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## Testimonia for the Text of Aristotle's *Nicomachean Ethics, for the Metaphysics and for the Posterior Analytics*

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# The Classical Review

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TESTIMONIA FOR THE TEXT OF ARISTOTLE'S *NICOMACHEAN ETHICS*,  
FOR THE *METAPHYSICS* AND FOR THE *POSTERIOR ANALYTICS*.

THE μαθηματικὴ (οἱ μεγάλη) σύνταξις of Claudius Ptolemaeus and the commentary upon it by Theon of Alexandria contain references to the matter of passages in the second and sixth books of the *Nicomachean Ethics*.

*N. Eth.* II. i. 1. 1103<sup>a</sup> 14. διττῆς δὲ τῆς ἀρετῆς οὐσῆς τῆς μὲν διανοητικῆς τῆς δὲ ἠθικῆς, ἡ μὲν διανοητικὴ τὸ πλεῖον ἐκ διδασκαλίας ἔχει καὶ τὴν γένεσιν καὶ τὴν αὐξήσιν, διόπερ ἐμπειρίας δεῖται καὶ χρόνου, ἡ δὲ ἠθικὴ ἐξ ἔθους περιγίγνεται, ὅθεν καὶ τούνομα ἔσχηκεν μικρὸν παρεκκλίνον ἀπὸ τοῦ ἔθους.

Cl. Ptol. μεγ. συν. προϊμίον, init. πάντων καλῶς οἱ γνησίως φιλοσοφούντες, ὧ Σῦρε, δοκοῦσί μοι κεχωρικέναι τὸ θεωρητικὸν τῆς φιλοσοφίας. καὶ γὰρ εἰ συμβέβηκε καὶ τῷ πρακτικῷ πρότερον αὐτοῦ τούτου θεωρητικὸν τυγχάνειν οὐδὲν ἦττον ἢν τις εὖροι μεγάλην οὐσαν ἐν αὐτοῖς διαφορὰν οὐ μόνον διὰ τὸ τῶν μὲν ἠθικῶν ἀρετῶν ἐνίας ὑπάρξαι δύνασθαι πολλοῖς καὶ χωρὶς μαθήσεως τῆς δὲ τῶν ὅλων θεωρίας ἀδύνατον εἶναι τυχεῖν ἀνευ διδασκαλίας, ἀλλὰ καὶ τῷ τὴν πλείστην ὠφελίαν ἐκεῖ μὲν ἐκ τῆς ἐν αὐτοῖς τοῖς πράγμασι συνεχοῦς ἐνεργείας, ἐνθάδε δὲ ἐκ τῆς ἐν τοῖς θεωρήμασι προκοπῆς περιγίγνεσθαι.

The corresponding part of Theon's commentary (p. 1, Basle edn. 1538 ; p. 3 bottom, of Halma's edition) is as follows:—

φησὶ δὲ ὁ Πτολεμαῖος συμβεβηκέναι τῷ πρακτικῷ τὸ πρότερον αὐτοῦ τὸ θεωρητικὸν τυγχάνειν, διὰ τὸ ἴσως δεῖν πρότερον τὸν πράξαντά τι καὶ ὅτι αἰρετὸν τὸ πραχθησόμενον κατελιφέναι, καὶ ὅτι διὰ τῶνδε ἢν γένοιτο καὶ τόνδε τὸν τρόπον, ἅπερ ἐστὶν ἀληθευτικῆς καὶ  
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θεωρητικῆς ἕξεως· ἀλλ' ὁμως φησὶ μεγάλην εἶναι ἐν αὐτοῖς τὴν διαφορὰν· τῶν μὲν γὰρ ἠθικῶν ἀρετῶν ἐνίας καὶ ἀνευ διδασκαλίας περιγίγνεσθαι, ἐξ ἔθους γὰρ ἅπασαι αὐταὶ πλὴν φρονήσεως δοκοῦσι συνίστασθαι, ὅθεν καὶ ἠθικὰς αὐτὰς ἀξιούσιν ὀνομάζεσθαι, ὡς ἐθικὰς τινὰς οὐσας. Εἰσὶ δ' αὐταὶ σωφροσύνη ἀνδρία ἐλευθεριότης δικαιοσύνη πραότης· καὶ ἀπλῶς καλοὶ καὶ ἀγαθοὶ τὸ ἔθος εἶναι λεγόμεθα. δοκοῦσι δὲ τούτων τινὲς καὶ φυσικῶς παραγίνεσθαι. καὶ γὰρ καὶ ἄλογα ζῶα τὰ μὲν ἀνδρεία τὰ δὲ σῶφρονα λέγεται εἶναι.

