

PERFORMING ORATORY IN EARLY IMPERIAL ROME:
COURTROOM, SCHOOLROOM, STAGE

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This dissertation analyzes Roman oratory of the early empire (c. 31 B.C.E. – c. 100 C.E.) in its dual status as a literal performance and a public expression of elite identity. Drawing on the orator/actor dichotomy employed by Roman rhetorical theory, I argue that notions of performance were as problematic for the orator's self-definition as they were fundamental. Usually invoked as a negative example, the figure of the actor was also a crucial reference point for both the orator's physical delivery and his professional identity. Ideas of performance even shaped his selfhood, because early imperial concepts of individual identity equated people with *personae* and public role play.

Against this largely conceptual background, I investigate how orators responded to the specific governmental and cultural changes that occurred c. 31 B.C.E – 100 C.E. I contend that many of the developments in this era challenged the basic tenets of the orator's self-definition. At the level of literal performance, theatre's newfound interest in staging real acts instead of simulated ones upset advocates' self-declared status as "performers of real life" (*actores veritatis*, Cic. *De Or.* 3.214), while the recently introduced genre of pantomime dance encroached upon the orator's territory of 'gestural eloquence'. At the more figurative level of performed identity, Rome's change to autocratic rule curtailed orators' traditional means of self-display. Since public presentation was a crucial criterion of elite Roman selfhood, orators of the early empire resorted

to declamation and recitation when they no longer had sufficient opportunity to perform their roles in an actual court. Under such circumstances, oratory's pre-existing links to drama grew even more pronounced, and declamation's quasi-theatrical material became a source of theatre proper in the form of Seneca's highly rhetorical tragedies.

For methodology, my study uses the *persona* theory of performed identity, which originated in Stoic philosophy and had permeated Roman culture more generally by the first century C.E. This theory is directly relevant to my topic for two reasons: first, it equates life with drama; second, it was popularized in the time period under discussion.

BIOGRAPHICAL SKETCH

Erica Bexley commenced her study of classical literature at the University of Melbourne, where she earned her B.A. (Hons, 2004) and M.A. (2006). During five years as a graduate student at Cornell University (2007-2012), Erica published two articles on Lucan (2009 and 2010), and one on Senecan drama (2011). She has presented her research at numerous international conferences and is the recipient of several prestigious scholarly awards, both in Australia and the U.S. Currently, Erica holds a visiting research position at the Australian National University in Canberra.

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INTRODUCTION

Modern appreciation of ancient oratory is strictly and necessarily textual. We *read* Cicero's speeches, while many of his contemporaries would have *seen* them. Ours is a quiet, private, reflective activity to which the atmosphere of the Roman courts – noisy and crowded, rippling with tension and excitement – presents an almost unimaginable antithesis.¹ In this original context, an orator's physical and vocal talent was just as crucial as his ability to compose an elegant sentence. Delivery, Cicero's Crassus declares, was an orator's dominant skill: without it, even the greatest pleader would be of no account; with it, a man of mediocre rhetorical talent could surpass even the best (*actio, inquam, in dicendo una dominatur. sine hac summus orator esse in numero nullo potest, mediocris hac instructus summos saepe superare, De. Or. 3.213*).² Admittedly, famous pleaders did circulate their speeches in written form. But it was their skill in public display that earned them that fame and texts, though perused by friends and studied by schoolboys, were secondary to an orator's live performance.³

No wonder, then, that Roman rhetorical theory strove continually to differentiate the advocate from the actor. Both were performers, but actors embodied everything that orators wished to avoid. Or, more precisely, Roman orators fashioned their social *personae* by

¹ Gleason 1995, xx, remarks on this discrepancy, calling our experience of ancient rhetoric “an armchair affair” that makes it easy for us to “forget its physical aspects”. Bablitz 2007, 51-70, does a marvelous job of reconstructing the probable layouts of Roman courts and, at 120-40, of assessing average audience numbers and participation.

² Romans writing on rhetoric are also fond of repeating Demosthenes' dictum about delivery being the first, second, and third most important of the orator's tasks: see Cic. *Or.* 56, and Quint. *I.O.* 11.3.6-8.

³ Quintilian lists the writers whom he would have students read and imitate: *I.O.* 10.1.76-80 (Greek orators) and 105-22 (Roman orators). Texts of speeches were in fact studied by students and adult orators alike: see Clark 1957, 144-76; Bonner 1977, 304-305; Bloomer 2011, 84. On texts circulated among friends for the purposes of critique, see Gurd 2012, 49-70. Steel 2006, 25-43, is a general treatment of how and why orators published their speeches.

systematically excluding stage artists from their self-definition.⁴ In order to maintain their public image as elite Roman citizens who conducted serious business in the courts and the Curia, orators made sure to cast actors as the lower class ‘other’, people who delivered speeches for ludic rather than civic reasons.⁵ Orators wrote their own roles and spoke as themselves; actors made a living from impersonation, and their voice was a medium for other people’s thoughts.⁶ An orator’s performance was fundamentally real; an actor’s fundamentally fictive. And, beyond the realms of pure prejudice, there were genuine legal differences separating the two professions in ancient Rome. Unlike classical Athenian society, where citizens participated in theatrical shows and the same individual could appear as both a pleader and a thespian, Rome branded its actors *infames*, a status that deprived them of basic civic and legal rights.⁷ Significantly, Roman performers could not represent themselves, that is, they could not *speak*, in court.⁸ They were not citizens and could aspire to higher social rank only by giving up their profession.⁹ Their activity was in a very real sense restricted to the sphere of entertainment and illusion, while the orator claimed political, intellectual, and legal dominance.

⁴ A point brought out by Gunderson 2000, 111-48.

⁵ A phenomenon analyzed most thoroughly by Gunderson 2000, 111-48, and to a lesser extent by Edwards 1993, 117-19; Desbordes 1994, 56; and Aldrete 1999, 67-73.

