HERACLIDES' EPITOME OF ARISTOTLE'S *CONSTITUTIONS* AND *BARBARIAN CUSTOMS*: TWO NEGLECTED FRAGMENTS

1. INTRODUCTION

The Aristotelian Πολιτεῖαι collected information on the history and organization of reportedly 158 city-states. Of these only the Ἀθηναίων πολιτεία survives almost in its entirety on two papyri.[1] All that remains of the other constitutions is the epitome by Heraclides Lembus (second century C.E.)[2] and about 130 fragments. This article will look at the transmission of Heraclides' epitome (itself preserved as excerpts) and explore the possibility of identifying further fragments of the original text.

2. THE TRANSMISSION OF HERACLIDES' EPITOME

In all manuscripts, Heraclides' epitome is transmitted together with Aelian's *Varia historia*.[3] The *stemma codicum* for these two works consists of two families. For one of the two families the hyparchetypus survives in Parisinus suppl. gr. 352 (olim Vaticanus gr. 997) (V). The other family goes back to a now lost papyrus codex which was preserved in the Vatican Library (x)

[1] *P.Lond.* 131 and *P.Berol.* P. 5009 (formerly P. 163).

[2] The identification of the author as Heraclides Lembus was demonstrated by H. Bloch, 'Herakleides Lembos and his *Epitome* of Aristotle's *Politeiai*', *TAPhA* 71 (1940), 27-39 and is now commonly accepted.

[3] See especially M.R. Dilts, 'The manuscript tradition of Aelian's *Varia Historia* and Heraclides' *Politiae*', *TAPhA* 96 (1965), 57-72.

and is assumed to have been destroyed in the sack of Rome in 1527.[4] For the text of Aelian and Heraclides, four copies of this lost manuscript survive, which thus allow us to reconstruct its text: Laurentianus 60.19 (d), Ambrosianus C 4 sup. (gr. 164) (g), Parisinus gr. 1693 (a) and Parisinus gr. 1694 (b). The manuscripts of both families indicate that, already in the archetypus, the title of Heraclides' work was ἐκ τῶν Ἡρακλείδου περὶ πολιτειῶν. In other words, what

[4] Dilts (n. 3), 64. On the lost Vatican codex, see especially P. Canart, 'Démétrius Damilas, alias le "librarius Florentinus"', *RSBN* N.S. 14-16 (1977-1979), 281-348, at 287-307. The Vatican codex is described in a number of old catalogues written between 1475 and 1518, published in R. Devreesse, *Le fonds grec de la Bibliothèque Vaticane des origines à Paul V* (Vatican City, 1965): Devreesse p. 54 no. 221 (1475), p. 108 no. 616 (1481), p. 143 no. 605 (1484) and p. 221 no. 709 (1518). See also Canart, 316-8, E. Müntz and P. Fabre, *La Bibliothèque du Vatican au XVe siècle d'après des documents inédits* (Paris, 1887), 232 (on the 1475 catalogue) and M. Bertòla, *I due primi registri di prestito della biblioteca apostolica Vaticana. Codici Vaticani Latini 3964, 3966. Pubblicati in fototipia e in trascrizione con note e indici* (Vatican City, 1942), 52 n. 2 (on the 1518 catalogue). The codex is also mentioned in several loan records: Bertòla Registro I fol. 27^r p. 27.21-22, fol. 33^v p. 35.18-22; Registro II fol. 9^v p. 52.1-6, fol. 19^r p. 61.4-7, fol. 40^v p. 77.28-30, fol. 45^r p. 83.20-24, fol. 84^v p. 107.1-5. These documents show that the codex included the Pseudo-Aristotelian *Physiognomonica* and *De mirabilibus auscultationibus*, Aelian's *Varia historia*, Heraclides' Περὶ πολιτειῶν, the Pseudo-Plutarchean *Vitae decem oratorum*, the epitome of Athenaeus' *Deipnosophists* and excerpts from Stobaeus.

survives are merely extracts from Heraclides' original text.[5] This is further shown by the occasional use of ὅτι to introduce new extracts, a feature common in excerpts.[6]

One of the key questions is to what extent the extracts reflect Heraclides' original text and especially how much has been omitted.[7] Comparison with the transmission of Aelian's *Varia*

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[5] There is one red herring. In the codex Parisinus suppl. gr. 352 (V), Aelian's *De natura animalium* is cited as ἐκ τῶν Αἰλιανοῦ περὶ ζῴων ἰδιότητος βιβλίον πρῶτον (fol. 23^{r}), even though the manuscript contains the entire text of Aelian's *De natura animalium*: see E.L. De Stefani, 'I manoscritti della "Historia animalium" di Eliano', *SIFC* 10 (1902), 175-222, at 182. This could technically mean that Heraclides' work, too, might be preserved in its entirety. However, the other manuscripts of *De natura animalium* (De Stefani's β family) show that, in all likelihood, the archetypus (which included *De natura animalium*, *Varia historia* and Heraclides) had Αἰλιανοῦ περὶ ζῴων ἰδιότητος. Further, the presence of the title ἐκ τῶν Αἰλιανοῦ περὶ ζῴων ἰδιότητος βιβλίον πρῶτον in Parisinus gr. 1694 (Dilts b = De Stefani E) (fol. 73^{r}) is no counterevindence, since b is known to have copied *De natura animalium* (which was not part of the lost Vatican codex) from Parisinus suppl. gr. 352 (V): see De Stefani, 183-4.

[6] Heraclides Lembus *Excerpta Politiarum* 15 (ὅτι τοὺς Εἵλωτας κατεδουλώσαντό ποτε Λακεδαιμόνιοι, Θετταλοὶ δὲ τοὺς Πενέστας); 23 (ὅτι Ἀμαυρὸς χωλὸς τοὺς πόδας ἐβασίλευσε ταύτης); 31 (ὅτι ἐν τοῖς Σαμίοις ἐφάνη λευκὴ χελιδὼν οὐκ ἐλάττων πέρδικος). See M. Polito, *Dagli scritti di Eraclide sulle costituzioni. Un commento storico* (Naples, 2001), 232.

[7] Scholarship has usually revolved around the debate whether Heraclides' transmitted text offers *excerpta excerptorum* (Schneidewin) or *fragmenta excerptorum* (Holzinger). See also F. Susemihl, 'Bericht über Aristoteles und die ältesten Akademiker und Peripatetiker für 1891', *Jahresbericht über die Fortschritte der classischen Alterthumswissenschaft* 75 (1894), 80-114,