The passage from Theon may be counted as independent testimony, for though he only refers to Ptolemy he is nearer the Aristotelian text than Ptolemy. It will be seen that Theon's additions are not put in *oratio obliqua* like some of the sentences he takes from Ptolemy, though it is unnecessary to lay stress upon this. The latter part of the passage from Theon seems to refer to the doctrine of *Nic. Eth.* VI. xiii. 1, 1144<sup>b</sup> 4, πᾶσιν γὰρ δοκεῖ ἕκαστα τῶν ἠθῶν ὑπάρχειν φύσει πως (καὶ γὰρ δίκαιοι καὶ σωφρονικοὶ καὶ ἀνδρείοι καὶ τὰλλα ἔχομεν εὐθὺς ἐκ γενετῆς)· ἀλλ' ὁμως ἡγοῦμεθ' ἕτερόν τι τὸ κυρίως ἀγαθὸν καὶ τὰ τοιαῦτα ἄλλον τρόπον ὑπάρχειν. καὶ γὰρ παισὶ καὶ θηρίοις αἱ φυσικαὶ ὑπάρχουσιν ἕξεις.

There are several points in these various passages and in their relation to one another which seem worthy of discussion.

## I.

It is not absolutely certain that Ptolemy had the Aristotelian text before him. If

ἐνίας τῶν ἠθικῶν ἀρετῶν implies, as Theon supposes, that φρόνησις is counted among the ἠθικαὶ ἀρεταί, there is an important departure from Aristotle's doctrine, though it is such a one as the difficulty of his own representation was very likely to occasion: and it is at least not impossible that this change, as well as some minor ones of expression, is not due to Ptolemy himself but to a later Peripatetic version of the passage. A little lower down Ptolemy quotes Aristotle by name (Halma p. 2) καὶ γὰρ αὐτὸ καὶ τὸ θεωρητικὸν ὁ Ἀριστοτέλης πάντῃ ἐμμελῶς εἰς τρία τὰ πρῶτα γένη διαίρει τὸ τε φυσικὸν καὶ τὸ μαθηματικὸν καὶ τὸ θεολογικόν, κ.τ.λ. This distinction is found in *Metaph.* κ, 7 (cf. 1064<sup>b</sup> 2), and in the parallel version in ε, 1 (cf. 1026<sup>a</sup> 19); but Ptolemy's account of it though mainly Aristotelian (cf. e.g. *Metaph.* λ 1072<sup>a</sup> 26) differs a good deal in form from that in the *Metaphysics* and seems to show the influence of later ideas.

## II.

If the passage above quoted from the *Nicomachean Ethics* (1103<sup>a</sup> 14) be compared with the corresponding statements in the second book of the *Eudemian Ethics* (1220<sup>a</sup> 39) and in the *Magna Moralia* (1185<sup>b</sup> 38), it will be clear that of the three it is the *Nicomachean* version which, whether directly or through a medium, is the prototype of Ptolemy's quotation: and the same is true of the quotation in Theon's commentary. Again the reference peculiar to Theon is obviously nearer to the *Nicomachean Ethics* (1144<sup>b</sup> 4) than to the version of the same thing in the *Magna Moralia* (1197<sup>b</sup> 38). Now when an ancient writer refers, as Theon does here, to an undisputed *Nicomachean* book, and at the same time to the matter of a passage in a disputed book, it becomes important to observe whether the latter reference seems to be to our text; for, if it were, as it is rather more probable than not that both the quotations would be taken from the same version of the *Ethics*, the hypothesis that the disputed book is *Nicomachean* would be somewhat strengthened. Here however the resemblance is not close enough to make it certain that the extant version of the disputed book is the one quoted, nor remote enough to make it probable that the reference is to the other version (i.e. *Eud.* or *Nic.*), if indeed such other version ever existed.<sup>1</sup>

<sup>1</sup> Here two questions may be asked. Is any instance known where a disputed book is quoted in

## III.

The passage from Ptolemy may rank as one of the earliest of those quotations from the *Ethics* of which the date can be approximately fixed. It may be earlier than the commentary of Aspasius, and is at least about contemporary, for Ptolemy and Aspasius are both said to have flourished about 125 A.D. And when it is remembered that Proclus belongs to the fifth century A.D. and that Simplicius and Philoponus are as late as the sixth century, the reference in Theon of Alexandria gains in importance, for he is said to have flourished in the latter half of the fourth century A.D.