⁶ Desbordes 1994, 69-70, and Fantham 2002, 363. Cicero has Antonius summarize the difference at *De Or.* 2.194: *neque actor sim alienae personae, sed auctor meae.*

⁷ Nepos *Praef.* 5. On the legal status of Roman actors, Leppin 1992, 71-83, is the best and most thorough authority. See also Dupont 1977, 64-65, and 1985, 95-98; and Edwards 1993, 123-26, and 1997, 66-95. Csapo and Slater 1994, 275-79, is a valuable collection of primary sources.

⁸ Which makes them truly antithetical to orators: see Dupont 1997, 62-77, and Edwards 1993, 118.

⁹ Roscius is, in many ways, the exception that proves this rule: when Sulla granted him the status of *eques*, he continued to perform, but no longer received any payment since doing so would have rendered him *infamis* (Cic. *Pro Roscio Com.* 23). Legal restrictions also operated in the other direction: if members of the Roman elite appeared on stage, they forfeited their legal and social status. For information of the latter phenomenon, see Csapo and Slater 1994, 281-83, and Slater 1994, 140-43.

Yet the figure of the actor was also crucial to the Roman orator's self-definition. In one respect, the actor's systematic exclusion from the pleader's professional identity merely established him as the necessary 'other', the opposite side of an antithesis that authorized certain forms of public display primarily by excluding alternatives. Erik Gunderson remarks in his study of Roman rhetorical theory that the stage artist "is always brought next to the orator and then cast away."¹⁰ That is, the orator continually risks resembling an actor because comparison with the stage is a substantial element of his professional activity, and one that applies to his physical delivery most of all. If a pleader did not move in a sufficiently restrained manner, his rivals and audience were only too ready to class him as a thespian: Hortensius was famously compared to a female mime artist (Gell. *N.A.* 1.5) and Sextus Titius' delivery was so "loose" (*solutus*) and "effeminate" (*mollis*) that it even inspired a certain kind of dance (Cic. *Brut.* 225; Quint. *I.O.* 11.3.128). Whenever the orator stepped forward to deliver a speech, the figure of the actor stood, as it were, in his shadow. As much as Roman orators tried to differentiate themselves from actors, they also relied on them as examples of what *not* to do. Negative analogies with the stage therefore characterized oratory as a socially acceptable form of acting.¹¹

And even beyond the specific orator/actor dichotomy, the idea of stage performance defined the orator because it defined individual identity more generally. Conceiving of people as social roles and using a dramatic simile to describe the arc of a person's life – these views were standard in antiquity, and writers describing personal character often resorted to one or the other,

¹⁰ Gunderson 2000, 111.

¹¹ An idea pursued in more detail by Gunderson 2000, 111-48.

if not both.¹² For Romans of the late republic and early empire, the notion of ‘performed identity’ derived primarily from Stoic philosophy and centered on the word *persona*, a term with clear theatrical connotations.¹³ Its popularization seems to have begun with Cicero, who drew on the theories of Panaetius (c. 185-109 B.C.E.) and proposed that human selfhood comprised four facets or roles, each of which he labeled *persona* (*De Off.* 107-115). The idea was further developed by Seneca and Epictetus, both of whom employ dramatic similes to elucidate their views on personal identity (e.g. Sen. *Ep.* 80.6-8; Epic. *Encheirid.* 17). Moreover, self-conscious performance of social roles was typical behavior for Roman aristocrats of the early empire: Nero speaks of himself as if he were a character (Suet. *Nero* 23, 49) and even a supposedly more sober emperor like Augustus is able to compare his life to a mime (*mimus vitae*, Suet. *Aug.* 98).¹⁴ Since orators, as we have seen, were also performers in a more literal sense, it is reasonable to suppose that this common definition of personhood applied to them as well. Crucially, *persona* theory implies that public self-display is the main and possibly only means of realizing one’s identity: if the self is a role, then it necessarily requires an audience. The orator’s professional *persona* clearly fits these parameters, and the self-display inherent in deliberative or forensic pleading lends itself well to a performance-based model of personhood.

¹² Kokolakis 1960 collects and collates all the instances when Greek and Roman writers explain life via a dramatic simile. Defining individual identity via its public and deliberate realization (or ‘performance’) is present in Greco-Roman thought at least as early as Aristotle, who, for instance, attributes to the μεγαλόψυχος ἀνὴρ (“great-souled man”) κίνησις βραδεῖα (“slow movement”); φωνὴ βαρεῖα (“a deep voice”); and λέξις στάσιμος (“a steady way of speaking”). However, the idea that such external traits actively *produced* identity (as opposed to being mere typological markers) seems especially characteristic of Stoic thought: see, for instance, Sen. *De Ira* 3.13.2.

¹³ On *persona* theory in Roman Stoicism, see: De Lacy 1977; Gill 1988; Bartsch 2006, 216-29. Besides these, Dyck 1996, 269-71, and Rosenmeyer 1989, 37-39 and 47-62, analyze more broadly Stoicism’s use of dramatic metaphors. The theatrical connotations of the word *persona* are listed in the *OLD*, entries 1-3.

¹⁴ Aristocratic Roman philosophers, such as Helvidius Priscus and Seneca the Younger, also treated themselves as roles: see Edwards 2002, 384-93.

In fact, self-display was virtually a cultural imperative for the Roman elite, who defined their power principally via its visibility.¹⁵ From the middle republic (c. 170 B.C.E.) onwards, members of Rome's aristocracy engaged increasingly in spectacular forms of self-representation and self-affirmation, which practice they had inherited from Hellenistic rulers.¹⁶ The need to be seen was felt most keenly by orators and politicians who enacted their power not only in the *negotium* of the forum and Curia, but also in the *otium* offered by the theatre.¹⁷ Whether they were funding games or appearing in the audience, Roman nobles treated the theatre as a means of self-display, of affirming their aristocratic identity via its public, and in a sense, dramatic manifestation. Notions of performance were therefore integral to Roman elite identity beyond the specific, largely philosophical theory of *persona*. As a fundamentally aristocratic pursuit, oratory constituted an enactment of this identity; it was a performance at both the literal and the figurative level.

