ungrammatical; M. is better; better still: *ὥστε τὸ αὐτὸ καὶ κρίνειν καὶ κρίνεσθαι, καὶ τὸ κεκρικὸς κριτήριον . . .* **95** [696.7] M. keeps the passive *διαφωνεῖται*—e.g. SE *PH* II 145. [696.17] *εἰ ἔστι* (**DΦ**) for *οὐκ ἔστι* (**BPF**) restores the syntax—and more elegantly than *τό* (Frobenius); but the sense is hopeless: print *οὐκ ἔστι* ***. **97** [697.7] Again, **Φ** restores the syntax more elegantly than Frobenius. [697.11] The dat, *τῷ αἰτιατῷ*, is defensible (against Menagius' acc.)—e.g. SE *PH* II 119. **98** [697.16] *οὑτωσὶ δὲ* (*Ω*) is excellent (Denniston, *Particles*, p. 180); **FΦ** delete *δέ* and M. changes it to *δή*. **99** [698.15–16] Something was lost in *Ω*. Editors have followed the conjecture in $\mathbf{B}^{pc}$ (not Hübner as M. reports); M. prefers **Φ**, which is prettier. **100** [698.21] *εἶναι* (**Φ**) for *ὄντι* (M., OCT) is right. **102** [699.18] *συναγωγῆς* is unknown in the required sense: *ἀγωγῆς* (cf, Photius, *Bibl*. cod. 212, 170b1–3)? [700.1–3] For the difficulties see *ANRW* 4260–3: M.'s <*πολλὰ*> solves nothing. **104** [701.2] *ὡς οὐ δογμάτων* (M., with Frobenius) is hardly right: *οὐ δογματίζοντες* (**Φ**) or *οὐ δογματικῶς*? [701.6] For *ὁρίζομεν* **P** and **Φ** have *ὁριζόμεθα* (not noted by M.). **105** [701.13] *κινεῖταί τι* (M.: *τις Ω*) is probable. **106** [702.8] Has a book title dropped out after *Λαοδικεύς*? [702.11] *τὰ μέν* for *μηδέν* is right, **Φ** anticipating Reiske. **107** [703.2] So too *ὅτε* for *ὅτι*, **Φ** anticipating Barnes. **108** [703.5–6] Fut. indic. (Cobet, OCT) is better than opt. (M.). Apelt's *αὐτοί* for *οὔτε* should be noticed. [703.9] *ὡς δυνήσεται κτλ* is impossible: **Φ**'s *οὐ* (for *ὡς*) should be noted (*ὡς οὐ* Barnes). [703.12] Reiske and Cobet combine to give M. an intelligible text—but I doubt if DL wrote it.

So now we have two unsatisfactory editions of DL instead of one. In the Preface, M. avows that ill-health prevented him from putting the final touches to the work. The house of Teubner might have found another scholar to complete the task. Instead it has published, at a monstrous price, an *opus imperfectum.*

Ceaulmont JONATHAN BARNES

APSINES' RHETORIC

M. PATILLON: *Apsinès. Art Rhétorique. Problèmes à Faux-Semblant* (Collections des Universités de France publiée sous le patronage de l'Association Guillaume Budé). Pp. cxii + 214. Paris: Les Belles Lettres, 2001. Cased, frs. 360. ISBN: 2-251-00492-0.

Patillon offers us a new text of the rhetorical treatise traditionally attributed to Apsines, together with the fragment on figured speeches that is in part the work of the same author. The text is accompanied by a translation free (where I have checked it) of the surprising lapses that mar the other recent edition, by M. R. Dilts and G. A. Kennedy (Leiden, 1997; see the review by D.M. Schenkeveld, *Mnemosyne* 53 [2000], 236–40). The excellent supporting material also includes a useful introduction, extensive and informative notes (underpinned by P.'s wide-ranging and profound knowledge of ancient rhetoric), and an *index verborum*. P. retains the new chapter and section numbers introduced by Dilts and Kennedy (references below are by chapter, section, and line, with Spengel–Hammer page and line numbers in parentheses).

