

**Reading Mob Violence sand Treason with Pseudo-Quintilian and Lorenzo Patarol
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1. [Quintilian] *DM 11.thema: Diues Accusatus Proditionis*. Pauper et diues inimici. utrique terni liberi. Bellum incidit ciuitati. diues dux creatus profectus est in castra. rumor ortus est ab eo prodi rem publicam. processit pauper in contionem et accusauit diuitem proditionis. absente eo populus lapidibus liberos eius occidit. reuersus diues est uictor a bello, petit ad supplicium filios pauperis. pater se offert. contradicit diues. erant enim leges, ut proditor morte puniretur, et calumniator idem pateretur quod reus, si conuictus esset.

The Rich Man Accused of Treason. A poor man and a rich man were enemies. Each one had three children. A war came to the city. The rich man was made general and proceeded to the camp. A rumor arose that he was betraying the state. The poor man went to a public meeting and accused the rich man of treason. During the rich man's absence, the people stoned his children to death. The rich man returned victorious from the war and asks to punish the poor man's sons. The poor father offers himself in their place. The rich man speaks against him. For there were laws that the traitor should be punished by death, and the false accuser should suffer the same that the defendant would have suffered, had he been convicted.

2. [Quintilian] *Minor Declamation 337.thema: Seditio populi et exercitus*. Qui causas in senatu uoluntariae mortis non approbauerit, insepultus abiciatur. Pauper et diues inimici. Utrique domus et uxor et liberi. Dux creatus bello diues cum bis acie uictus esset, processit pauper, qui et disertus erat, et dixit prodi rem publicam a diuite. Impetus in domum diuitis factus est a populo et domus incensa et interfecti liberi cum uxore. Vicit tertia acie diues et in potestatem hostes redegit. Exercitus diuitis domum pauperis incendit et uxorem et liberos interfecit. Vult mori pauper ratione in senatu reddita. Diues contradicit.

Sedition of the People and the Army. Whoso shall not obtain approval in the senate for his reasons for suicide, let him be cast away unburied. A poor man and a rich man were enemies. Each had a house and a wife and children. Appointed commander in a war, the rich man was twice defeated in battle. The poor man, who was also a good speaker, came forward and said that the commonwealth was being betrayed by the rich man. The people made an onslaught on the rich man's house and the house was burned and his children killed along with his wife. In a third battle the rich man won and brought the enemy into his power. The rich man's army burned the poor man's house and killed his wife and children. The poor man wishes to die after giving his reasons in the senate. The rich man speaks in opposition.

3. [Quintilian] *Minor Declamation 337.10*: illud tamen inter omnia grauissimum est: cum haec fecerint, existimant se iure fecisse.

But among all these things, this is the worst: having done these things, they think they have acted legally.

4. William Shakespeare, *Macbeth* Act 4 scene 3: MACDUFF He has no children. All my pretty ones? / Did you say all? O hell-kite! All? / What, all my pretty chickens and their dam / At one fell swoop?

MALCOLM Dispute it like a man.

MACDUFF I shall do so; / But I must also feel it as a man... Sinful Macduff, / They were all struck for thee! naught that I am, / Not for their own demerits, but for mine, / Fell slaughter on their souls. Heaven rest them now!

5. [Quintilian] *DM* 11.7: non minus et illa [*sc. rei publicae meae*] facinus est passa quam pater: coacta est liberos imperatoris uincens occidere. fallitur, iudices, quisquis ullum facinus in rebus humanis publicum putat. persuadentium uires sunt, quicquid ciuitas facit, et quodcumque facit populus, secundum quod exasperatur, irascitur.

[My community] suffered (*passa*) a crime no less than I did as a father. It was forced (*coacta*) to kill the children of a conquering general. Jurors, whoever thinks that there is any such thing as a public crime in human affairs is deceived. Whatever a city does, and whatever the people do, occurs as the power of those persuading them, and following that they grow frustrated and angry.

6. [Quintilian] *DM* 11.2: habet hoc mali, iudices, principum innocentia, quod inimicos esse nobis, nisi postquam nocuerint, nescimus, et tunc omnibus patemus insidiis, quotiens nos odit inferior.

Leaders' innocence has this problem, jurors—we don't know who our enemies are until after they've harmed us. And then any time an inferior hates us, we're open to any plot at all.