My dissertation uses the term 'performance' in both of these senses to analyze how Roman orators of the early empire (c. 31 B.C.E. – 100 C.E.) articulated and defined their professional identity. It is my contention that a combination of cultural and governmental changes in the first century C.E. challenged the basic tenets of the orator's self-definition. At the level of literal performance, theatre's newfound interest in staging real acts instead of simulated ones upset advocates' self-declared status as "performers of real life" (*actores veritatis*, Cic. *De*

¹⁵ Parker 1999, 163-79, and Bartsch 2006, 183-229, analyze the power of the gaze as a fundamental means of generating, and also controlling Roman elite identity.

¹⁶ Kuttner 1999, 110-18, examines how Hellenistic monarchs developed what she terms a "spectacle of the self". Eck 1984 investigates senatorial self-representation under Augustus, arguing that the principate altered and restricted previous forms of elite self-advertisement.

¹⁷ On the topic of visibility and enacted power, Parker 1999, 166, makes the neat point that senators probably entered the theatre last, taking up front-row seats once the rest of the populace was already in position. If this is correct, then Roman aristocrats were 'on display' (like actors) even when they were part of the audience.

Or. 3.214), while the recently introduced genre of pantomime dance encroached upon the orator's territory of 'gestural eloquence'. At the more figurative level of performed identity, Rome's change to autocratic rule curtailed orators' traditional means of self-display. Since public presentation was a crucial criterion of elite Roman selfhood, orators of the early empire resorted to declamation and recitation when they no longer had sufficient opportunity to perform their roles in an actual court. Under such circumstances, oratory's pre-existing links to drama grew even more pronounced, and declamation's quasi-theatrical material became a source of theatre proper in the form of Seneca's highly rhetorical tragedies. In terms of the actor/orator dichotomy, then, pleaders of the early imperial period occupied a semi-ludic realm as much as, if not more, than they occupied the civic one.

My investigation covers a time period that begins with Augustus' accession (c. 31 B.C.E.) and ends with Pliny the Younger's death (c. 112 C.E.). Though all forms of periodization are ultimately arbitrary (in the sense that they belong to historians rather than to history), my choice is defensible on several grounds. First, Rome's shift from oligarchic to autocratic government had a deep and lasting effect on how the Roman nobility viewed themselves.¹⁸ Since the categories of 'orator' and 'politician' were virtually interchangeable in the late republic, it makes sense that the principate significantly altered not only the orators' professional activity, but also their self-definition. Besides, as I state above, the early principate witnessed the development of new theatrical genres and styles, which influenced how orators performed.

¹⁸ And a good indication of how they viewed themselves is which aspects of the republic they chose to remember and memorialize. Gowing 2005 is a perceptive study of how Roman imperial culture remembered and represented its republican past.

The far end of my chosen time period, Pliny the Younger's death, marks a point when declamation and epideictic oratory became the dominant forms of rhetorical activity. Though the beginning of the Second Sophistic is usually dated around 60 C.E., it was not until the early second century that 'display oratory' really became standard among Romans as well as Greeks.¹⁹ For the century leading up to this point, we can see how declamation developed in Rome as part of the aristocracy's response to the new governmental structure.

Scholarship on Roman oratory has yet to analyze this historical development. Although a recent profusion of studies approaches oratory as either a social or literal performance, most employ evidence from disparate eras without regard for changing cultural circumstances.²⁰ Thus Cicero's work and the *Rhetorica ad Herennium* are placed alongside Quintilian, Tacitus, and Seneca the Elder, despite differences in genre, purpose, and time of composition. Close reading of Quintilian's text, moreover, reveals that he diverges from Cicero in numerous ways, and especially in matters relating to the theatre.²¹ The same can be said of Tacitus' *Dialogus*, which, though some of its speakers voice neo-Ciceronian opinions, contains much that properly belongs to the late first century C.E.²²

¹⁹ Dio Chrysostom (c. 40/50 C.E. – 110 C.E.) is one of the earliest practitioners of 'display oratory' in Rome. On the topic of rhetorical performances in the Second Sophistic, Gleason 1995 is an engaging study. Also informative are: Goldhill 2009 (an overview); Lada-Richards 2007, 113-26; and Russell 1983.

²⁰ Employing evidence from disparate eras is characteristic of Gunderson 2000 in particular. Richlin 1997 and Enders 1997 likewise pay insufficient attention to their sources' varying socio-cultural and temporal contexts. Besides these studies, recent scholarship on Roman oratory's performative aspects includes: Geffcken 1973, 11-27; Axer 1989; Graf 1992; Desbordes 1994; Gleason 1995; Hughes 1997; Webb 1997; Dupont 2000; Fantham 2002; Klodt 2003; Pianezzola 2003; Gunderson 2003; Corbeil 2004, 107-39; Hall 2004; Batstone 2009; Hömke 2009.

²¹ As Fantham 1982, esp. 258-62, observes.

²² Tacitus' Messalla advocates a neo-Ciceronian program of oratorical education that may, in fact, be composed as a parody of Quintilian: see Brink 1989, 484-88; Mayer 2001, 42; Winterbottom 2001, 147-48. Barnes 1986, 235, is right to point out that however neo-Ciceronian the *Dialogus* may sometimes seem, Tacitus does not join Quintilian and Pliny in their wish to resurrect that great orator's style.