at 133; V. von Schöffer, 'Bericht über die im Jahre 1891 und der ersten Hälfte des Jahres 1892 erschienene Litteratur zu Aristoteles' Ἀθηναίων πολιτεία', *Jahresbericht über die Fortschritte der classischen Alterthumswissenschaft* 75 (1894), 1-54, at 39-40; Polito (n. 6), 230-3. This terminology is somewhat confusing, however. By *fragmenta excerptorum* C. von Holzinger, 'Aristoteles' athenische Politie und die Heraklidischen Excerpte', *Philologus* 50 (1891), 436-46, at 444 means that Heraclides merely made an anthology of loose excerpts from Aristotle's Πολιτεῖαι and Νόμιμα βαρβαρικά (this is the *excerptorum* part) without paying any attention to transitions. In other words, already Heraclides' text itself was no continuous text but consisted merely of excerpts. Of these excerpts, according to Holzinger, a small number have survived the course of transmission (this is the *fragmenta* part). This essentially eliminates the existence of a later excerptor, since Holzinger considered the selection of what survived to be the result of sheer coincidence rather than the deliberate choice of an excerptor. Holzinger's comments are explicitly directed against F.G. Schneidewin, *Ἐκ τῶν Ἡρακλείδου περὶ πολιτειῶν. Heraclidis Politiarum quae extant* (Göttingen, 1847), xli, who called Heraclides' text *excerpta excerptorum*. Schneidewin seems to have meant that Heraclides' text was an epitome of an epitome. Holzinger's discussion is misguided, however. Comparing Heraclides' section on Athens with Aristotle's *Athenian Constitution*, Holzinger explained that a twofold process of 'excerpting' (read 'epitomizing') was unlikely, since it would have changed the text more with regard to Aristotle's original text. Holzinger justified this by claiming that excerpting is a more loose way of transmitting a text than copying it. However, Heraclides' section on Athens can hardly be considered a real excerpt from the original Ἀθηναίων πολιτεία; despite sharing some vocabulary with the Ἀθηναίων πολιτεία, it is clear that Heraclides has almost always rephrased the text, sometimes introducing errors in the process: see Polito (n. 6), 201-13. Moreover, if the extant text were truly mere pieces which happen to survive, the scribe would not have

historia offers us a few hints. The scribe of the archetypus copied the full text of Aelian's *Varia historia* for the first two books but from the third book onwards started making excerpts from the text. This can be seen from quotations and extracts of Aelian in later writers. Stobaeus and the *Suda* quote Aelian's *Varia historia* eight times with text not preserved in direct transmission:

- Aelian F 1 Domingo-Forasté = Stobaeus 3.17.28
- Aelian F 2 Domingo-Forasté = Stobaeus 4.25.38
- Aelian F 3 Domingo-Forasté = Stobaeus 4.55.10
- Aelian F 4 Domingo-Forasté = Stobaeus 2.31.38
- Aelian F 5 Domingo-Forasté = *Suda* α 4140 s.v. ἀσέλγεια
- Aelian F 6 Domingo-Forasté = *Suda* δ 1478 s.v. δώς
- Aelian F 7 Domingo-Forasté = *Suda* φ 445 s.v. φιλωθέντες
- Aelian F 8 Domingo-Forasté = *Suda* κ 146 s.v. κάκη

The *Suda* further includes a large number of citations of Aelian without a book title (F 28-351 Domingo-Forasté), many of which are likely to derive from the original version of Aelian's *Varia historia*.[8] In addition, Stobaeus' quotations of text preserved in direct transmission often

introduced the text with ἐκ τῶν Ἡρακλείδου in the title but would probably have written simply Ἡρακλείδου περὶ πολιτειῶν or perhaps no title at all. To avoid further confusion, it is better to avoid the terminology used by Schneidewin and Holzinger and instead dub the text excerpts from Heraclides' epitome.

[8] Other lost works of Aelian cited by the *Suda* are Περὶ προνοίας (F 9-10 Domingo-Forasté) and Περὶ θείων ἐναργείων (F 21-24 Domingo-Forasté).

provide a more complete version of the text.[9] Comparison with the text of Aelian thus shows that the interventions by the scribe range from the transposition and omission of a few words to the omission of larger sections; occasionally, he rephrases the text.[10] Since, in the archetypus, Aelian seems to have preceded Heraclides, the scribe probably continued excerpting when copying Heraclides' text, this time indicating that he is making excerpts rather than copying the original text by giving it the title ἐκ τῶν Ἡρακλείδου περὶ πολιτειῶν.

3. ADDITIONAL FRAGMENTS OF HERACLIDES' EPITOME

The observation in the preceding section that the transmitted text of Heraclides' epitome consists of excerpts raises the question whether additional fragments exist outside of the medieval text, as is the case for Aelian's *Varia historia*. Among the fragments of Heraclides as collected by Müller, five fragments are included as belonging to Heraclides' lost Ἱστορίαι, a historical work in at least 37 books. Three of these fragments explicitly cite the title and book number.[11] The two other fragments cite only Heraclides' name and, as I will argue, are more likely to be fragments of Heraclides' Περὶ πολιτειῶν.

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[9] See Stob. 4.44.63 ~ Ael. *VH* 3.3; Stob. 3.22.33 ~ Ael. *VH* 3.28; Stob. 3.29.60 (= Ael. *VH* 7.7b) ~ Ael. *VH* 7.7a; Stob. 2.46.14 ~ Ael. *VH* 9.18; Stob. 4.25.39 (= Ael. *VH* 9.33b) ~ Ael. *VH* 9.33a; Stobaeus 4.8.24 ~ Ael. *VH* 10.5; Stob. 3.13.67 (= Ael. *VH* 14.3b) ~ Ael. *VH* 14.3a.

[10] See R. Hercher, *Aeliani De natura animalium, Varia historia, Epistolae et fragmenta. Porphyrii philosophi De abstinentia et De antro Nympharum. Philonis Byzantii De septem orbis spectaculis* (Paris, 1858), iv-x; M.R. Dilts, 'The testimonia of Aelian's *Varia Historia*', *Manuscripta* 15 (1971), 3-12.

[11] Heraclides Lembus *FHG* III, 168 F 3 = Ath. 8.333a-b (Ἡρακλείδης γοῦν ὁ Λέμβος ἐν τῇ πρώτῃ καὶ εἰκοστῇ τῶν Ἱστοριῶν; on a frog plague in Paeonia and Dardania); F 4 = Ath.

3.1. Heraclides on the foundation of Rome

The first fragment is found in Festus' *De verborum significatu*, Servius auctus and Solinus' *Collectanea rerum memorabilium* and deals with the foundation of Rome.

Festus 17 p. 329 Lindsay (p. 269 Mueller, p. 364 Thewr) = Heraclides Lembus *FHG* III, 168 F 1 = Aristotle F 609(3) Rose^3 = F 702.1 Gigon = *FGrHist* 840 F 13b

> *Lembos qui appellatur Heraclides existimat, revertentibus ab Ilio Achivis, quosdam tempestate deiectos in Italiae regiones secutos Tiberis decursum pervenisse, ubi nunc sit Roma; ibique propter taedium navigationis, inpulsas captivas auctoritate virginis cuiusdam tempestivae nomine Rhomes, incendisse classem; atque ab ea necessitate ibi manendi urbem conditam ab is, et potissimum eius nomine eam appellatam, a cuius consilio eas sedes sibi firmavissent.*[12]

13.578a-b (Ἡρακλείδης δὲ ὁ Λέμβος ἐν τῇ ἕκτῃ καὶ τριακοστῇ τῶν Ἱστοριῶν; on Demo being the mistress of Demetrius Poliorcetes and being loved by Antigonus I Monophthalmus); F 5 = Ath. 3.98e-f (ἱστορεῖ δὲ περὶ αὐτοῦ Ἡρακλείδης ὁ Λέμβος ἐν τῇ τριακοστῇ ἑβδόμῃ τῶν Ἱστοριῶν; on the arcane vocabulary used by Alexarchus, the younger brother of Cassander and founder of the city of Uranopolis). Heraclides' Ἱστορίαι were later epitomized by the rhetorician Heron, son of Cotys: see *Suda* η 552, s.v. Ἥρων (ἐπιτομὴν τῶν Ἡρακλείδου ἱστοριῶν).

