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QUINTILIAN
THE LESSER DECLAMATIONS
VOLUME I



Edited and Translated by
D. R. SHACKLETON BAILEY

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藏书章
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[QUINTILIAN]

The Lesser Declamations

I

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I wish to express my appreciation of Philippa Goold's editorial and proofreading assistance in the publication of this edition. It was marked by expert knowledge of the material and rare meticulousity and critical acumen.

DRSB

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INTRODUCTION

Higher education in Rome was an education in rhetoric, the art and practice of verbal persuasion, and the prime didactic tool was the academic declamation. The teacher composed and delivered speeches, put into the mouth of a prosecutor or defendant at an imaginary trial (*controversiae*) or of an actor in a more or less historical situation (*suasoriae*). They would be accompanied by explanations and precepts (*sermones*—talks). The learners in their turn would follow the example set, composing and delivering in class.

The “Lesser Declamations” ascribed to Quintilian (145 preserved out of an original 388) are one of a number of such collections surviving in Greek and Latin. They take various forms. In this collection of *controversiae*, perhaps from the second century A.D., the declamations are usually prefaced by a pedagogic *sermo* from “the master” (Winterbottom’s term); though not seldom it provides little relevance to the declamation that follows and is so opaquely phrased that one pities the pupils it is supposed to edify. The “Greater Declamations,” also ascribed to Quintilian but of later, probably much later, date, have no introductory matter but their titles and themes. In addition we have in the work of the elder Seneca of Cordoba (born c. 55 B.C.) extracts, allegedly from memory, assigned

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to celebrated professors active in his younger days.

In the introduction to his edition (1984) Winterbottom provides a clear and concise survey of the problems surrounding our collection. Was it, as Ritter and Leo thought, "a series of lecture notes taken at the school of Quintilian"? More likely in Winterbottom's opinion (p. xiii) "the *Nachlass* of a *rhetor*, inefficiently edited and published after his death . . . not notes taken down at another's lecture, but notes made by a lecturer for his own purposes. The lack of system will reflect the editor's inefficiency or lack of understanding in the ordering of a confused archive . . . The *sermones* will be the notes, to be expanded in front of the class, on the treatment of each topic. The *declamationes* will be fair copies for dictation or performance." Not inconceivably some of them might be the work of pupils, preserved by the rhetor along with his own. Whether or not they are in some measure derived from the famous Quintilian, it is clear that their author was intimately acquainted with his *Orator's Education*.

The value of the collection lies in its character as exemplifying the nature of the training in the rhetorical schools. The declaimers strive to impress, by striking epigrams (*sententiae*) and ingenious, often perverse, argument. This kind of training is reflected in post-republican Latin literature, poetry and prose—even in the elder Pliny's vast encyclopedia. Any page of Seneca the philosopher and dramatist (son of the "rhetor") or Lucan or Statius, to say nothing of Virgil or Ovid, is likely to show how deeply impregnated the author was by his early exposure to the system. Even Martial, often regarded as an exception, was in his fashion one of its products; the conceits of a piece like Martial

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11.18 spring from the same psychological mold that produced the *sententiae*.

Of the manuscripts, oldest and best, a swarm of corruptions notwithstanding, is tenth-century A, beginning at Declamation 244; the previous 243 have left no trace except the numbering. A's first folio, containing 244 and the beginning of 245, survives only in a copy (Pi) taken by Pithoeus (Pierre Pithou) for his edition of 1580.

Two fifteenth-century manuscripts, B and C, begin at Declamation 252.13. As evidence for the text itself, as opposed to its transmission, they are negligible. Their common parent or ancestor (β) is identified with a manuscript E of German provenance (Bischoff, see Winterbottom, p. xxii) surviving in two fragments containing parts of 354–57 and 372–81. E was roughly contemporary with and independent of A, but from the same archetype. To BC Winterbottom added a third, D, as probably an independent witness to B; it starts from the same point. But contamination cannot be excluded (Winterbottom, p. xxii n. 17) and its evidence is to be taken with caution.

Winterbottom's list of eight major editors begins with the editio princeps (Parma 1494; "often content to print gibberish") and ends with C. Ritter (Leipzig 1884), who, in conjunction with E. Rohde of "Psyche" fame, contributed a quantity of corrections, many of which established themselves in the text. A century later came Winterbottom, followed in 1989 by my Teubner (Stuttgart). This too was nothing if not innovative and most of its innovations are retained in this edition, but some are dropped and others added. Special mention is also due to the work of two out-

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standing critics, L. Håkanson and W. S. Watt (see Abbreviations).

Pursuant to the character of the Loeb series I make concessions to readability and resort to the cross of despair *in extremis*.

Winterbottom's edition includes a pioneer commentary that leaves many problems unsolved or unattempted; and in the notes to my translation I have aired some disagreements. But my debt to it as a standby and stimulus will be apparent to anyone who troubles to make a comparison. Two points call for special mention. First, following Håkanson's similar practice in his text of Calpurnius Flaccus, he places many passages between double brackets as irrelevant or redundant in their present context but, in his opinion, part of the "master's" *Nachlass* from which the collection was assembled. I have followed suit, and unless otherwise stated the double brackets in my text are to be attributed to him. In Winterbottom's view these "are a sign not of the corrupt nature of our manuscript transmission but of the circumstances in which the collection was formed. They, like other features of the *Declamations*, strongly suggest that the Master, though their author, did not prepare them for publication." They "will arise from the second thoughts that the Master will have added in his margins over a long teaching career" (p. xii).