My periodization is not, however, without caveats. I am far from suggesting that a complete and irreparable break separates early imperial oratory from that of the late republic. Significantly, many of the opinions expressed by Cicero can also be found in Quintilian and Pliny, although their altered context inevitably affects their meaning. Further, ideas of performed identity are well developed prior to the principate, but autocratic rule gives them new urgency, as members of the elite cannot achieve that identity by quite the same means as before.²³ As happens with all time periods, the developments I trace in this dissertation overflow the boundaries I have set – we can see their beginnings in Cicero and their later evolution in Favorinus. This does not, however, invalidate my proposition that the early empire was an era when Roman oratory and orators underwent significant changes.

To trace these changes, my dissertation begins with the theatre. As several scholars have observed, the early empire was a time when new dramatic genres emerged, older ones were refashioned, audience expectations altered, and so did aesthetics more generally.²⁴ To borrow Kathleen Coleman's phrase, it was an age that displayed "a taste for realism".²⁵ From the public executions staged in order to reify mythological narratives to Senecan tragedy's explicitness and the verisimilitude that characterized pantomime dance, Romans of the first century C.E. enjoyed

²³ Eck 1984 examines how the principate curtailed senators' self-representation. Bartsch 1994, esp. 1-62, interprets the principate as a repressive power structure that compelled members of Rome's aristocracy to hide their true feelings and act in accordance with the emperor's script. Each scenario represents a fundamental challenge to how members of the Roman elite traditionally 'performed' their identity.

²⁴ New genres/forms of theatre: Jory 1981 examines pantomime's development; Coleman 1990 studies the evolution of public executions staged as mythological enactments. Old genres: Goldberg 1996 argues that composing tragedies became an elite pursuit, and that the tragic works produced under the empire were designed for recitation, not staging. Recitation itself is reported to have developed in new ways at the start of the empire: see Dalzell 1955 and Funaioli 1914, 439. Bartsch 1994 and Boyle 1997 analyze the early empire as a period pervaded by theatricalized aesthetics and behavior. Jory 1986 argues against the view that theatre declined under the empire.

²⁵ Coleman 1990, 68.

shows that minimized simulation in favor of real events. Similarly, Quintilian's rhetorical theory aims to minimize the amount of pretence involved in an orator's performance. His work on emotions in particular exhibits a concern for authenticity that suits the dramatic styles of his era. In contrast to Cicero, Quintilian is acutely aware of the orator *qua* actor and tries to resolve the issue by recourse to verisimilitude.

Besides being an actor, the Roman orator was also a role. The widespread concept of performed identity invited individuals to behave according to type, and this trend is particularly apparent in the works of Quintilian and Seneca the Elder. The second half of my first chapter therefore focuses on two specific instances where Roman orators 'perform themselves'. In both cases, the orators concerned recreate their private emotions as public displays of *persona*: Quintilian laments the death of his son in terms reminiscent of a *peroratio*, while Pollio and Haterius match their personal grief with the scenario they are in the process of declaiming. Both examples suggest that in Quintilian and Seneca's era, and in their profession, personal experiences could not be separated from their public expression. As orators and declaimers, Quintilian, Pollio, and Haterius enact their feelings according to their professional typology, that is, as orators and declaimers. Further, their behavior fits the dramatic tastes of the early empire because it eschews simulation and performs real material instead.

My second chapter narrows focus and examines how early imperial orators responded to one particular dramatic genre: pantomime. Appearing on the Roman stage for the first time in 23 B.C.E., pantomime acquired such a degree of popularity that it quickly came to dominate Roman performance culture.²⁶ It was a style of narrative dance that specialized in mimetic hand

²⁶ On pantomime's development and popularity, see Chapter 2, 63-64, esp. n. 10-13.

movement and that fact alone would seem enough to disassociate it from oratory, which specialized in verbal expression.²⁷ But descriptive accounts of pantomime invariably explain its gestural techniques in terms of language and, in some instances, language that is specifically rhetorical. In the early empire, the discourse of dance appears to have overlapped with the discourse of oratorical delivery. Whereas Cicero had once used the concept of language to distinguish the orator's gesture from the actor's (*eloquentia corporis*, *Or.* 55), pantomime's reputation for physical eloquence threatened to destabilize this division. Consequently, Quintilian and Tacitus portray the dance as the absolute antithesis to proper oratorical movement, a kind of physical expression that must be avoided at all costs.

Whether such anxiety indicates an actual change in oratorical delivery is a point open to debate.²⁸ There is little evidence that pleaders altered their gesture in any significant way between the late republic and the early empire, so pantomime, it seems, imperiled oratory more in theory than in practice. By transposing rhetoric to the realm of theatre, pantomime discourse contested the orator's self-definition and blurred the boundaries that had traditionally separated advocates from stage artists.

Moving away from theatre proper, my third chapter analyzes how oratory and the orator's self-definition changed in response to Rome's new form of government. With the advent of the principate, orators found their traditional means of self-display substantially reduced: they could no longer address the public in popular assemblies; high profile cases were removed to the

²⁷ Robert 2009, 225.

²⁸ Aldrete 1999, 67-73, claims on the basis of Quintilian's text that oratorical gesture grew more theatrical during the first century C.E. Hall 2004, 158-59, contests Aldrete's point, arguing for a general continuity in gesture from Cicero's time to Quintilian's and even later. Given that we can match some of Quintilian's descriptions to gestures depicted in the Terence manuscripts, I am inclined to agree with Hall's stance, even though I feel he underestimates pantomime's influence. Chapter 2, 81-82, covers this issue in more detail.

emperor's court; a successful legal career was less likely than before to guarantee a consulship.²⁹ Although legal activity overall increased under the empire, by far the majority of it was low profile and did not serve the Roman aristocrat's need for self-display and visibility.³⁰ Declamation and recitation became popular as a result. These activities, both of which gained full prominence and popularity during the reign of Augustus, enabled orators to perform their professional skills before an audience of their peers.³¹

At the same time, though, declamation was a problematic activity because it narrowed the distance between orators and actors. Distinct from deliberative or forensic oratory, declamation could not claim to effect 'real world' changes (cf. *actores veritatis*, Cic. *De Or.* 3.214) and so occupied dubious middle ground between the forum and the stage. Of course, courtroom oratory could be theatrical too, especially when it drew on the stock characters of drama in order to