[12] I quote the text as edited by W.M. Lindsay, *Sexti Pompei Festi De verborum significatu quae supersunt cum Pauli epitome* (Stuttgart - Leipzig, 1913), 329 with one exception: I have adopted Ursinus' conjecture *quosdam* for the corrupt *quendam* in *quosdam tempestate deiectos in Italiae regiones secutos*. L. Havet, *Notes critiques sur le texte de Festus* (Paris, 1911), 11-2, in contrast

Lembus, who is named Heraclides[13], thinks that, when the Achaeans were returning home from Troy, some of them were hurled into the regions of Italy; they followed the course of the Tiber and arrived at the location where Rome is now. And there, because they were tired of sailing around, the captive women, persuaded by a certain girl at marriageable age[14] called Rhome, burnt down the fleet. And since they were forced to stay there, the Achaeans founded a city; most notably, (Heraclides says that) the city was called after that woman, by whose advice they had fixed this location as their home.

Servius auctus, commentary on Virgil's *Aeneid* 1.273 = *FGrHist* 840 F 40d = Aristotle F 702.2 Gigon[15]

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assumed a lacuna after *quendam*, which contained the name of the founder and a phrase *et eius socios* or the like.

[13] Festus (or perhaps already Verrius Flaccus, whose work Festus epitomizes) seems to think that Lembus is Heraclides' proper name, whereas, in fact, Λέμβος was his nickname: see Diog. Laert. 5.94. The expected way of referring to Heraclides would be *Heraclides qui appellatur Lembos*.

[14] G.S. BUCHER, *BNJ* 840 F 13b translates *auctoritate virginis cuiusdam tempestivae nomine Rhomes* as 'by the authority of a certain girl opportunely named Rhome.' However, it is more likely that *tempestivus* is a translation of the Greek ὡραῖος 'of marriageable age' here: see K.O. Müller, *Sexti Pompei Festi De verborum significatione quae supersunt cum Pauli epitome* (Leipzig, 1839), 268 n. 26.

[15] This passage was wrongly attributed to Heraclides Ponticus by F. Wehrli, *Die Schule des Aristoteles. Texte und Kommentar*, 7: *Herakleides Pontikos* (Basel, 1969[2]), 35; 94. See E. Schütrumpf, 'The origin of the name of Rome – A passage wrongly attributed to Heraclides Ponticus', *Philologus* 151 (2007), 160-1.

Heraclides ait Romen, nobilem captivam Troianam, huc appulisse et taedio maris suasisse sedem, ex cuius nomine urbem vocatam.[16]

Heraclides says that Rhome, a noble captive Trojan woman, disembarked here and, because she was tired of the sea, advised this place as their home; the city was called after her.

Solinus 1.2 = Aristotle F 702.3 Gigon

Heraclidi placet, Troia capta quosdam ex Achivis in ea loca ubi nunc Roma est devenisse per Tiberim, deinde suadente Rome nobilissima captivarum quae his comes erat, incensis navibus posuisse sedes, instruxisse moenia et oppidum ab ea Romen vocavisse.[17]

Heraclides thinks that, after Troy was taken, some of the Achaeans, sailing along the Tiber, arrived at that location where Rome is now. Next, on the advice of Rhome, the most noble of the captive women who accompanied them, after the ships were burnt down, the Achaeans established their home there, built walls and called the city Rome after her.

[16] I quote the text as edited by G. Thilo, *Servii grammatici qui feruntur in Vergilii carmina commentari*, vol. 2: *Aeneidos librorum VI-XII commentarii* (Leipzig, 1881), 102.

[17] I quote the text as edited by T. Mommsen, *C. Iulii Solini collectanea rerum memorabilium* (Berlin, 1895), 1.

All three texts are part of a list of stories about the foundation of Rome,[18] which seems to go back to a common source.[19] The attribution of the three fragments to Heraclides' Περὶ πολιτειῶν is suggested by a parallel with a fragment of Aristotle, cited in Dionysius of Halicarnassus' *Antiquitates Romanae*.

Dionysius of Halicarnassus *Antiquitates Romanae* 1.72.3-4 = Aristotle F 609(1) Rose^3 = F 700 Gigon = *FGrHist* 840 F 13a

> Ἀριστοτέλης δὲ ὁ φιλόσοφος Ἀχαιῶν τινας ἱστορεῖ τῶν ἀπὸ Τροίας ἀνακομισαμένων περιπλέοντας Μαλέαν, ἔπειτα χειμῶνι βιαίῳ καταληφθέντας τέως μὲν ὑπὸ τῶν

[18] In addition to the canonical story about Romulus and Remus, there are numerous traditions (both Greek and Roman) about the foundation of Rome. The most important sources on those ancient traditions are Dion. Hal. *Ant. Rom.* 1.72-73 (= *FGrHist* 840 F 40a), Festus 17 p. 326-330, *Serv. Dan. Aen.* 1.273 (= *FGrHist* 840 F 40d) and Solin. 1.1-3. Some of these traditions also involve women burning the ships: see Hellanicus Lesbius *FGrHist* 4 F 84 = 840 F 8 and Damastes Sigeus *FGrHist* 5 F 3 = 840 F 9 (= Dion. Hal. *Ant. Rom.* 1.72.2) and the authors cited in n. 27.

[19] This source might have been Varro. Indeed, Varro was an important source for Verrius Flaccus, whose work Festus epitomized. However, Verrius often did not cite Varro by name but tacitly adopted material from him: see F. Glinister, 'Constructing the past', F. Glinister et al. (edd.), *Verrius, Festus & Paul. Lexicography, Scholarship, & Society* (London, 2007), 11-32; M.-K. Lhommé, 'Varron et Verrius au 2ème siècle après Jésus-Christ', ibid., 33-47. A. Kiessling, *De Dionysii Halicarnasei Antiquitatum auctoribus Latinis* (Leipzig, 1858), 41-2 assumed Varro to also be the source of Dionysius, but see A. Jacobson, 'Das Verhältnis des Dionys von Halicarnass zu Varro in der Vorgeschichte Roms', in *Jahresbericht der Drei-König-Schule (Realgymnasium) zu Dresden-Neustadt* (Dresden, 1895), 3-18, at 10-1.

