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Passion and *Polis*: Civic Trials in the Greek Novels

In *Greek Declamation* (1983), D. A. Russell paints a sociological portrait of “Sophistopolis,” the imagined city of the Greek sophists. This paper will explore one of its suburbs: “Erôtropolis,” the city of the Greek romances. In the novels, the courtroom trial displays and defines the *polis* as a community. The novelistic view of civic trials tends to be archaizing and voyeuristic. In the imagination of the people who lived in the Greek cities of the Roman empire, it was this spectacle—trial by — which characterized the life of the free and autonomous *polis* of Greece’s idealized past.

This paper focuses on three scenes in which a male protagonist is put on trial before a jury in a Greek *polis*: the trial of Chaereas in Syracuse (Chariton 1.4-6), the trial of Clitophon in Ephesus (Achilles Tatius 7.7-16), and the trial of Cnemon in Athens (Heliodorus 1.9-14). Each is triggered by an apparently adulterous situation which comes to involve charges of murder. Looming over these is the formulaic scenario of the cuckold who bursts violently into a darkened bedroom to find his wife and her lover *in flagrante delicto*. As the negation of harmonious, mutual, heterosexual love and marital fidelity, adultery represents the consummate crime of passion in the novels. The ensuing public trials are antithetical to the couple’s final *dikaioi gamoi*.

Despite the power of this paradigm, in Erôtropolis the adultery (almost) always purely illusory. Both Chaereas and Cnemon are tricked into assuming the cuckold’s role, thereby leading to their trials for homicide. The trial of Clitophon is by far the most complex of the three, not least for the reason that the hero takes the morally suspect role of the *moichos* rather than the cuckold. He is put on trial for adultery with Melite, a crime of which he was innocent when he was accused, but in fact became guilty of in the course of legal proceedings. Yet the author avoids a full-blown adultery trial by having Clitophon consciously confess to a murder which he did not commit. The hero’s real guilt is suppressed as the legal technicalities surrounding this bogus murder trial steal the limelight for the next three books of the narrative.

Matters of serious political importance are absent from Erôtropolis, as affairs of the loves and lives of the protagonists consume the attention of the *dêmos*. Legal procedures exist only to provide plot twists: justice is accomplished only through extraordinary interruptions of the legal process. In these imagined trial scenes, we see the product of a society in which the public dimension of the law was becoming detached from its juridical function, and instead increasingly provided the pretext for melodramatic, even savage, spectacles.