²⁹ Kennedy 1972, 428-42, and Edward 1928, xvi-xvii, remark on the new restrictions that orators encountered under the principate. The traditional scholarly view of declamation holds that declaiming grew more popular as opportunities for forensic or deliberative oratory decreased. Somewhat Tacitean in its outlook, this view fails to acknowledge the fact that opportunities for forensic oratory actually *increased* under the emperors (see below, n. 30). Parks 1945, 16-18, n.14, lists an astounding collection of scholars who ascribe to the theory of decreasing oratorical activity. After the publication of Parks, Clarke (revised: Berry) 1996, 85; Kennedy 1972, 307; and Sussman 1978, 13, can be added. Edward 1928, xviii, points out a fundamental contradiction in the theory when he says, "one would not have been surprised if, as the power of Augustus was consolidated and was more openly displayed, the interest in oratory and in the schools had flagged." True. If oratorical careers had altered so drastically, why would schools have continued rhetorical training? Despite his question, Edward sides with the majority opinion (1928, xvii-xviii). To me, the issue seems one of quality rather than quantity: rhetorical training was still needed and forensic activity continued under the principate, but it did not involve the same *exposure* as before.

³⁰ Bablitz 2007, 14-16, argues that a rise in the number of *praetores* and the building of new *fora* to accommodate new courts reflects an equivalent growth in legal activity.

³¹ Seneca *Contr.* 1 *praef.* 12-13 asserts on the basis of terminology that declamation developed within his lifetime (*rem post me natam*). His claims have prompted much scholarly debate, from which the general consensus is that declamation did exist in some form prior to Seneca's birth, but probably became more popular and theatrical under the principate. For discussion of how and when declamation evolved, see Bonner 1949, 1-26; Sussman 1978, 2-10; and Stroh 2003, 5-33. On the development of recitation, see Dalzell 1955; Dupont 1997; Funaioli 1914, 439.

present litigants as recognizable moral typologies.³² The important difference for declamation was that it used these typologies to purely ludic ends. Unlike Cicero's forensic speeches, which employed dramatic material in order to persuade the jury and gain a favorable verdict, declamation used drama for the purpose of entertainment. Moreover, declaimers delivered the majority of their speeches in character, and such preference for impersonation brought them closer to stage artists. As Brian Hook remarks, the impact of performance was what distinguished a famous declaimer like Porcius Latro from a famous orator like Cicero: "while others could have mimicked Cicero's delivery and technique, only Cicero could speak the words he spoke; on the contrary, while anyone could have declaimed exactly the words which Porcius Latro did, presumably no one produced exactly the same effect."³³

Given declamation's patently theatrical qualities, it is no coincidence that it in turn influenced early imperial drama. My fourth and final chapter examines the declamatory features of Senecan tragedy and traces the triangular interrelationship of declamation, drama, and performed identity. Notably, Seneca's characters exhibit the same desire for self-display and visibility that typified elite conduct throughout the early empire. Like the orators and declaimers I examine in Chapter 1, Seneca's *dramatis personae* approach their selfhood as a public role. Their attitude derives in part from Stoic philosophy, which equated personal identity with *persona*.³⁴ It also fits a more general, cultural mindset that defined aristocratic identity primarily via its public manifestation. In the process of typecasting themselves, Seneca's characters draw

³² A technique frequently employed by Cicero. On theatricality and moral typologies in Ciceronian speeches, see: Geffcken 1973, 14-47; Dumont 1975, 425-26; Vasaly 1985; Axer 1989, 305-306; Sussman 1994b and 1998; Klodt 2003.

³³ Hook 2000, 59.

³⁴ Gill 1987 and Bartsch 2006, 255-81, interpret Seneca's *Medea* as an example of Stoic self-realization.

heavily on declamation texts and shape their experiences according to the social typologies found therein. The way Seneca's work uses declamation therefore reveals how crucial this latter practice was for forming and perpetuating social *personae*.³⁵

The quasi-dramatic aspect of declamation also influences Seneca's scenes of debate and deliberation, where it enhances characters' already self-conscious performances. Significantly, when Seneca appropriates and recasts declamatory material, he brings out its innate theatricality. This point has largely been overlooked by Seneca scholars who, ever since Friedrich Leo, have tended to regard Seneca's rhetorical style as fundamentally un-dramatic.³⁶ By placing Seneca's tragedies within a broader context of oratorical performance, my analysis contests these earlier views and reappraises Seneca's ability as both a master of rhetoric and a dramatist.

A concomitant result of my contextual approach is that I pass no definitive judgement on the authorship of these plays. Since they were transmitted under the name 'Seneca', I have continued to call them Senecan, more for convenience's sake than because I owe allegiance to any particular theory.³⁷ Also, while I regard the plays as influenced by Stoic notions of *persona*, this does not mean that I am attributing their composition to Seneca the Younger. As I demonstrate in Chapter 4, the Stoic model of personhood often overlapped with Roman

³⁵ Bloomer 1997a, Kaster 2001, and Corbeill 2007 analyze declamation as an activity designed to reinforce social stereotypes and perpetuate elite, male behavior.

³⁶ Among such scholars are: Leo 1878, 147-59; Butler 1909, 48-58; Eliot 1927 (reprinted 1972), 66-70; Pratt 1983, 12-34 and 132-63; Goldberg 1996, 273-84, and 2000, 221-27.