πνευμάτων φερομένους πολλαχῇ τοῦ πελάγους πλανᾶσθαι, τελευτῶντας δ’ ἐλθεῖν εἰς τὸν τόπον τοῦτον τῆς Ὀπικῆς, ὃς καλεῖται Λατίνιον ἐπὶ τῷ Τυρρηνικῷ πελάγει κείμενος. ἀσμένους δὲ τὴν γῆν ἰδόντας ἀνελκῦσαί τε τὰς ναῦς αὐτόθι καὶ διατρῖψαι τὴν χειμερινὴν ὥραν παρασκευαζομένους ἔαρος ἀρχομένου πλεῖν· ἐμπρησθεισῶν δὲ αὐτοῖς ὑπὸ νύκτα τῶν νεῶν οὐκ ἔχοντας ὅπως ποιήσονται τὴν ἄπαρσιν, ἀβουλήτῳ ἀνάγκῃ τοὺς βίους, ἐν ᾧ κατήχθησαν χωρίῳ, ἱδρύσασθαι. συμβῆναι δὲ αὐτοῖς τοῦτο διὰ γυναῖκας αἰχμαλώτους, ἃς ἔτυχον ἄγοντες ἐξ Ἰλίου· ταύτας δὲ κατακαῦσαι τὰ πλοῖα φοβουμένας τὴν οἴκαδε τῶν Ἀχαιῶν ἄπαρσιν, ὡς εἰς δουλείαν ἀφιξομένας.[20]

Aristotle the philosopher recounts that some of the Achaeans returning home from Troy, as they were sailing around Malea, were suddenly taken by a violent storm. For a long time, they wandered around many places of the sea, carried around by the winds. Eventually they arrived at that place in the land of the Opici[21] which is called Latinium and is situated near the Tyrrhenian Sea. Happy to see land, they pulled their ships ashore at that location and spent the winter season there, preparing to sail at the beginning of spring. But when their ships were set on fire at night, not knowing how they could set sail, they were forced against their will to settle their abode in the place where they had disembarked. This happened to them because of female prisoners, whom they happened to be carrying along from Troy. These women had burnt down the ships out of fear for the Achaeans’ return home, believing that they would be carried into slavery.

[20] I quote the text as edited by V. Fromentin, *Denys d’Halicarnasse. Antiquités romaines. Texte établi et traduit*, vol. 1: *Introduction générale et Livre I* (Paris, 1998), 185.

[21] I.e. the Oscans.

This story was probably found in Aristotle's section on Rome in the Νόμιμα βαρβαρικά.[22] Indeed, Heraclides' epitome seems to have covered both Aristotle's Πολιτεῖαι and his Νόμιμα βαρβαρικά.[23] The procedure of writing an epitome covering more than one work is also seen in Heraclides' epitome of the biographer Hermippus of Smyrna, which covered Hermippus' Περὶ νομοθετῶν, Περὶ ἑπτὰ σοφῶν and Περὶ Πυθαγόρου.[24] Rose and Gigon were therefore right to include these fragments in their editions of Aristotle.[25] This also implies that Heraclides'

[22] It is possible that the section on the Romans at one point circulated as a separate work. This is suggested by the fact that Νόμιμα Ῥωμαίων is mentioned separately in the so-called appendix of the *Vita Aristotelis Menagiana*, no. 186 p. 18 Rose^3 = p. 89 Düring = p. 28 Gigon.

[23] There are four sections in Heraclides' epitome which concern non-Greek nations: Heraclides Lembus *Excerpta Politiarum* 43 (Lycians); 44 (Etruscans); 48 (Lucanians); 58 (Thracians). This is further indicated by F 607 Rose^3 = F 472 Gigon = Ath. 1.23d (Ἀριστοτέλης ἐν Τυρρηνῶν Νομίμοις), a fragment of Aristotle's Νόμιμα βαρβαρικά, which overlaps with Heraclides' section on the Etruscans.

[24] *P.Oxy.* 1367 = Hermippus, *FGrHist* 1026 T 5 + F 3.

[25] V. Rose, *Aristoteles pseudepigraphus* (Leipzig, 1863), 541-2; id., *Aristotelis opera*, vol. 5: *Aristotelis qui ferebantur librorum fragmenta. Scholiorum in Aristotelem supplementum. Index Aristotelicus* (Berlin, 1870), 1571; id., *Aristotelis qui ferebantur librorum fragmenta* (Leipzig, 1886), 369. Assuming that the fragment of Heraclides belonged to his Ἱστορίαι, Bloch (n. 2), 38 claimed that Heraclides drew on Aristotle in writing his Ἱστορίαι and therefore concluded that Heraclides made the epitome of Aristotle in preparation of writing his Ἱστορίαι. So also G. Ottone, *Libyka. Testimonianze e frammenti* (Tivoli, 2002), 72. However, this logically implies that the fragment ultimately goes back to Heraclides' epitome. S. Schorn, *Studien zur*

epitome originally contained a section on the Romans, which the later excerptor surprisingly omitted.[26]

There is one problem, however. There is another fragment of Aristotle, cited in Plutarch's *Quaestiones Romanae*, which also comments on the foundation of Rome and offers a similar but fundamentally different version of the story.

Plutarch *Quaestiones Romanae* 265b-d = Aristotle F 609(2) Rose^3 = F 701 Gigon = *FGrHist* 840 F 13c

> Διὰ τί τοὺς συγγενεῖς τῷ στόματι φιλοῦσιν αἱ γυναῖκες; (...) ἢ δι' ἣν Ἀριστοτέλης ὁ φιλόσοφος αἰτίαν ἱστόρηκε; τὸ γὰρ πολυθρύλλητον ἐκεῖνο καὶ πολλαχοῦ γενέσθαι λεγόμενον, ὡς ἔοικεν, ἐτολμήθη ταῖς Τρῳάσι καὶ περὶ τὴν Ἰταλίαν. τῶν γὰρ ἀνδρῶν, ὡς προσέπλευσαν, ἀποβάντων ἐνέπρησαν τὰ πλοῖα, πάντως ἀπαλλαγῆναι τῆς πλάνης δεόμεναι καὶ τῆς θαλάττης· φοβηθεῖσαι δὲ τοὺς ἄνδρας ἠσπάζοντο τῶν συγγενῶν καὶ οἰκείων μετὰ τοῦ καταφιλεῖν καὶ περιπλέκεσθαι τοὺς προστυγχάνοντας. παυσαμένων δὲ τῆς ὀργῆς καὶ διαλλαγέντων ἐχρῶντο καὶ τὸ λοιπὸν ταύτῃ τῇ φιλοφροσύνῃ πρὸς αὐτούς.[27]
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> Why do women kiss their relatives on the mouth? (...) Or is it for the reason which Aristotle the philosopher has recounted? For that well-known deed, which is said to

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hellenistischen Biographie und Historiographie (Berlin - Boston, 2018), 296 n. 59 is also skeptical about Bloch's theory.

[26] So also M. Hose, *Aristoteles Werke in deutscher Übersetzung*, vol. 20.3: *Die historischen Fragmente* (Berlin, 2002), 256.

