out in literature.⁶² In ex. 35, which exemplifies the reported speech, the reflexive pronoun *sibi* in the dependent predication is coreferential with Caesar, who is the subject of the main predication, and represents him as a source of information.

(35) His **Caesar**_i ita respondit: eo **sibi**_i minus dubitationis dari, quod eas res, quas legati Helvetii commemorassent, memoria teneret, atque eo gravius ferre, quo minus merito populi Romani accidissent (Caes. *BG* 1. 14. 1).

To these words Caesar thus replied: that on that very account he felt less hesitation, because he kept in remembrance those circumstances which the Helvetian ambassadors had mentioned, and that he felt the more indignant at them, in proportion as they had happened undeservedly to the Roman people.

The advantage of the Latin logophoric reflexive pronoun as a reliable marker of the information source is much more obvious, if one compare example 36 with its translation into English – the language where logophoric pronoun is lacking:

(36) **Ariovistus**_i respondit, si quid ipsi a Caesare_j opus est, **sese**_i ad eum_j venturum fuisse; si quid ille_j **se**_i velit, illum_j ad **se** venire oportere (Caes. *BG* 1. 34. 5).

Ariovistus replied that if he himself had needed anything from Caesar, he would have gone to him; and that if Caesar wanted anything from him he ought to come to him (transl. by W. A. McDevitte and W. S. Bohn).

In this passage, Ariovistus as a source of information is consistently coreferential with the reflexive pronoun whereas his addressee Caesar – with the anaphoric pronoun. In the English translation, on the contrary, both participants are replaced by anaphoric pronoun ‘he’ that creates ambiguity.

3.2.3. The reason clauses with the conjunctions quod / quia / quoniam

Latin reason clauses introduced by the conjunctions *quod* / *quia* / *quoniam* can be used with predicates either in the indicative or in the subjunctive mood. In case of the indicative mood, a reason is represented

⁶² Dimmendaal 2001; Aikhenvald 2004, 133; Wiemer 2007, 230.

as a reliable, objective one, without any additional connotation, while the subjunctive mood, on the contrary, adds the overtones of uncertainty, subjectivity, distance, that is of unreliable information the speaker does not vouch for, as in ex. 37 and 38:

(37) Aristides ... nonne ob eam causam expulsus est patria, **quod** praeter modum iustus **esset**? (Cic. *Tusc.* 5. 105).

Aristides ... was not he banished from his country because he **was supposedly** too just?

(38) Nunc mea mater irata est mihi,
quia non **redierim** domum ad se... (Plaut. *Cist.* 101–102).

Now my mother's angry with me, **on the grounds that** I didn't return home to her...

In these examples, the subjunctive is used because the speaker does not commit himself to the content of the reason clause and try to distance himself from the information offered in the subordinate clause.⁶³ It allows the speaker to “escape from nynegocentrism”,⁶⁴ that is to exclude the situation from *hic et nunc*. Subjectivity as one of evidential dimensions has been pointed out by linguists.⁶⁵ The basic idea is that “markers of indirect access convey the value of epistemic uncertainty which, in the weak form, occurs as ‘epistemic distance’, i.e. the speakers are released from the responsibility for the truth of the utterance”.⁶⁶

It is worth stressing that the reportative status of the *quia*-clauses is supported by the logophoric use of the reflexive pronoun in ex. 38.

3.2.4. Potential subjunctive in polemical or repudiating questions

The potential subjunctive in polemical or repudiating questions which sometimes echo the words of someone else can be also treated as a marker of a reported evidence, as seen in ex. 39 and 40.⁶⁷

⁶³ About the diachronic changes in the use of the subjunctive vs. indicative mood, see Pinkster 2015, 646–651. Example 38 is taken from it.

⁶⁴ Van Rooy 2016, 35.

⁶⁵ Nuyts 2001; Makartsev 2013, 321 definitely defines evidentiality as a “category of making distance from information transmitted”.

⁶⁶ Plungian 2010, 47.

⁶⁷ The examples are taken from Pinkster 2015, 486.

