Courtroom Melodrama in the Latin Novel

Interest in legal drama is not limited to fans of modern TV, film, or livestreamed lawsuits: the Latin novels *Historia Apolloni Regis Tyri* (*HA*) and *Asinus Aureus* (*AA*) feature two climactic trial scenes each. These four trials are exciting and dramatic, but also reflect the tension and anxiety of real-world capital trials with large and personally invested audiences. In this paper, I argue that these trial scenes provide "nuggets of conscious experience" (Ewald 1942, cited in Bryen 2014) of provincial audiences at trials. Using theories of melodrama and of felt legitimacy, I argue that the trials not only serve dramatic purposes within the narratives of the novels, but also reflect trials in imperial Rome, at which the narrative expectations of the audience could direct the proceedings toward a narratively satisfying outcome.

I first briefly perform a close reading of all four trials. Comparison of the trials of the *leno* and Dionysias and Stranguillio in the *HA* (*HA* 46 and 50) and those of Lucius and of the son of the wicked stepmother in the *AA* (3.2-11 and 10.6-12) reveals illuminating similarities. Verbal parallels and similar staging place the trials in a specifically Roman context (e.g., *tribunal, forum*). Focus on city-wide participation and unanimity (e.g., *omnis, una/consona voce, civitas omnis/universus populus*) creates the impression of a single-minded audience, allowing for no dissenting opinions. Anxiety about the safety of the city (e.g., the presence of Apollonius's navy in the harbor of Mytilene [*HA* 46]) and references to liturgies (e.g., the threat of Apollonius rescinding his sponsorship of Tharsus [*HA* 50]) induce fear in the trial audiences. Injustice, that is, irregularities in the trial process, is a final similarity.

I next consider what these similarities imply about historical imperial trials. The consistency between the four trials, as well as similar scenes in contemporary martyr narratives

(e.g., in *Euphemia and the Goth*), suggests that the details were true to some extent of real-life trials as well: for example, the noise and influence of the crowd (Roueché 1984), or the theatricality of the public trial (Lavan 2006).

I conclude by exploring how we can use these trial scenes to reconstruct the experience of the audience at a trial. The model of melodrama explained by Anker (2014) and Bosworth and Chua (2023) describes how political melodrama creates larger-than-life antagonists, for fear of whom citizens grant the state the ability to bypass normal legal procedures and exact disproportional punishments; by painting the enemy as a villain worthy of fiction, the state-as-hero wins felt legitimacy to conclude the story (i.e., punish criminals) however it wants.

I argue that the four trials are stories-within-stories; e.g., the trial of the *leno* at the end of the *HA* is the conclusion of Tharsia's story, which she has already recounted in unfinished form to many Mytilenean men (*HA* 34-35). The trials themselves are therefore driven by a combination of the narrative expectations both of readers and of the audiences within the novels, who are experiencing them as melodrama; for example, the Mytilenean audience grants Apollonius complete judicial power not only because of his navy, but also because the death of the *leno* gives a fitting conclusion to Tharsia's story, in which they are heavily invested. Both Roman authors mimetically reproduce Roman trials, not as accurate legal artifacts, but as dramatic imitations of the conscious experiences of audiences at Roman trials, where the state's melodrama allowed for excesses of state violence, authorized (and sometimes perpetrated) by citizens themselves.

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