[27] I quote the text as edited by J. Boulogne, *Plutarque. Oeuvres morales*, vol. 4: *Traités 17 à 19. Conduites méritoires de femmes. Étiologies romaines - Étiologies grecques. Parallèles mineurs. Texte établi et traduit* (Paris, 2002), 109-10.

have taken place in many locations,[28] was dared – it seems – by the Trojan women in Italy as well. When, after disembarking, the men had gone off, the women set the ships on fire, since they wanted to bring an end to their wanderings at sea by any means

[28] See also Strabo 6.1.14 p. 264 C. The story of Trojan women setting Greek or Trojan ships on fire was also set at the following locations:

- the Neaethus (or Nauaethus) river ('Ship Burner') near Croton (Strabo 6.1.12 p. 262 C; Ps.-Apollod. *Epit.* 6.15c = schol. Lycophr. 921; *Etym. Magn.* s.v. Ναύαιθος p. 598 Kallierges; schol. Theoc. 4.24a-b Wendel)
- the Caieta harbor (Serv. *Aen.* 7.1; 10.36; [L. Iulius] Caesar [omitted in *Fragments of the Roman Historians*: Appendix 1 A24] and [C.] Sempronius [Tuditanus; *Fragments of the Roman Historians* 10 F 5 C.J. Smith] = *Origo gentis Romanae* 10.4)
- Sybaris (Lycoph. 1075-1082; *Etym. Magn.* s.v. Σηταῖον p. 711 Kallierges; Steph. Byz. σ 124 s.v. Σήταιον; Tzetz. schol. Lycoph. 1075)
- Pisae (*Serv. Dan. Aen.* 10.179)
- Sicily (Dion. Hal. *Ant. Rom.* 1.52.4; Verg. *Aen.* 6.604-699)
- Crete (Zenobius Vulgatus 5.50 = Zenobius Athous 2.7 Bühler ~ *Suda* οι 83 s.v. οἱ Κρῆτες τὴν θυσίαν ~ *Recensio Bodleiana* B 719 Gaisford)
- Daunia (Ps.-Arist. *Mir. ausc.* 109)
- Pallene (Conon *FGrHist* 26.13 = Phot. *Bibl.* codex 186 p. 133a Bekker; Strabo 7 F 14a Radt = F 25 Jones; Polyaenus *Strat.* 7.47)

See R.G. Basto, 'The Roman foundation legend and the fragments of the Greek historians. An inquiry into the development of the legend' (Diss., Cornell University, 1980), 51-76; J. Martínez-Pinna, 'Helanico y el motivo del incendio de los barcos: "un hecho troyano"', *GIF* 48 (1996), 21-53. In Virgil, Jupiter prevents the ships from being burnt down.

> necessary. Fearing the men, they greeted their relatives and other members of the household by kissing and embracing whoever encountered them. And when the men had put an end to their anger and had been reconciled, the women continued to use this way of greeting them.

Although the story is similar to that of the aforementioned sources, the fundamental difference is that, in Plutarch, it are not Achaeans but Trojans who wandered around and ended up in Italy; so the Trojan women were *not* captives. In fact, the custom described by Plutarch, according to which women kiss their male relatives on the mouth by way of greeting, only makes sense if the Trojan women were brought to Italy by their own family. Otherwise, there are no male relatives to kiss, which is the whole point of Plutarch's *aition*.

The question is therefore whether Dionyius or Plutarch gives the correct Aristotelian version of the story. *A priori*, Dionysius is expected to be more reliable than Plutarch in citing earlier writers, especially in the first book of the *Antiquitates Romanae*, to which the fragment of Aristotle belongs. In the first book, Dionysius meticulously cites his sources, often quoting their *verba ipsissima* and stating the same information twice (viz. a paraphrase, followed by a verbatim quotation).[29] Plutarch, in contrast, has a more loose way of citing authors.[30] It is possible that Plutarch is mixing up different traditions, modifying Aristotle or simply

[29] See C. Schultze, 'Authority, originality and competence in the *Roman Archaeology* of Dionysius of Halicarnassus', *Histos* 4 (2000), 6-49. According to F. Krampf, 'Die Quellen der römischen Gründungssage' (Diss., University of Leipzig, 1913), 17, in contrast, the genuine Aristotelian account is found in Plutarch.

[30] See H.J. Rose, *The Roman Questions of Plutarch. A New Translation with Introductory Essays* (New York, 1974), 11-50.

misremembering what he read.[31] Alternatively, it is possible that Aristotle reported a second version of the story (whether in the Νόμιμα βαρβαρικά or elsewhere), as Martínez-Pinna has claimed.[32] Indeed, discrepancies also recur, for instance, between the *Politics* and the Ἀθηναίων πολιτεία.[33] The less likely alternative is to assume that Dionysius draws on Heraclides for the citation of Aristotle, and the error was introduced by Heraclides, as he occasionally does elsewhere in the epitome.[34]

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[31] So F. Leo, *De Plutarchi Quaestionum Romanarum auctoribus* (Halle, 1864), 10-3; H. Peter, *Die Quellen Plutarchs in den Biographieen der Römer* (Halle, 1865), 146-9; A. Förstemann, *Zur Geschichte des Aeneasmythus. Litterargeschichtliche Studien* (Magdeburg, 1894), 20-1; J. Perret, *Les origines de la légende troyenne de Rome (281-231)* (Paris, 1942), 401; 406; P.A. Stadter, *Plutarch's Historical Methods. An Analysis of the Mulierum Virtutes* (Cambridge, 1965), 30-4; Basto (n. 28), 48-50; G. Vanotti, '*Roma polis Hellenis, Roma polis Tyrrhenis*. Riflessioni sul tema', *MEFRA* 111 (1999), 217-55, at 227-8; 229 with n. 46. Plutarch repeats the same story in *Rom.* 1.2-3 and *De mul. vir.* 243e-244a. Although he seems to have read Aristotle's Πολιτεῖαι, his knowledge is not always direct: see M.T. Schettino, 'Le Πολιτεῖαι aristoteliche nel *corpus* plutarcheo', in A. Pérez Jiménez, J. García López and R. M. Aguilar (edd.), *Plutarco, Platón y Aristóteles. Actas del V Congreso Internacional de la I.P.S. (Madrid-Cuenca, 4-7 de Mayo de 1999)* (Madrid, 1999), 643-55.

[32] Martínez-Pinna (n. 28), 31-3; id., *Las leyendas de fundación de Roma. De Eneas a Rómulo* (Barcelona, 2011), 33-4.

[33] See P.J. Rhodes, *A Commentary on the Aristotelian Athenaion Politeia* (Oxford, 1981), 60-1.

[34] See Polito (n. 6), 201-28.

Before I move on to the next fragment of Heraclides, it is necessary to briefly discuss Basto's views on the relation between Aristotle and Heraclides Lembus with respect to the story of the foundation of Rome.[35] According to Basto, Heraclides actually combines Aristotle's account with that of Hellanicus, who also has Trojan women set fire to the ships:[36]

Hellanicus Lesbius *FGrHist* 4 F 84 = 840 F 8 = Dion. Hal. *Ant. Rom.* 1.72.2

> ὁ δὲ τὰς Ἱερείας τὰς ἐν Ἄργει καὶ τὰ καθ' ἑκάστην πραχθέντα συναγαγὼν (sc. Ἑλλάνικος) Αἰνείαν φησὶν ἐκ Μολοττῶν εἰς Ἰταλίαν ἐλθόντα μετ' Ὀδυσσέως οἰκιστὴν γενέσθαι τῆς πόλεως, ὀνομάσαι δ' αὐτὴν ἀπὸ μιᾶς τῶν Ἰλιάδων Ῥώμης· ταύτην δὲ λέγει ταῖς ἄλλαις Τρωάσι παρακελευσαμένην κοινῇ μετ' αὐτῶν ἐμπρῆσαι τὰ σκάφη βαρυνομένην τῇ πλάνῃ· ὁμολογεῖ δ' αὐτῷ καὶ Δαμάστης ὁ Σιγειεὺς καὶ ἄλλοι τινές.[37]
>
> The man who compiled the *Priestesses at Argos and the events during the tenure of each of them* (sc. Hellanicus) says that Aeneas went with Odysseus from the land of the Molossians to Italy; he founded the city and named it after Rhome, one of the Trojan women. This woman, he says, urged the other Trojan women on and, together with them, she set the ships on fire, since she was tired of wandering around.