7. Dio Chrysostom *Oration* 46.6: λελειτούργηκα δὲ ὑμῖν τὰς μεγίστας λειτουργίας καὶ οὐδεὶς ἐμοῦ πλείους τῶν ἐν τῇ πόλει. πλουσιωτέρους δὲ ἐμοῦ πολλοὺς ὄντας ἐπίστασθε καὶ αὐτοί. τί οὖν ἐστὶν ἐφ' ὅτῳ ἐμοὶ ὀργίζεσθε καὶ ἄτιμον ἐξ ἀπάντων ἐμὲ καὶ τὸν δεῖνα προβέβλησθε καὶ λίθους καὶ πῦρ ἐφ' ἡμᾶς φέρετε;

I have performed for you the greatest liturgies, in fact no one in the city has more of them to his credit than I have. You yourselves know that many people are richer than me. What is it, then, that makes you angry with me? And why of all the citizens have you singled out for dishonor me and that other man, and why do you threaten us with stoning and burning?

8. Lorenzo Patarol *Antilogia* 11 (1743.314): Testor immortalia numina, numquam tantum invidia valeat, non tanti contumelia pendatur, ut tam saeva quaeratur ultio.

I swear by the immortal gods, that never would hatred be so powerful, insult be repaid so richly, that I'd demand such savage revenge.

9. Lorenzo Patarol *Antilogia* 11 (1743.315): Ita scilicet provisum est semper, ut gravior legis terror esset quam dolor, & plus homines ex ipsa lege, quam immanitate legis deterrerentur.

And so indeed it has always been provided that law should create greater dread than suffering, and people should be deterred from crime by the law itself, rather than the law's savagery.

10. Lorenzo Patarol *Antilogia* 11 (1743.318): Quisquis ille auctor fuit, numquam certe fuit calumniator... Necesse est, ut partes meas sumat civitas, cujus causa modo filios sum perditurus... In tanto discrimine facile solliciti credunt quodcumque adversi: numquam nocuit nimis timuisse.

Whoever this originator [of the rumor] was, certainly he was never a slanderer... It necessarily follows that the community takes my part—because of him, I am just now about to lose my children... In such peril anxious men are turned and easily believe whatever: it never hurts to be too fearful.

11. Lorenzo Patarol *Antilogia* 11 (1743.322): Quaero cur non ortus est rumor de calumniis inimici pauperis, sicuti de divitis prodicione? Miror quod civitas rea lacerationis liberorum, numquam in me sceleris refudit causam, numquam me fecit rumoris auctorem. Nullus ne fuit qui saltem ut victori blandiretur accusaret?

I ask why no rumor arose about your poor enemy's slanders, just like those about the rich man's treason? I'm amazed that the community, guilty as it was of murdering your children, never threw the instigation of the crime back on me, never made me the rumor's originator. Wasn't there anyone who would at least accuse me, just to suck up to the conquering general?

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Omnibus patemus insidiis: elite vulnerability in Major Declamations 11

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Abstract: Declamation helped to train young Roman men to think, speak, and act in the socially powerful roles they would assume upon maturity. Part of this training was learning how to negotiate a contest of *êthos* with a hostile community. In this paper, I examine (a) the affinities between *Major Declamations 11 (Dives Accusatus Proditionis)* and real-world competition among elites; and (b) the declamation's rhetorical inversions of social hierarchy. *DM 11* is part of a popular series of declamations involving a general or generic "rich man" suspected of an attempt to betray his city to the enemy and/or complicity in the attempt to establish a tyranny (cf. Apsines 267.7, Hermog. *Stat.* 57.2, Libanius *Decl.* 44, [Quint.] *DMin.* 337, etc.). In some of these cases, the suspected tyrant is imprisoned; in others, mobs led by poor demagogues attack his family. Though the declamatory scenarios may be fictional, both charges of tyranny and mob violence reflect the actual experience of powerful men in Greek cities of the high Roman empire (Malosse 2006, Kennell 1997). Two well-known examples include the Athenians' unsuccessful accusations of Herodes Atticus and his grandfather of "tyranny" (Philostr. *VS* 547, 559; Tobin 1997) and the mob violence at Prusa that threatened Dio Chrysostom (Dio Chrys. *Or.* 46; Salmeri 2000, Jones 1978). Whatever his social standing, the powerful man must subordinate his authority to that of the declamatory court. He must use persuasive argument rather than rely on assertion to justify the legitimacy of his actions to them. The fallback position of persuasion, furthermore, weakens the exercise of authority itself (Lincoln 1994). The speaker's argument typically proceeds through an inversion of social hierarchy: rather than celebrate his superior standing, the elite man calls attention to his vulnerabilities in the face of hostile opponents. The fictional scenario accordingly offers some measure of practical training for future members of the civic elite.