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The Luck of the Draw: Ar. Ecc. 999
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Reviewed work(s):
Published by: Cambridge University Press on behalf of The Classical Association
Stable URL: http://www.jstor.org/stable/639429
Accessed: 26/09/2012 12:09

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THE LUCK OF THE DRAW: AR. ECC. 999

In the penultimate scene of the *Ecclesiazusae*, the young man who has come to see his lover is accosted in succession by three old women, each insisting that the new legal code requires him to sleep with her first. In lines 999–1000, the first of these old women, faced with his refusal to cooperate sexually, swears by Aphrodite:

\[
\text{μά τήν Ἀφροδιτήν, ἦ μ᾽ ἐλαχὲ κληρομεῖνη,}
\]

\[
\text{μή γω στήσαω.}
\]

Thus, as commentators point out, she boastfully claims the goddess as her personal δαιμόνων, using language clearly appropriate to the allocation of a deity to a specific ‘province’.

\[\text{Κληρόνω and λαγχάνω denote closely related concepts, and it is of course natural forms of κληρόω and of the noun κλήρος should commonly be found in close conjunction with λαγχάνω (cf., e.g., Joseph. \textit{AJ} 9.211: κληρωσαμένων οὖν ὁ προφήτης λαγχάνει). A search of the TLG data-base, however, reveals only two other passages in which a middle participle of κληρόω agrees with the subject of λαγχάνω.}\]

Plato has the \textit{xenos} in the \textit{Politicus} use the collocation in a passage concerning the allotment of archons: \textit{κατ᾽ ἐναυτῷ δὲ γε ἄρχοντας καθίσασθαι τοῦ πλῆθους, εἰτὲ ἐκ τῶν πλουσίων εἰτὲ ἐκ τοῦ ἀθήναμ παντὸς, ὅς ἂν κληρούμενος λαγχάνη (298e).} Similarly, Aeschines, speaking of the procedural abuses of unscrupulous contemporaries, comments: \textit{ἄν δὲ τῆς ἄλλως βουλευτῶν ὄντως λάχη κληρούμενος προεδρεῦειν... ἀπελθοῦσιν ἐσαγγελεῖν (Ctes. 3).} Given the nature of this evidence, it is reasonable to suggest that the phrase is in fact a technical formula for the allotment of Athenian officials. Moreover, if, as seems plausible, the Platonic passage provides an accurate picture of the manner in which the expression was used in actual decrees, then Aristophanes, in employing it in the relative clause of the woman’s oath, may be parodying relative clauses such as \textit{δὲ ἂν κληρούμενος λαγχάνη in Athenian legislation};\footnote{2} such a parody, after all, would be thoroughly in keeping with the nature of the entire scene, in which all of the participants continually apply technical legal language to sexual matters.

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\footnote{2 The potentially formulaic character of the phrase did not escape the notice of B. Merritt and T. Wade-Gery, \textit{JHS} 83 (1963) 110, who, adducing the Platonic passage, proposed it as an epigraphically plausible supplement to a decree of c. 448 B.C.: \textit{Γλαυκὸς εἰτέ \τέλει Ἀθεναῖι \τέλει \νήπειραν ἥ \ἄγ [κλ/αρομένε λάχει] εἰς Ἀθεναῖον ἢπατα[σεύ καθίσα]θαι (IG i². 35.3–6).}}

AN ERRANT FRAGMENT OF THEOPHRASTUS

There are a number of fragments attributed to Theophrastus, as well as titles in Diogenes Laertius’ catalogue of his writings (5.42ff.), of which it is uncertain whether they should be placed among his logical or rhetorical works. In this note I want to give my reasons for excluding one of them from my forthcoming edition of his logical fragments. It is not my intention here to discuss all the questions it raises; I hope to come back to them in a later volume of my commentary.