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[35] Basto (n. 28), 29-30; 7-44; 55-8.

[36] So also W.A. Schröder, *M. Porcius Cato. Das erste Buch der Origines. Ausgabe und Erklärung der Fragmente* (Meisenheim am Glan, 1971), 70 and Martínez-Pinna (n. 31), 33.

[37] I quote the text as edited by Fromentin (n. 20), 184-5. However, unlike Fromentin, I have adopted the reading Σιγειεύς, found in Eusebius (ap. Syncellus p. 227 Mosshammer; cf. also Euseb. arm. p. 132 Karst: *der Sigeer*), against the otherwise unattested form Σιγεύς, as it is read in the manuscripts of Dionysius.

Basto considered the following points to be the key differences between Aristotle and Hellanicus:[38]

(1) In Aristotle, the Trojan women are captives of the Achaeans; in Hellanicus, they accompany their families.

(2) In Aristotle, the Trojan women set the ships on fire, because they are afraid at the prospect of being carried off into slavery; in Hellanicus, they do this because they are tired of wandering around at sea.

(3) Aristotle does not specify the exact location or the name of the founder but deliberately speaks only vaguely of the 'Latin land' (Λατίνιον), certain Achaeans (Ἀχαιῶν τινας) and Trojan captive women (γυναῖκας αἰχμαλώτους); Hellanicus explicitly names Aeneas and Rhome and specifies that the city which is founded is Rome.

From this Basto concluded that Heraclides followed Aristotle in making the Trojan women captives of the Achaeans and adopted from Hellanicus the location (Rome), the person setting the ships on fire (Rhome) and the motivation for doing this (weariness of the sea).[39] However, the *argumentum ex silentio* that Aristotle leaves the protagonists unnamed is less compelling than Basto claims. In fact, Dionysius cites Aristotle immediately after Hellanicus and may therefore have omitted the names to avoid repetition, citing only the differences (that is,

[38] See the table in Basto (n. 28), 47.

[39] E.J. Bickerman, '*Origines gentium*', *CPh* 47 (1952), 65-81, at 78 n. 14 and N.M. Horsfall, 'Some problems in the Aeneas legend', *CQ* 29 (1979), 372-90, at 383 n. 88 also claimed that Aristotle did not mention Rome. Likewise, according to Perret (n. 31), 389 and Solmsen (n. 17), 105 n. 46, the Trojan woman named Rhome was not mentioned by Aristotle but was introduced by Heraclides Lembus.

Achaeans versus Trojans). Basto also overemphasized the difference in motivation between Aristotle (fear for slavery) and Heraclides (weariness of the sea). One explanation does not exclude the other. In Plutarch, too, the Trojan women are tired of the sea. In fact, more substantial discrepancies between Festus and Dionysius are also found in their citations of other writers.[40] Furthermore, from Dionysius' text, it does not necessarily follow that Aristotle did not mention Rome.[41] But even if this was the case, Heraclides need not be drawing on

[40] According to Dion. Hal. *Ant. Rom.* 1.72.1 (*FGrHist* 45 F 9 = 840 F 21), 'Cephalon Gergithius' (the pseudonym of Hegesianax) claimed that Rome was founded by Rhomus, one of Aeneas' four sons (the other three being Ascanius, Euryleon and Romulus); according to Festus 17 p. 326 (*FGrHist* 45 F 10 = 840 F 40b), in contrast, Cephalon spoke only vaguely of a certain companion of Aeneas (*ab homine quodam comite Aeneae*). Similarly, according to Dion. Hal. *Ant. Rom.* 1.72.5 (*FGrHist* 564 F 5a = 840 F 14a), Callias, the court historian of king Agathocles of Syracuse, claimed that the Trojan woman Rhome married Latinus, king of the Aborigines, and their children (Romus, Romulus and Telegonus) later founded Rome, which they named after their mother. In Festus 17 p. 329 (who erroneously calls him 'Caltinus'), however, Latinus is said to be one of the Trojans, is already married to Rhome, conquers Italy and founds Rome himself.

[41] According to Basto (n. 28), 40, Aristotle deliberately did not mention Rome by name because he was suspicious of the invention of the eponymous woman. However, in his Πολιτεῖαι, Aristotle himself does not shy away from such etymologies. Thus, the Ionians are named after Ion (Arist. *Ath. Pol.* F 381(1) Rose^3 = Politeia 5 (Athen) F 1(2) Gigon = Harp. α 194 Keaney, s.v. Ἀπόλλων πατρῷος ὁ Πύθιος; Arist. F 381(2) Rose^3 = Politeia 5 (Athen) F 1(1) Gigon = Titel 143.1.1 Gigon = Heraclides Lembus *Excerpta Politiarum* 1), the Dryopes after Dryops (Arist. F 482 Rose^3 = F 488 Gigon = Strabo 8.6.13 p. 373 C), the city Adramyteion after its

Hellanicus for that but may have substituted 'Rome' for 'Latinion'[42] himself. Such interventions are not uncommon in epitomes. In fact, Hellanicus is highly unlikely to be a

supposed founder Adramytos (Arist. F 484 Rose^3 = F 467 Gigon = Steph. Byz. α 60, s.v. Ἀδραμύτειον), the island Cephallenia after its settler Cephalus (Arist. F 504(1) Rose^3 = F 509 Gigon = *Etym. Magn.* s.v. Ἀρκείσιος p. 144 Kallierges = *Etymologicum Genuinum* α 765 Lasserre-Livadaras s.v. Ἀρκείσιος; Arist. F 504(2) Rose^3 = F 510 Gigon = Tzetz. *Antehomerica* 479; Heraclides Lembus *Excerpta Politiarum* 45 = Arist. F 611.45 Rose^3 = Titel 143.1.17 Gigon), the town Cius after its founder Cius (Arist. F 514 Rose^3 = F 519.1 Gigon = schol. Apoll. Rhod. 1.1177 p. 107 Wendel), the island Paros after its settler Paros (Heraclides Lembus *Excerpta Politiarum* 25 = Arist. F 611.25 Rose^3 = Titel 143.1.8 Gigon), the island Ceos after its settler Ceos (Heraclides Lembus *Excerpta Politiarum* 26 = Arist. F 611.26 Rose^3 = Titel 143.1.9 Gigon) and the city Croton after its founder Croton (Heraclides Lembus *Excerpta Politiarum* 686 = Arist. F 611.68 Rose^3 = Titel 143.1.37 Gigon).