## IV.

One may venture to think that in the passage above quoted from *Nic. Eth.* II. i. 1 there is a difficulty about the position of the words διόπερ ἐμπειρίας δεῖται καὶ χρόνον which makes the testimonia of interest. It is true that in *Nic. Eth.* VI. viii. 5, 1142<sup>a</sup> 11—16 φρόνησις is said to need experience and time (πλήθος γὰρ χρόνον ποιεῖ τὴν ἐμπειρίαν), and in the next passage,<sup>2</sup> 1142<sup>a</sup> 16—20, the same is said of σοφία, φρόνησις and σοφία being διανοητικαὶ ἀρεταί. But according to the same two passages mathematics is contrasted with σοφία and φρόνησις as not needing experience, and mathematics is the conspicuous instance in Aristotle of a science which proceeds by διδασκαλία, in the technical sense. Hence the fact that a science proceeds by διδασκαλία could not be a reason for its needing time and experience, as affirmed in the received

antiquity under the title *Eudemian Ethics*? Does any quotation of the matter of the disputed books point to a version different to the extant version? As far as the list goes which is prefixed to Susemihl's edition (cf. also Fritzsche's) the answer to both questions seems to be in the negative. And it is worthy of note that the undisputed *Eudemian* books are sometimes quoted under their title 'Eudemian,' while the disputed books are quoted as Aristotle, Aristotle's *Ethics*, or the *Ethics*, or as the *Ethics* with the number of the book given as it is in the *Nicomachean* version, and not as in the *Eudemian*, or lastly with the definite title of *Nicomachean Ethics*.

<sup>2</sup> The two passages, though contiguous, are distinguished in the above because there are peculiarities in the form of the second which suggest that it may be a later addition to the first. If this were so, it might account for the apparently inaccurate use of πιστεύουσι for ἐπίστανται (τὰ μὲν οὐ πιστεύουσι οἱ νέοι ἀλλὰ λέγουσι): for notwithstanding the wide sense of πιστεύειν, this is just a case where it ought to be distinguished from ἐπίστασθαι. The difficulty is removed by Imelmann's ingenious emendation (τὰ μὲν πιστεύουσιν οἱ νέοι ἄλλοις λέγουσιν): but the form of the received text is somewhat confirmed by *Nic. Eth.* VII. iii. 8, 1147<sup>a</sup> 18—22.

text of *Nic. Eth.* II. i. 1. On the other hand, it is characteristic of the moral virtues that they require time and experience because they come through habituation, and it is the very object of the second book of the *Nic. Ethics* to make this clear. We should expect therefore rather ἡ μὲν διανοητικὴ τὸ πλεῖον ἐκ διδασκαλίας ἔχει καὶ τὴν γένεσιν καὶ τὴν αὐξήσιν, ἡ δὲ ἠθικὴ ἐξ ἔθους περιγίγνεται (ὄθεν καὶ τοῦνομα ἔσχηκεν μικρὸν παρεκκλίνον ἀπὸ τοῦ ἔθους) διόπερ ἐμπειρίας δεῖται καὶ χρόνον.

The Paraphrast evidently found the text as we have it, but his date is probably so modern that this is not of much consequence. Aspasius does not quote or paraphrase the suspected words at all; yet he has a remark which suggests that he may have possibly found them where they are and felt a difficulty about them. He says εἰ δ' ἄρα μελέτης τινὸς δεῖ ἐν τῷ μαθάνειν, τοῦτο δ' εἰ βούλεται τις καλεῖν ἔθος, καλείτω. ἀλλὰ τό γε κυρίως ἔθος ἐστὶ τὸ ἐθίζεσθαι καλοῖς ἐπιτηδεύμασι. καὶ μὴν ἡ φρόνησις διὰ πολλῆς ἐμπειρίας παραγίγνεται καὶ διδασκαλίας. It looks as if he felt that ἐμπειρία and ἔθος were more distinctive of ἠθικὴ ἀρετὴ as such, though conceding on the one hand that in the limited sense of μελέτη they belong to the διανοητικαὶ ἀρεταὶ in general, and on the other hand that φρόνησις in particular, which is one of these virtues, needs, beside διδασκαλία, also ἐμπειρία in the proper sense. However this may be one can hardly find an argument for or against the position of the words διόπερ κ.τ.λ. on Aspasius.