Like other believers in the traditional attribution, P. is driven to a series of excisions, eliminating every occurrence of Apsines' name in the text. It is indeed unlikely that Apsines would have referred to himself by name and in the third person, but there is more than one way to resolve that problem (as I have argued elsewhere: *AJP* 119

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[1998], 89–111). Misattribution of rhetorical treatises is common enough; there are no internal grounds for suspecting the authenticity of these passages; external evidence for Apsines' authorship is not strong, and in fact conflicts, since Syrianus and Lachares cite pseudo-Hermogenes *On Invention* under Apsines' name (a fact which P. does not draw to his readers' attention). Given two texts attributed to one person, but evidently not a single person's work, one of which contains strong internal evidence against the attribution while the other does not, what is the most rational procedure? Surely not the systematic elimination of the internal evidence.

As his edition of Theon might lead one to expect, P. is a highly interventionist editor. He prints around 100 conjectures of his own, as well as adopting a number of proposals suggested but not printed by previous editors. There is some justification for this, since we are dependent on two highly unreliable manuscripts. But it might have been wise to keep a good number of the conjectures adopted into the text as diagnostic suggestions in the apparatus. The limitations of the evidence mean that improvements are often highly uncertain. In particular, we cannot be confident how carefully a piece of technical literature like this was written; often P. seems to be intent on producing a text cleaner and more polished than we have any reason to assume the original was (e.g. the addition of *καὶ* at 1.8.2 [218.22]; of *δὲ* at 1.71.1 [233.9]; of *ὁ Κλέων* at 1.100.4 [242.11]; *τινα* for *τὰ* at 3.28.12 [259.12]). It would perhaps be better for readers to be driven to the apparatus by a puzzling text than lulled into a false sense of security by an extensively, but very uncertainly, sanitized one.

Inevitably such a profusion of conjectures will include some poor ones. At 1.46.7 (228.3) the transmitted text is sound (the sense is 'it would have been better . . . but [failing that] second best is . . .'); if the manuscripts had presented us at 3.24.1 (257.9) with P.'s *ἄτοπον* we would surely have conjectured *ἀτόπου* (as actually transmitted) to avoid the vacuous genitive absolute *τινος συμβαίνοντος*; at 3.27.11 (258.18) Hammer's tentative suggestion does not belong in the text by any stretch of the imagination; the rewriting of 4.4.5–6 (262.10) is unnecessary and unconvincing; at 4.8.2 (263.18) the deletion of *πάνυ* is arbitrary, since **A** and **B** both offer acceptable readings (that of **B**, unhelpfully segregated in a separate apparatus—on which more below—is probably a normalization of the unusual word-order in **A**, for which cf. John Chrysostom *PG* 63.151.37 *θαρρῶ πάνυ*); at 5.17.3 (275.6) P. rightly retains *καὶ ὅμοιον* in opposition to previous editors, but the infinitive *κωλύειν* should not be changed; at 10.7.9 (301.18) the addition of *ὃς* is clumsy. But even unsuccessful conjectures can serve a purpose. When an alert and well-informed intelligence subjects a text to such rigorous scrutiny, the result is likely to be a series of challenges to reassess one's previous understanding. So at 4.15.17 (267.2 1), although the conjecture *δυνάμεως* is implausible (an argument for the defence based on capacity would have the form 'I could not have . . .', not 'I could have done it in other ways as well'), P. has drawn attention to a problem in understanding the transmitted *μεταλήψεως* that I had not noticed before, and that certainly requires further thought. It must be said, too, that P. has made some good contributions of his own. For example, I was attracted by <*οὐ*> at 1.72.7 (234.1); *ὅτι οὐκ* 2.20.6 (249.11); *αὐτῷ* at 10.5.13 (299.10); *τιμωρεῖσθαι* at 10.19.11 (309.8). At 10.4.1–3 (298.22–3) P. produces a more satisfactory text than any of his predecessors, although a suspicion remains that the corruption goes deeper than this solution recognizes.