[42] Λατίνιον is the reading of the manuscripts of Dionysius. The *Excerpta Eusebiana* (*Anecd. Ox.* vol. 2 p. 162 Cramer) and Syncellus (p. 227 Mosshammer), in contrast, have Λάτιον (Euseb. arm. p. 132 Karst has *Latinos*). See Perret (n. 31), n. 1. Kiessling ap. K. Jacoby, *Dionysi Halicarnasensis Antiquitatum Romanarum quae supersunt*, vol. 1 (Leipzig, 1885), 116 conjectured Λαουίνιον (so Lavinium). R. Schilling, *La religion romaine de Vénus depuis les origines jusqu'au temps d'Auguste* (Paris, 1954), 71 corrected it to Λαβίνιον, but this transcription of the name is unlikely, since elsewhere Dionysius uses Λαουίνιον and never Λαβίνιον. Jacoby, *FGrHist* 84 F 13a also considered correcting Λατίνιον to Λαύρεντον, so Laurentum, where Aeneas is said to have arrived according to Dion. Hal. *Ant. Rom.* 1.45.1; 1.52.4; 1.53.3 and Strabo 5.3.2 p. 229 C. A much less likely conjecture is that of G. Capovilla, 'Lazio prelatino e problema ligure-siculo laziale', *RIL* 89 (1956), 505-58, at 544, who (while

source for Heraclides. In Hellanicus, there is no storm (unlike in Aristotle and Heraclides), but Aeneas comes to Italy with Odysseus (!),[43] embarking from the land of the Molossians.

3.2. Heraclides on Sparta: a new fragment of Aristotle?

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incorrectly stating that Hellanicus is Dionysius' source) corrected Λατίνιον to Λακίνιον as derived from the Attic hero Lacius. Another conjecture which has not received any following is that of L. Bayard, 'Elpénor à Antium?', *MEFR* 40 (1923), 115-22, who corrected Λατίνιον to Ἄντιον (so Antium, an old harbor town in Latium).

[43] It is debated whether Dionysius wrote μετ᾽ Ὀδυσσέως 'with Odysseus' or μετ᾽ Ὀδυσσέα 'after Odysseus' and whether this should be taken with εἰς Ἰταλίαν ἐλθόντα 'Aeneas came to Italy with/after Odysseus' or with οἰκιστὴν γενέσθαι τῆς πόλεως 'Aeneas founded the city with/after Odysseus.' The genitive Ὀδυσσέως is read by the codex Chisianus R VIII 60 (A), whereas the accusative Ὀδυσσέα recurs in the β family (which comprises the codex Urbinas gr. 105 [Bb] and the codex Marcianus gr. 3722 [S]). See the discussion in Perret (n. 31), 371-5; E.D. Phillips, 'Odysseus in Italy', *JHS* 73 (1953), 53-67, at 57-8; Horsfall (n. 38), 379-80; Basto (n. 28), 80-94; D. Musti, 'Etruschi e Greci nella rappresentazione dionisiana delle origini di Roma' (Rome, 1981), 27 n. 5; F. Solmsen, '"Aeneas founded Rome with Odysseus"', *HSPh* 90 (1986), 93-110, at 93-5; J. Martínez-Pinna, 'Nota a Helánico, *FGH* 4F84: Eneas y Odiseo en el Lacio', in *Arqueólogos, historiadores y filólogos. Homenaje a Fernando Gascó*, vol. 2 (Sevilla, 1995), 669-83; R.L. Fowler, *Early Greek Mythography*, vol. 2: *Commentary* (Oxford, 2013), 564-5; V. Costa on *BNJ* 5 F 3. Since the indirect transmission agrees with A (see Euseb. arm. p. 132 Karst: *nach Italia gekommen mit Odysseus*; Syncellus p. 227 Mosshammer: εἰς Ἰταλίαν ἐλθόντα σὺν Ὀδυσσεῖ), the genitive is the most likely reading. This is now accepted by most scholars.

The second fragment traditionally attributed to Heraclides' Ἱστορίαι is found in Athenaeus and deals with Sparta.

Athenaeus 13.566a = Heraclides Lembus *FHG* III, 168 F 2

> Ἡρακλείδης δ' ὁ Λέμβος ἱστορεῖ ὅτι κατὰ τὴν Σπάρτην θαυμάζεται μᾶλλον ὁ κάλλιστος καὶ γυνὴ ἡ καλλίστη, καλλίστας γεννώσης τῆς Σπάρτης τὰς γυναῖκας. διὸ καί φασιν <περὶ> Ἀρχιδάμου τοῦ βασιλέως, γυναικὸς αὐτῷ καλῆς φαινομένης, ἑτέρας δὲ αἰσχρᾶς καὶ πλουσίας, ὡς ἀπέκλινεν ἐπὶ τὴν πλουσίαν, ζημιῶσαι τοὺς ἐφόρους αὐτόν, ἐπιλέγοντας ὅτι βασιλίσκους ἀντὶ βασιλέων τᾷ Σπάρτᾳ γεννᾶν προαιρεῖται.[44]
>
> Heraclides Lembus records that, in Sparta, the most handsome man and the most beautiful woman are admired more, since Sparta produces the most beautiful women. This also why people say about king Archidamus that, when he was shown one beautiful woman and another ugly, rich one, and he was inclined toward the rich one, the ephors fined him, saying that he was choosing to beget kinglets for Sparta instead of kings.

[44] The text is based on G. Kaibel, *Athenaei Naucratitae Dipnosophistarum libri XV*, vol. 3: *Libri XI-XV et indices* (Leipzig, 1890), 247-8. However, I have not adopted Kaibel's conjecture <ἀνὴρ> ὁ κάλλιστος, since the quotation of Athenaeus in Eust. *ad Il.* 24.771 vol. 4 p. 985 van der Valk does not have ἀνήρ either: ἐθαυμάζετο δέ, φασί, καὶ κατὰ Σπάρτην μᾶλλον ὁ κάλλιστος καὶ ἡ καλλίστη. Further, I have adopted the correction διὸ καί φασιν <περὶ> Ἀρχιδάμου τοῦ βασιλέως, found in the *editio princeps*. There might also be a lacuna between γυνὴ ἡ καλλίστη and καλλίστας γεννώσης τῆς Σπάρτης τὰς γυναῖκας.

Heraclides comments on the fact that handsome men and beautiful women are admired in Sparta.[45] Athenaeus then adds a story about king Archidamus II,[46] which he probably adopted

[45] Sparta was famous for its beautiful women: see already Hom. *Od.* 13.412 (Σπάρτην ἐς καλλιγύναικα). This reputation goes back to Helen, as Eust. *Od.* 13.412 vol. 2 p. 56 Stallbaum observes (ὅτι καλλιγύναικα τὴν Σπάρτην κἀνταῦθα λέγει διὰ τὴν Ἑλένην). It is also seen in the oracle given by the Pythia to the inhabitants of Aegium: see H.W. Parke and D.E.W. Wormell, *The Delphic Oracle*, 2 vols. (Oxford, 1956), vol. 1, 82-3; vol. 2, 1-2; J. Fontenrose, *The Delphic Oracle. Its Responses and Operations with a Catalogue of Responses* (Berkeley - Los Angeles - London, 1978), 276-7. In reply to their question whether any nation was better than theirs, the oracle listed cities that were superior to Aegium, specifying in what regard the city in question was better and concluding that Aegium was not third, fourth or even twelfth best; Sparta is listed for its women (Λακεδαιμόνιαί τε γυναῖκες, with minor variations): see Mnaseas F 58 Cappelletto and Ion Chius F 88 Leurini = Zenobius Athous 2.35 Bühler, Phot. *Lexicon* υ 47 Theodoridis, s.v. ὑμεῖς, ὦ Μεγαρεῖς, οὔτε τρίτοι οὔτε τέταρτοι = *Suda* υ 108 s.v. ὑμεῖς, ὦ Μεγαρεῖς, οὔτε τρίτοι οὔτε τέταρτοι, Tzetz. *Chil.* 9.291; Strabo 10.1.13 p. 449 C; Oenomaus F 11a Hammerstaedt = Euseb. *Praep. evang.* 5.29.1-7; Ath. 7.278e; Theodoretus *Graecarum affectationum curatio* 10.35; Eust. *in Dion. Per.* 473; Tzetz. *Chil.* 10.330; *Epistulae* 61 p. 92; 71 p. 102 Leone. According to an alternative version, it were the Megarians who consulted the oracle: see Deinias *FGrHist* 306 F 6 = schol. Theoc. 14.48/49a Wendel; *Anth. Pal.* 14.73; Phot. *Lexicon* υ 47 Theodoridis, s.v. ὑμεῖς, ὦ Μεγαρεῖς, οὔτε τρίτοι οὔτε τέταρτοι = *Suda* υ 108 s.v. ὑμεῖς, ὦ Μεγαρεῖς, οὔτε τρίτοι οὔτε τέταρτοι.