In the passage from Ptolemy the expression nearest to διόπερ κ.τ.λ. is ἐκ τῆς ἐν αὐτοῖς τοῖς πράγμασι συνεχοῦς ἐνεργείας, and this is connected with the ethic, not the dianoetic virtues. But it is quite possible that the words are only an expansion of ἐξ ἔθους.

Theon has nothing which might correspond to the difficult words or indicate where he found them, if he found them at all.

## V.

Even if the testimonia were favourable to a transposition, the variations either in commentary or quotation have to be used with caution, especially when the difficulty in the original arises from the connexion of the argument. The ancient writer may have felt the same kind of difficulty about the original passage as the modern student, and consciously or unconsciously may have departed from the original. A warning

example is given by the manner in which Proclus reproduces a certain passage of the *Organon*. The original is: ἀκριβεστέρα δ' ἐπιστήμη ἐπιστήμης καὶ προτέρα, ἢ τε τοῦ ὄντι καὶ διότι ἢ αὐτῇ ἀλλὰ μὴ χωρὶς τοῦ ὄντι τῆς τοῦ διότι, καὶ ἢ μὴ καθ' ὑποκειμένου τῆς καθ' ὑποκειμένου.....καὶ ἢ ἐξ λαττόνων τῆς ἐκ προσθέσεως κ.τ.λ. *Post. An.* 87<sup>a</sup> 30. There is here a known difficulty. From what is said elsewhere in the same treatise, 78<sup>b</sup> 32 sqq., and from the sequel of the passage itself, the reader would expect to find that the science of the διότι alone would be ranked higher in exactness than the science which combines the διότι with the ὄντι, and this again higher than the science of the ὄντι. Yet the statement of the passage is clear, and there can be no reasonable suspicion that the words are corrupt. No plausible emendation—in fact nothing less than an entire rewriting of the passage would give the sense expected. Proclus (*Comm. in pr. Eucl. Element. lib.*, Friedlein p. 59 l. 11) writes: ἀκριβεστέρα γὰρ ἐστὶν ἐπιστήμη ἄλλη ἄλλης, ὡς φησὶν Ἀριστοτέλης, ἢ τε ἐξ ἀπλουτέρων ὑποθέσεων ὠρημένη τῆς ποικιλωτέρας ἀρχαῖς χρωμένη<sup>1</sup> καὶ ἢ τὸ διότι λέγουσα τῆς τὸ ὄντι γινωσκούσης κ.τ.λ.

He seems merely to have avoided the hard words, making the passage easy by substituting for them the kind of formula which suits the doctrine of 78<sup>b</sup> 32. In fact, as may be seen by referring to the continuation of the passage partly quoted above, Proclus combines *Post. An.* 87<sup>a</sup> 30 with 78<sup>b</sup> 32 as if there was no difference between the two places.<sup>2</sup>

<sup>1</sup> The text has ἢ τε ποικιλωτέρας ἀρχαῖς χρωμένη τῆς ἐξ ἀπλουτέρων ὑποθέσεων ὠρημένης. The correction is due to Barocius (*cit.* Friedlein) and seems obviously right, for the phrase corresponds to ἢ ἐξ ἐλαττόνων τῆς ἐκ προσθέσεως in the original.

<sup>2</sup> In the same treatise of Proclus are three references to the *Ethics*: in p. 32, l. 4 (Fried.) to *Nic. Eth.* 1095<sup>a</sup> 1, in p. 33, l. 25 and p. 192, l. 10 to *Nic. Eth.* 1094<sup>b</sup> 26. These do not occur in the above mentioned list of testimonia, though they come from a book of which there is a modern edition with a copious index; it may be suspected therefore that the list is capable of a good deal of extension. There are many references to Plato in the same book, and especially to the *Timaeus*, which are interesting sometimes as confirming curious expressions in Plato's text, or as contributing to interpretation (cf. e.g. Fr. 20, 10, *Tim.* 53 C; Fr. 52, 20, *Tim.* 42 A; Fried. 108, 10, *Tim.* 42 E; Fr. 291, 1, *Tim.* 37 B; Fr. 382, 3, *Tim.* 53 C). It contains references to passages later than the part of the *Timaeus* at which Proclus' commentary ceases. The Commentary is of course often quoted, but the editors of the *Timaeus* seem to have made little or no use of this other source. Stallbaum quotes it perhaps not more than once, and then through the medium of Boeckh, and on a historical point, not for the text.