³⁷ Most scholars attribute these tragedies to Seneca the Younger, on the basis of a reference in Quintilian (*I.O.* 9.2.8). In fact, this question of authorship lay dormant for most of the twentieth century, having been addressed last by Herman 1924, 58-77, and resurrected only recently by Kohn 2003 and Ahl 2008, 11-16 and 126-32. Kohn regards the tragedies as post-Augustan works, but argues that they were probably not written by Seneca Philosophus. Ahl 2008, 14, remarks that Quintilian's reference (*I.O.* 9.2.8) could denote the Elder Seneca just as easily as the Younger, especially since Quintilian never distinguishes explicitly between the two. For summaries of the difficulties involved in dating the Senecan corpus, see: Fantham 1982, 9-14; Tarrant 1985, 10-13; and Kohn 2003.

aristocratic ideals and it seems no coincidence that the two systems developed roughly in tandem.³⁸ That Senecan tragedy contains Stoic themes need not therefore imply that a philosopher composed these plays in illustration of his theories.

I do, however, date these tragedies approximately to the middle of the first century C.E. Although Frederick Ahl has recently suggested that the *Oedipus* belongs to the early Augustan period and may be the work of Seneca the Elder, not Younger, I remain convinced that the work's poetic style has more in common with Lucan than it does with Vergil.³⁹ Of course, dating texts on internal evidence is always a difficult business, and in this particular instance I can offer a no more definite pronouncement than that these tragedies clearly belong to the early imperial period and clearly engage with that era's dominant theatrical aesthetics.⁴⁰

Overall, then, my argument moves from courtroom to schoolroom to stage, and shows how changes in Rome's government and in its theatrical culture affected orators' professional practice and self-definition. In analyzing this topic, moreover, I have chosen not to employ a modern methodology, but to focus instead on early imperial notions of performed identity which, I feel, are more directly relevant to how orators of this era behaved. Current scholarship on Roman oratory – notably: Gleason (1995); Gunderson (2000); Corbeill (2004) – likewise examines the orator's identity, but concentrates overwhelmingly on its physical aspects. Following Gleason, these scholars base their work around Bourdieu's notion of *hexis* and *habitus*, that is, they treat the orator's appearance and gesture as a socially determined

³⁸ See Chapter 4, 134-45.

³⁹ Ahl 2008, 11-16 and 126-32.

⁴⁰ Ahl himself acknowledges in an earlier publication (1986, 14) that dating the tragedies “on external evidence and internal contemporary commentary is impossible”.

disposition acquired and maintained through daily activity.⁴¹ This approach is valuable and has done much to deepen our understanding of the social expectations that quite literally shaped an orator's physical delivery. It has also inspired scholars to concentrate on issues of gender: Richlin (1997), Enders (1997), and Dugan (2005) argue that Roman oratory was a process of enculturation designed to produce a particular, circumscribed model of masculinity.⁴² In sum, current studies of the Roman orator's physical identity rest on one major dichotomy, the ancient prejudice that actors were sexual deviants and orators manly.⁴³

My dissertation diverges from this theoretical trend by focusing on a different dichotomy, namely the idea that oratory engaged with real life / truth (*veritas*), while acting was illusory and false. At the heart of this binary opposition lies concern for authentic behavior and, by extension, authentic membership in Roman society. The orator is assumed to be more genuine than the actor both in his professional practice and in his social standing. While the actor performs false things for the sake of entertainment, the orator performs true things in the realm of practical, civic activity. As my investigation shows, however, this dichotomy is often problematic, especially when theatrical performances strive to reproduce reality, and when contemporary theories of selfhood speak of life in terms of drama. Hence my decision to analyze the Roman orator's self-definition via ancient concepts of performed identity: the *persona* theory I have outlined above encapsulates the dual issue of authenticity and performance. Moreover, although

⁴¹ Gunderson 2000, *passim* but esp. 9-13 and 67-73; Corbeill 2004, 124-25 and 133-37. Gleason 1995, xxiv-xxvii, summarizes Bourdieu's theory and demonstrates how useful it is for comprehending the physical practice of ancient oratory.

⁴² An idea that also informs the monographs by Gleason 1995, Gunderson 2000, and Corbeill 2004.

⁴³ On rhetorical handbooks equating the theatrical with the effeminate, see Gleason 1995, 103-30; Richlin 1997, 99-107; Enders 1997; and Gunderson 2000. On the Roman image of actors as sexual deviants, see Edwards 1993, 129-31, and 1997.

it does not originate in the first century C.E., it does develop and gain popularity during that period, a fact that further reinforces its relevance to my topic.⁴⁴

Part of my contribution to scholarship therefore derives from my novel approach to an established topic. Analyzing oratory through the lens of performance has also enabled me to assess more thoroughly the related practices of declamation and recitation, to examine what they entailed and how audiences may have experienced them. Both *recitatio* and *declamatio* have long occupied the fringes of classical scholarship even though they were central to Roman intellectual life of the early empire.⁴⁵ In the specific case of declamation, scholars throughout the last century were quick to label it ‘pseudo-theatrical’ without venturing to substantiate their claims in any serious detail.⁴⁶ My investigation builds on these statements to show exactly how the practice resembled theatre in both form and content. Likewise, my work on recitation reappraises standard scholarly views of this activity, and demonstrates that reading texts aloud in front of an audience was not necessarily the opposite of staging them in a theatre.⁴⁷

⁴⁴ Admittedly, notions of performance are also important to modern theories of identity. For instance, Butler 1988 analyzes the self as the object rather than subject of constitutive acts, a view that in some ways relates to Stoic concepts of *persona*. Despite these parallels, however, it would be anachronistic to interpret elite identity of the early empire according to Butler’s theory of performativity, especially since the ancient world did not think of selfhood in Cartesian terms.

⁴⁵ Bonner 1949 remains the only book-length study of declamation in English. Other major monographs are: Bornecque 1902; Dingle 1988; and Mal-Maeder 2007. Recitation in imperial Rome is a topic that awaits fuller study, for which Dupont 1997 and Gurd 2012 are undoubtedly preludes.