Second, as befits an editor of Quintilian (Oxford Text) and Seneca "Rhetor" (Loeb Classical Library), Winterbottom's commentary pays much attention to rhetorical technique, an element not included in the brief notes to my translation.

The *Lesser Declamations* as a whole have not previously appeared in translation.

ABBREVIATIONS AND SIGLA

Aer.	P. Aerodius (ed. Paris 1563)
Bu.	P. Burman (ed. Leiden 1720)
ed. Leid.	(ed. Leiden 1665)
ed. princ.	(Parma 1494)
Fr.	P. Francius in Bu.*
Gron.	J. F. Gronovius in ed. Leid.
Hå. ¹	L. Håkanson, <i>Cl. et Mediev. Dissert.</i> 9 (1973) 310–17
Hå. ²	in Wi.
Hå. ³	<i>Gnomon</i> (1985) 648–50
HSCP	<i>Harvard Studies in Classical Philology</i>
Lat.	L. Latinius in Bu.
Obr.	U. Obrecht (ed. Strassburg 1698)
OLD	<i>Oxford Latin Dictionary</i>
Pith.	P. Pithoeus (ed. Paris 1580)
Ranc.	Ranconetus (see J. C. Orelli, <i>M. Tulli Ciceronis Orator Brutus Topica</i> . . . (Zurich 1830), xcvi–ci)
Ri.	C. Ritter (ed. Leipzig (Teubner) 1884)
Ro.	E. Rohde in Ri.
Sch.	J. Schulting in Bu.

* “Francius Clarius” (Wi. xxvii and 465) did not exist: see my Teubner edition, note on p. v.

ABBREVIATIONS

SB ¹	D. R. Shackleton Bailey, <i>HSCP</i> 87 (1983) 230–39
SB ²	<i>Ibid.</i> 92 (1989) 367–404
SB ³	ed. Stuttgart (Teubner) 1989
SB ⁴	this edition
Watt ¹	W. S. Watt, <i>Illinois Classical Studies</i> 9 (1984) 53–78. See also in Wi.
Watt ²	<i>Würzburger Jahrbücher für das Altertum</i> 21 (1996–97) 289–308
Wi.	M. Winterbottom (ed. Berlin 1984)

For further bibliographical detail see Winterbottom's bibliography (pp. xxviii–xxix of his edition) and Håkanson's report in *Aufstieg und Niedergang der römischen Welt*, II (1986) 2272–2306.

SIGLA

A	Montepessulanus H 126
Pi	Pithoeus' copy of A's first folio
B	Monacensis lat. 309
C	Vaticanus Chigianus H 261
B	Vaticanus Palatinus lat. 1558
β	consensus BCD or BC
E	see Introduction
[[]]	see Introduction

DECLAMATIONES MINORES

<244>

<Adultera a marito exule occisa>

Imprudens caedis damnatus quinquennio exulet. Adulterum cum adultera liceat occidere. <Imprudens caedis damnatus cum ante expletum poenae quinquennium noctu domum ad visendam uxorem reversus esset,¹ in adulterio eam deprehendit; occidit. Reversus post quintum annum caedis reus est.>

<DECLAMATIO>

- 1 . . . manifestum est, et in hac tamen civitate extra controversiam praecipue . . . positum . . . eos² qui a se homines occisos esse fateantur teneri lege. Qui distingues? <Ex>igis sanare adulteras? Occidisti.³ Quis igitur dubitat hoc in <hac>⁴ civitate a legibus permissum? 'Adulterum' inquit 'cum adultera liceat occidere': quid aliud feci? 'Sed non licuit occidere tibi': et in hoc omnem calumniam suam contrahit, <ut>⁵ neget mihi licuisse occidere: primum quod ius civis non habuerim eo tempore quo exul eram;

¹ *Wi.*: revertisset *Ri.*

² <non omnes continuo> eos *tempt.* *Ri.*

³ *SB*⁴: distingues igit . sa . . ere. Occidisti adulteros *Pi.*

⁴ *Ro.*

⁵ *Ri.*

<Adulteress killed by exiled husband>¹

Let one found guilty of involuntary homicide be exiled for five years. Let it be lawful to kill an adulterer along with an adulteress.² <A person found guilty of involuntary homicide returned at night to visit his wife before completing his five years of punishment. Finding her in adultery, he killed her. Returning after the five years, he is charged with homicide.>

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* * * is clear, and anyway in this of all communities it is beyond dispute that <not all> persons admitting to a homicide <automatically> come under the law. How shall you distinguish * * * Do you require that I cure adulteresses? You killed them. So who doubts that this is legal in this community? “Let it be lawful to kill an adulterer along with the adulteress,” so it runs. Isn’t that just what I did? “But you had no right to kill,” and his whole quibble boils down to this, his denial of my right to kill: first, because I did not have citizen rights during my time in exile and laws

¹ Missing title and theme were reconstructed by Ritter and precursors.

² Preserved in Pithoeus’ copy of the first page of A, much of which was illegible (see Introduction).