Whatever the editorial policy, this is a text which must be read with a constant eye on the apparatus. Unfortunately, the presentation of P.'s edition makes that more difficult than it should be. The apparatus is keyed to the text by lines within sections; since sections are usually short, many pages display nothing in the margin but an

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unhelpful column of 5s—the section numbers have to be sought out in the text, where they are not typographically salient (nor, indeed, are they salient in the apparatus). A more fundamental weakness stems from the use (already noted) of a separate apparatus to record a selection of **B**'s readings. The rationale is that **B** has been subjected to later editing, and variants that reflect the editorial intervention are not primary evidence for the text. But the selection of variants for relegation sometimes seems capricious. At 4.2.5–6 (261.12) the presence of a rhetorical question in **A** but not **B** is reported 'om. **B**'; at 4.8.9 (264.5) the presence of a rhetorical question in **B** but not **A** is evidence of **B**'s 'souci pédagogique' (p. xxviii), and **B**'s reading is not reported in the main apparatus at all. The end result is to make determining the state of the text in **B** unnecessarily hard work. At 1.42.3 (226.7–8), for example, P. prints *πρὸς ἔχθραν τινῶν ἢ χάριν ἢ δι' ὀργήν*, reporting '*δι'* om. **A**' in the general apparatus; one has to add in the report of **B** in the special apparatus (confusingly truncated after the last *ἢ*) to discover that P.'s text is a methodologically questionable hybrid of **A** (*πρὸς ἔχθραν τινῶν ἢ χάριν ἢ ὀργήν*) and **B** (*ἢ πρὸς χάριν ἢ δι' ἔχθραν τινῶν ἢ δι' ὀργήν*).

Despite my reservations, I have found P.'s work both enlightening and stimulating, and I am in no doubt that this is the most important edition of the treatise that has appeared to date.

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THEMISTIUS' PRIVATE SPEECHES

R. J. PENELLA: *The Private Orations of Themistius*. Pp. xiii + 258. Berkeley, Los Angeles, and London: University of California Press, 2000. Cased, £35. ISBN: 0-520-21821-3.

The career of Themistius, pagan spokesman for Christian eastern emperors—and for Julian too—for more than thirty years from the 350s to the 380s, is among antiquity's great political success stories. Yet only relatively recently (e.g. Dagron's major article, *Travaux et Memoires* 3 [1968], 1–242) has this remarkable figure become a focus of scholarly study, in part because his message lay hidden in three untranslated Teubner volumes (edd. H. Schenkl, G. Downey, and A. F. Norman [Leipzig, 1965–74]) of elegant, discursive, and allusive Attic Greek (the Julian speech may survive in Arabic). The position is now much improved: the entire corpus is available in Italian (tr. R. Maisano [Turin, 1995]), the public speeches in German (tr. H. Leppin and W. Portmann [Stuttgart, 1998]), two (*Orr.* 8, 10) also in English (P. Heather and J. Matthews, *The Goths in the Fourth Century* [Liverpool, 1991]), with a further selection (*Or.* 1, the *Letter of Constantius*, *Orr.* 3, 5, 6, 14, 15, 16, 17, 34) newly published (P. Heather and D. Moncur [Liverpool, 2001]). P.'s translation, with succinct but informative introduction and commentary, of the little-studied 'private orations' (*Orr.* 20–34) is a welcome complement.

These speeches will, however, disappoint those seeking insights into the 'real' Themistius. They differ from *Orr.* 1–19 chiefly in being non-imperial, a miscellaneous dossier (pp. 7–9) which includes apologetics and polemics (e.g. *Orr.* 21, 23, 29), rhetorical (*Orr.* 25, 27) and philosophical (*Orr.* 26, 28) programmatics, philosophical discourses (*Orr.* 22, 32, 33), and some autobiographical matter (*Orr.* 20, 24). In P.'s

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