[46] Not Archidamus III, as S.D. Olson, *Athenaeus. The Learned Banqueters. Edited and Translated*, vol. 6: *12-13.594b* (Cambridge, Mass. - London, 2010), 279 n. 95 claims.

from Heraclides as well. The story goes that, when Archidamus had to marry,[47] he chose a wealthy woman over a beautiful one and was fined by the ephors for doing this. Interestingly, the story recurs in Theophrastus, where Archidamus is fined for marrying a short women (not a rich one, as in Heraclides).[48] Indeed, the ephors' reply that Archidamus would beget small children with her[49] makes more sense in Theophrastus' version of the story.

One reason to assign the fragment to Heraclides' Ἱστορίαι is that the other three fragments of Heraclides in Athenaeus are taken from this work. However, contrary to F 2, Athenaeus explicitly cites the title and book number for those three fragments.[50] In fact, the parallel with Theophrastus suggests that, in this case, Aristotle might be the ultimate source for Heraclides. Indeed, a note on women and marriage is found often in Aristotle's Πολιτεῖαι[51] and also recurs

[47] Athenaeus does not explicitly say that Archidamus had to marry, but the parallel with Theophrastus suggests that this is the most likely context.

[48] Theophr. F 605 FHS&G = Plut. *Ages.* 2.6. The same story recurs (without reference to Theophrastus) in Plut. *Mor.* 1d (*De liberis educandis* 2).

[49] Heraclides Lembus βασιλίσκους ἀντὶ βασιλέων τῷ Σπάρτᾳ γεννᾶν προαιρεῖται ~ Theophr. οὐ γὰρ βασιλεῖς, ἔφασαν, ἁμῖν, ἀλλὰ βασιλείδια γεννασεῖ.

[50] See n. 10.

[51] On the Spartans, see Heraclides Lembus *Excerpta Politiarum* 13 and Aristotle's discussion of Spartan women in Arist. *Pol.* 1269b12-1270a34. For other Aristotelian Πολιτεῖαι/Νόμιμα, see Arist. F 503(2) Rose^3 = Heraclides Lembus *Excerpta Politiarum* 73 (Iasians); Arist. F 547(1) Rose^3 = F 554.2 Gigon = Polyb. 12.5.4-6, 12.6b.2-4, 12.6b.9/10 (Locrians); Arist. F 569 Rose^3 = F 586 Gigon = schol. Pind. *Ol.* 7 inscr. Drachmann (Rhodians); Arist. F 607(1) Rose^3 = F 472 Gigon = F 704 Gigon = Ath. 1.23d; Arist. F 607(2) Rose^3 = Heraclides Lembus

in Xenophon's *Spartan Constitution* and Nicolaus of Damascus' Ἐθῶν συναγωγή.[52] An alternative context for this fragment may have been a discussion of the relation between the kings and ephors at Sparta.[53]

Excerpta Politiarum 44 (Etruscans); Heraclides Lembus *Excerpta Politiarum* 28-29 (Ceians); 43 (Lycians); 53 (Athamanians); 58 (Thracians).

[52] See Xen. *Lac.* 1.3-10; Nic. Dam. *FGrHist* 90 F 103z = F 25 Giannini = Stob. 4.2.25. The relation of Nicolaus to Xenophon and Aristotle is a debated issue. According to C. Trieber, *Quaestiones Laconicae. Pars I. De Nicolai Damasceni Laconicis* (Berlin, 1867), esp. 61-5, the entire section on the Spartans in Nicolaus is based on Xenophon's *Spartan Constitution*. So also E. Parmentier-Morin, 'L'oeuvre historique de Nicolas de Damas' (Diss., Paris Nanterre University, 1998) vol. 2, 362 n. 384. E. Reimann, 'Quo ex fonte fluxerit Nicolai Damasceni παραδόξων ἐθῶν συναγωγή', *Philologus* 54 (1895), 654-709, at 675-6 and F. Jacoby, *Die Fragmente der griechischen Historiker (FGrHist). Zweiter Teil. Zeitgeschichte A. Universalgeschichte und Hellenika* (Berlin, 1926), 259, however, were more skeptical. See also the discussion in M. Curnis, 'Frammenti di storia etnografica: Nicolao Damasceno e la *Ethôn Synagogé*', *Sileno* 32 (2006), 41-74, at 57-9. F. Dümmler, 'Zu den historischen Arbeiten der ältesten Peripatetiker', *RhM* 42 (1887), 179-97, at 192-5, in contrast, considered Aristotle to be the sole source for Nicolaus' entire Ἐθῶν συναγωγή. Following him, O. Gigon, *Aristotelis opera*, vol. 3: *Librorum deperditorum fragmenta* (Berlin - New York, 1987), 573-8 included all the fragments of Nicolaus' Ἐθῶν συναγωγή among the fragments of Aristotle. So also G. Dietze-Mager, 'Die *Politeiai* des Aristoteles und ihre Beziehung zu den *Nomima barbarica*', *Mediterranea* 2 (2017), 35-72, at 54.

[53] See Arist. *Pol.* 1270b6-1271a9; 1301b17-21; 1313a23-33; Heraclides Lembus *Excerpta Politiarum* 10. A similar involvement of the ephors recurs in the case of king Anaxandridas

4. CONCLUSION

In this article, I have commented on Heraclides' epitome of Aristotle's Πολιτεῖαι and Νόμιμα βαρβαρικά. I have taken the comparison with Aelian's *Varia historia*, which is transmitted alongside Heraclides' Περὶ πολιτειῶν, as my point of departure in order to show the extent to which the transmitted excerpts reflect Heraclides' original text. I have then argued that two fragments of Heraclides which are commonly assigned to his Ἱστορίαι are more likely to belong to a more complete version of Heraclides' original epitome. These two fragments should therefore probably be considered fragments of Aristotle. This also implies that Heraclides' original work contained a section of Rome, which the later compiler omitted.

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(Hdt. 5.39-40). When he did not beget children with his first wife, the ephors attempted to force him to divorce her; ulimately, they agreed that he was allowed to keep his first wife but had to marry a second one. Ephors also had the authority to fine the kings: see Plut. *Ages.* 6.