⁴⁶ Edward 1928, xxxii: “The declaimer...is partly an actor and he must speak as his assumed character would speak, that is, he is part dramatist as well.” Bonner 1949, 21: “the Roman student of rhetoric, who frequently had...to impersonate historical or mythological personages in his exercises...needed to be something of an actor.” Clarke (revised: Berry) 1996, 85: “the school has thrown open its doors and become something like a theatre. The stage is held by the rhetorician, no longer a pedantic theorist and now rather a star performer.” Recent studies of declamation’s dramatic aspects include: Pianezzola 2003; Mal-Maeder 2004, and 2007, 10-18; Hömke 2009.

⁴⁷ The long-standing debate over whether Seneca wrote tragedies for performance of recitation assumes an irreconcilable difference between the two activities, a difference that Herington 1966, 444-45 contests. For more detail, see Chapter 3, 121-23.

In sum, to examine the theatrical aspects of Roman oratory is to contemplate simultaneously two main poles of Roman performance culture. An advocate's speech was an act, quite literally, but one that occurred within the bounds of what Roman society considered respectable and legal. In fact, an orator's performance established these parameters at the same time as it obeyed them. Actors, in contrast, performed in a space that was – conceptually if not actually – outside civic boundaries. Theirs was a necessary 'otherness' against which the Roman elite defined what kinds of public display were acceptable. And the Roman elite, and orators in particular, were always anxious not to blur this definition. But the theatrical and governmental changes that took place in the early empire challenged these fundamental principles of the orator's professional identity and narrowed the gap that was meant to separate stage from forum. If writers like Quintilian, Tacitus, and Pliny are less inclined than Cicero to tolerate orators studying thespian techniques, it is because they feel less secure about their status as elite performers. As drama began to minimize simulation in favor of real material, and autocratic rule minimized opportunities for elite self-display, the authenticity of an orator's performance could no longer be guaranteed. The actor/orator dichotomy, always a source of mild discomfort for advocates, became fully and thoroughly problematic in the first century C.E.

ACTORES VERITATIS

Introduction: orators as actors

Whenever Roman orators wanted to distinguish their performances from ones given by professional actors, they cast stage work as essentially fictive. The *locus classicus* of this idea in Cicero, *De Oratore* 3.214, where Crassus grumbles that contemporary pleaders pay insufficient attention to their delivery: *genus hoc totum oratores, qui sunt veritatis ipsius actores, reliquerunt; imitatores autem veritatis, histriones, occupaverunt* (“orators, who are the performers of real life itself, have abandoned this entire genre; but actors, imitators of real life, have taken it over” *De Or.* 3.214).¹ On the face of it, Crassus separates the two professions very neatly: actors perform in an illusory context, orators in a non-illusory one; actors deal with fictive events, orators with real. How Cicero uses *veritas* in this passage is the key to understanding Crassus’ meaning. A slippery concept, it signifies both ‘truth’ and, more idiomatically, ‘real life’, with the result that Crassus’ antithesis implies an inverse relationship between mimesis and veracity.² Equating reality with truth and mimetic activity with deceit is a dichotomy that derives from Plato, but Cicero’s Crassus modifies it to fit a Roman context where performance is acceptable so long as it occurs in real-life situations like trials.³ While theatre

¹ For my translation of *veritas* as ‘real life’, see below n. 2.

² Brink 1989, 476 n. 24, remarks that in *De Or.* 3.214 Cicero employs *veritas* in a highly idiomatic way, using it to mean ‘real life’ rather than the more common definition, ‘truth’. Nonetheless, I feel that the Platonic resonance of Cicero’s idea encourages readers to interpret the word both ways: notions of what is real and what is true are, after all, closely linked in Plato’s thought.

³ Plato’s version of the ‘mimesis/lies vs. reality/truth’ dichotomy can be found in *Ion* and *Rep.* 10.595-608b. Barish 1981, 5-37, provides a lucid account of how Plato’s idea influenced analyses of theatre throughout antiquity. On the difference between Greek and Roman contexts, it is also worth noting that *veritas* and ἀλήθεια do not share the same range of meaning. Generally translated as ‘truth’, ἀλήθεια, more literally means ‘something not forgotten’

calls for mimicry and deception, the courtroom is a place where interrogation ought to generate an accurate version of events.⁴ Orators, unlike actors, recount real occurrences, on behalf of real people, and, for the most part, play themselves rather than impersonate characters.

Closer inspection, however, reveals that Crassus' dichotomy is not so clear cut after all. A potential synonym for *histriones*, the word *actores* weakens his antithesis and, deliberately or not, equates the two professions rather than distancing them.⁵ Orators may handle real material as opposed to fiction, but the process of pleading requires them to enact this reality, hence they are simultaneously pleaders (*actores*) and performers (*actores*).⁶ Compared to the orator, the professional stage artist occupies a role that is one remove further from reality (*imitatores*

(from *λανθάνω*: see Chantraine 1999, *s.v.* *λανθάνω* entry D). *Veritas*, on the other hand, is more like the German 'wahrheit', encompassing the idea that something is both apparent and reliably accurate because of this fact. On the topic of acting and deceitfulness: Plato's Socrates speaks about actors at *Rep.* 3.395a-b and devotes an entire dialogue, *Ion*, to demonstrating rather tendentiously that rhapsodic performers do not possess, and so cannot convey any true knowledge from the content they are reciting. The notion that stage professionals were deceptive, untrustworthy, or counterfeit was less common in early imperial Rome, though it does surface in some writers: see Seneca *Ep.* 11.7 and Tacitus *Dial.* 10.5. Edwards 1994, 84-86, remarks more generally that actors' low status in Roman society reflected Roman suspicion of their dubious, protean identity.