## VI.

The passage from Theon's commentary seems to require emendation. The clause *καὶ ἀπλῶς καλοὶ καὶ ἀγαθοὶ τὸ ἦθος εἶναι λεγόμεθα* might be construed as an independent sentence with the emphasis on *ἦθος*. Yet this would be very harsh: the sentence *δοκοῦσι δὲ τούτων τινές* would be separated awkwardly from the list of moral virtues to which it directly refers. Again, that list would be naturally terminated by a general expression to cover any virtues not enumerated, and *καὶ ἀπλῶς* is a phrase by which such an expression is properly introduced. Hence it may be inferred that something has dropped out between *ἀπλῶς* and *καλοί*, perhaps *αἷς* absorbed by the termination of *ἀπλῶς*, or *καθ' ἃς* lost through similarity of initial syllable to that of *καλοί*. The sense also seems clearly to require *ἦθος* for *ἦθος* in the same clause—a conjecture confirmed by a passage a little further on (Halma p. 4) *πρὸς γε μὴν τὴν κατὰ τὰς πράξεις καὶ τὸ ἦθος καλοκαγαθίαν*. The part emended would then read thus: *ὅθεν καὶ ἠθικὰς αὐτὰς ἀξιούσιν ὀνομάζεσθαι οἷον ἠθικὰς*

*τινας οὕσας. εἰσὶ δ' αὐτὰι σωφροσύνη ἀνδρία ἐλευθεριότης δικαιοσύνη πραότης, καὶ ἀπλῶς <αἷς> καλοὶ καὶ ἀγαθοὶ τὸ ἦθος εἶναι λεγόμεθα δοκοῦσι δὲ τούτων τινές κ.τ.λ.*

It may be noticed that the conception of *καλὸς καὶ ἀγαθός* here and of *καλοκαγαθία* seems to be of the general kind found in the *Nicomachean Ethics* and the *Politics*: for *καλοκαγαθία* in that special sense which is peculiar to the Eudemean *Ethics* includes dianoetic as well as ethic virtue. On the Eudemean view therefore it ought not to appear at all in a list of ethic virtues, such as Theon here gives, and in a general list of the virtues would pretty certainly be represented by the substantive (*καλοκαγαθία*) and not by the adjectives as above. In the second passage from Theon *καλοκαγαθία* appears, not as one among other virtues, but as designating moral excellence in general (*ἡ κατὰ τὰς πράξεις καὶ τὸ ἦθος καλοκαγαθία*) just as it does in *Politics* 1259<sup>b</sup> 34 and *Nic. Ethics* 1179<sup>b</sup> 10.

In the second line of the first passage from Theon the editions have *καταληφέναι*; Halma gives it without variant.

J. COOK WILSON.

## THE PROCEDURE OF THE 'PROVOCATIO.'

THERE is probably no subject connected with Roman criminal procedure about which such vagueness prevails even at the present day as that of the exact nature of the 'provocatio ad populum.' To the student of courts of appeal the question of main interest must always be whether the 'provocatio' was a true appeal; that is, whether the people could, by this procedure amend, as well as confirm or reject, a sentence. Under great varieties of statement we find a general agreement amongst modern authorities that the people possessed this power. Mommsen (*Staatsrecht* ii. p. 978 note 3) says that the 'provocatio' goes from the magistrate to the 'comitia,' and is not merely 'cassatory' but also 'reformatory'; Merkel (*Über die Geschichte der Klassischen Appellation*) thinks that, at least in the case of 'multae,' it may have been reformatory; in Smith's *Dictionary of Antiquities* (s.v. 'appellatio') we read that 'the "provocatio" was an appeal in the strict sense of the term, i.e. it consisted of a rehearing of a case previously tried and a new judgment upon it'; and this belief

even underlies the apparently contradictory statement of Marcel Fournier (*Essai sur l'histoire du droit d'appel*, p. 40) that 'the "provocatio" did not tend to the reformation of a sentence like the appeal, it changed the competent tribunal, which permitted a new judgment to be rendered that had no connexion with the first'; for, where a tribunal is changed *after a sentence*, there we have the true appeal. But no adequate explanation is vouchsafed by any of these authorities as to how this reformatory character was attained. An explanation could only be furnished by an accurate knowledge of the procedure of the 'provocatio'; but here we are met by the initial difficulty that, as Geib says (*Criminalprozesse*, p. 168), nothing is known about such procedure. This is literally correct; with the exception of the brief account, meant to be typical, of the trial of Horatius, no description of a 'provocatio' has been preserved in Roman history, unless the trial of Rabirius for 'perduellio' can be considered a true case. The reason for considering it to be one is that the procedure