(39) I, *redde aurum!* – **Reddam** ego aurum? (Plaut. *Aul.* 829).

Go now, return the gold. – I should return the gold?

(40) Exercitum tu **habeas** diutius quam populus iussit invito senatu?
(Cic. *Att.* 7. 9. 4).

Who are you to keep an army longer than the people have ordered,
against the will of the Senate?

The potential subjunctive in such sentences as well as the subjunctive mood in the reason clauses considered in section 3.1.5. (above), creates distance between the speaker and the addressee. It demonstrates that the speaker does not commit himself to the content of the proposition but rather represents it as someone else's opinion.

3.2.5. Gnomic future as a marker of reported evidentiality

As has been indicated in section 3.1.4, the simple future, apart from its purely temporal use, is also used with all sorts of less temporal or even non-temporal values. The simple future, for example, often occurs in statements of a general character expressing common knowledge⁶⁸ and is sometimes called *gnomic*. It can be treated as a sort of non-firsthand evidence, as in ex. 41, 42:

(41) ...qui utilitatem defendit **enumerabit** commoda pacis... (Cic. *De Or.* 2. 335)

...the one who will defend expediency will relate the advantages of peace...

(42) Donec eris sospes, multos **numerabis** amicos (Ov. *Tr.* 1. 9. 5).

While you are happy, you usually have many friends.

4. Conclusions

In this paper, I have attempted to show the importance of evidentiality as one of the possible approaches for analyzing the grammatical system of Latin. The analysis concerned some morphological forms and syntactic constructions which, in terms of traditional Latin grammars, pertain to the grammatical categories of tense, voice, mood and so forth, but have never been regarded as evidentials. My claim is that considering these

⁶⁸ See about common knowledge as a type of non-direct evidentiality Plungian 2010, 37; Van Rooy 2016, 8.

grammatical phenomena as evidential strategies allows us to enrich our understanding of the Latin language and to realize that the traditional inventory of grammatical forms and constructions can express many more values than one might have expected.

It is clear that the Latin grammatical system demonstrates a whole array of means for conveying the basic semantic values of evidentiality. There are three strategies of expressing first-hand (direct) evidence, five morphological and syntactic tools for rendering the inferential evidentiality and five strategies of transmitting the reported evidences. The next studies in this realm could reveal even more linguistic devices relating to the source of information or the speaker's attitude towards knowledge. It would be interesting to investigate Latin deictic particles as probable evidential markers, or to single out lexical expressions with different evidential meanings as well as combinations of grammatical and lexical tools within a single proposition. One could study the distinctions in the use of the evidential strategies I have singled out in literary vs. vulgar Latin or in the works belonging to different literary genres. The pragmatic and discourse functions of Latin evidentials also seem to deserve close attention. All these topics look forward to being a subject of further investigations.

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The paper aims at drawing attention to certain phenomena in Latin which can be treated as evidential strategies. In Introduction, a brief overview of the existing viewpoints concerning the grammatical category of evidentiality is provided, then a question of the interrelation between evidentiality and epistemic modality is touched upon and author's methodological approach to the issue is outlined.

In the main part of the paper, the author provides an overview of the linguistic strategies used to mark the main types of access to information, i.e. direct (perceptual) evidence, indirect inferential (or presumptive) evidence, and indirect reported evidence. The author singles out thirteen morphological and syntactic means to express different kinds of evidential values (e.g. Infinitive or Participle constructions, historic present, modal use of the subjunctive mood with inferential or reportative overtones, logophoric use of the reflexive pronouns etc.). The author's claim is that these strategies belong to the grammar rather than to the lexicon of the Latin language and, therefore, can be treated as evidential strategies. Considering these grammatical phenomena as evidential strategies may enrich one's understanding of the Latin language and help to realize that the traditional inventory of grammatical forms and constructions can express many more values than one might have expected.

Автор статьи ставит перед собой следующие задачи: выделить в латинском языке элементы, которые могут быть названы эвиденциальными стратегиями, и показать, что эти стратегии относятся скорее к грамматическим, чем к лексическим средствам выражения категории эвиденциальности. Во введении представлен аналитический обзор существующих точек зрения о природе и способах выражения эвиденциальности в разных языках; отдельно разбирается вопрос о соотношении категорий эвиденциальности и эпистемической модальности, который представляется важным, поскольку часть маркеров эвиденциальности в латыни одновременно служит для выражения модальных значений; обосновывается выбор термина "эвиденциальные стратегии" для описания релевантных явлений.

В главной части статьи автор последовательно разбирает латинские морфологические и синтаксические средства маркирования доступа к информации в соответствии с принятой классификацией: показатели прямого доступа, косвенные инферентивные и косвенные репортативные показатели. Для каждой обнаруженной в латинском языке эвиденциальной стратегии автор находит параллели в других языках. В итоге, в арсенале латинских маркеров доступа к информации обнаруживается 3 стратегии прямого доступа, 5 способов выражения инференциальной (презумптивной) эвиденциальности и 5 – репортативной. В заключении намечаются направления дальнейших исследований категории эвиденциальности в латинском языке.

Key Words

COUPRIE

Anaxagoras, flat earth, lunar eclipses, Milky Way, Presocratic cosmology
Анаксагор, космология досократиков, лунные затмения, Млечный путь,
плоская Земля

KUZNETSOVA

duumviri perduellionis, provocatio ad populum, the trial of Gaius Rabirius
63 BC
duumviri perduellionis, provocatio ad populum, процесс Рабирия-старшего

LUCARINI

Eleatism, Greek philosophy, Megarian philosophers, Platonism
греческая философия, мегарские философы, школа Платона, школа
элеатов

MAURACH

Composition of Horace, *Odes* 2; Horace's psychological advice in case of
mourning and anxiety; Horace's friendship on test.
испытание дружбы у Горация; композиция 2-й книги *Од* Горация;
психологическая помощь Горация в скорби и тревоге

MITINA

Syzicus stater, letter on lead tablet, monetary units, Olbia
денежные единицы, кизикский статер, Ольвия, письмо на свинцовой
пластинке

PANCHENKO

argumentum ad impossibile, Hippasus, incommensurability, mathematics,
philosophy, Zeno
Гиппас, Зенон, несоизмеримость, математика, философия, *argumentum
ad impossibile*

POZDNEV

античный пессимизм, Гегесий, киренаики, *Тускуланские беседы*
Cyrenaics, Hegesias, pessimism in Antiquity, Tusculan disputations

ZHELTOVA

evidentiality and epistemic modality, evidential strategies, Latin language
латинский язык, эвиденциальность и эпистемическая модальность, эви-
денциальные стратегии

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Thuc. I, 2, 4. 6 (м. е. 1-я кн., 2-я гл., §§ 4 и 6); 5, 2–3 (м. е. та же кн., 5-я гл., §§ 2 и 3).

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Серийное издание

J. S. Traill. *The Political Organization of Attica*, Hesperia Suppl. 14 (Princeton, NJ 1975).

Статья в журнале

D. Schaps. “Piglets again”, *JHS* 116 (1996) 169–171.

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R. Maisano. “Il discorso di Temistio a Gioviano sulla tolleranza”, in: F. E. Consolino (ed.). *Pagani e cristiani da Giuliano l’Apostata al sacco di Roma* (Soveria Mannelli 1995).

M. Aubineau (éd.). *Grégoire de Nysse. Traité de la virginité*, Sources chrétiennes 119 (Paris 1966).

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Finsler 1924, 45 n. 2 (*м. е. стр.* 45 *примеч.* 2).

Müllenhoff 1896, 32 Anm. 2; 44–46.

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J. S. Traill, *The Political Organization of Attica*, *Hesperia Suppl.* 14 (Princeton, NJ 1975).

Journal papers

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D. R. Shackleton Bailey (ed., tr.), *Cicero, Philippics* (Chapel Hill – London 1986).

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M. Aubineau (éd.), *Grégoire de Nysse, Traité de la virginité*, Sources chrétiennes 119 (Paris 1966) 79.

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