⁴ From Classical Athens onwards, trials and plays were linked in the public imagination. Courtroom procedure was often described in terms of performance and onstage conflict was often played out in legalistic scenarios (e.g. Aeschylus' *Eumenides* or Aristophanes' *Wasps*). Nor is this symbiosis restricted to Athens: anthropological studies of performance – especially the school of Turner (1982) and Schechner (2003) – stress that plays and trials fulfill analogous functions in many societies, that both negotiate breaches in the social order with the aim of restoring harmony. As Turner 1982, 12, observes: "theatre is, indeed, a hypertrophy, an exaggeration of jural and ritual processes...there is...in theatre, something of the investigative, judgemental, and even punitive character of the law-in-action." In both Greece and Rome, recognition of the parallels between stage and court brought with it a certain degree of anxiety: the orator could borrow or copy theatrical techniques, but there was always the worry that he would use these to distort the facts and gain an unjust verdict. On delivery as a potential distraction from the truth, see Quintilian, *I.O.6.2.5*, and Diodorus Siculus 1.76.1; as something practised by rabble-rousers to no good purpose, see Plutarch *Dem.* 7.

⁵ The weakness of Crassus' antithesis is noted by Mankin 2011 *ad loc.*

⁶ The words *actor* and *agere* have a wide semantic range, affording easy if sometimes superficial comparison between orators and stage performers. Roman writers were fully aware of this confluence: Fantham 2002, 362-63, lists some of the many instances in which they exploited the terms' polyvalence. It is worth noting that, unlike Cicero's, most of these analogies work with the verb – *agere* – since stage artists were called *histriones* more often than *actores*. Dupont 2000, 13-22 and Zucchelli 1963, 29-48, address this linguistic issue in more depth.

veritatis). Yet it does not follow that the advocate's relationship to reality is necessarily more secure.⁷ Inasmuch as his activity parallels the actor's, the advocate likewise performs his material, and performing (*agere*) naturally separates him from the immediacy inherent in 'doing' (*agere*). An imperfect antithesis of the kind that Cicero has created is therefore perfect for describing the relationship between the Roman orator and the actor: both perform, and even though their material differs, the similarity of their tasks generates an analogy that is close and, from the orator's perspective, uneasy. Implicit in Crassus' remark is an acknowledgement that orators can only ever lay claim to verisimilitude, not *veritas*.

Roman practices, moreover, allowed a precise parallel to be drawn between an actor performing a script and an orator representing a client. In contrast to classical Athenian courts where litigants generally spoke on their own behalf, the Roman judicial system required advocates to speak for their clients, creating a situation in which the pleader enacted someone else's story rather than his own.⁸ Roman orators were therefore intermediaries, performers who had not undergone the specific events recounted in their speeches, but whose task it was to present the story in a convincing manner and thereby gain a favorable outcome from their audience. To some extent, the same was true of an Athenian law court: the litigant re-presented his misfortunes in a way designed to play upon prejudice, evoke emotions, and produce the

⁷ Here I disagree with Dugan 2005, 183, who takes Cicero's assertion at face value and concludes: "this inversion – that orators are more legitimate *actores* than actors – is Cicero's attempt to short-circuit the kind of anxieties about the impropriety of theatricality that are a constant theme throughout the Roman rhetorical tradition." Cicero, it seems, is acknowledging the anxiety as much as he is attempting to control it.

⁸ Clarke (revised: Berry) 1996, 93, and Russell 1983, 15, both cite this as an important difference for the Roman orator. The situation in Athenian courts may not, however, have been quite so clear-cut: *συνήγοροι* – supporting speakers – did participate in both private and public trials, though their role is partially understood at best. For advocates and team litigation in classical Athens, see Rubinstein 2000 and Christ's review of the same (BMCR 2002). It also seems that certain social groups like metics were barred from representing themselves, see Todd 2007, 385.

desired verdict. But in Athens, speakers in court narrated events in the first person, not the third, and even though this activity still demanded a degree of performance, it nonetheless narrowed the distance between the litigant's experiences and their representation. Roman orators, on the other hand, were one step further removed from the reality they were attempting to recreate. Granted they did not engage in mimesis to anywhere near the degree required of an actor, but their very practice of pleading for someone else invited analogies with the stage, analogies that Roman orators themselves recognized and employed frequently.⁹ The phrase *actores veritatis* therefore expresses a paradox: it brings the orator closer to reality at the same time as it acknowledges his inevitable separation from it. The Roman orator occupies a problematic and sometimes contested space between real-life and mimicry.¹⁰

Drawing on Cicero's idea, this chapter examines how early imperial writers, especially Quintilian and Seneca the Elder, articulate or even try to solve the Roman orator's problematic status as a quasi-actor. Significantly, Quintilian's views on this topic reflect the performance style dominant in his era, one that privileged realistic representation and often staged real events rather than ones that were merely simulated. The result is that Quintilian, despite trying to separate orators from actors, ends up bringing the two groups even closer.

⁹ Dupont 2000, 10, observes that most of our knowledge about Roman stage practices comes from handbooks on oratory. Clearly, analogies to the theatre were not just popular; they were an integral part of the Roman orator's self-definition. On this topic, Gunderson 2000, 111-48, has produced a very interesting study arguing that when Roman orators define their activity in relation to the stage, they must then defend their subjectivity and preserve their status by rejecting from their behavior all things theatrical.

¹⁰ The space is problematic and contested because it includes the actor as a negative example, as an example of what *not* to do, as a paradigm that must *not* be followed. At the same time, although the ideal orator will avoid behaving too theatrically, he can never escape the fact that he is, in some measure, a performer: see Gunderson 2000, 111-48.

Real Mimesis

Just as the orator's task is not wholly free from mimesis, so drama need not be an entirely simulated activity. In fact, there is a basic phenomenological sense in which theatrical performance always uses real material, that is, all of theatre's physical properties have both a referential and an experiential function.¹¹ Any item on stage – a chair, a cup, even an actor's body – symbolizes whatever the play's storyline requires of it, but is also *a real object* at the same time.¹² Theatrical convention generally pretends that this external reality does not exist, and the more naturalistic the drama, the more complete its illusion. Not all styles of theatre, however, engage in the same level of simulation, and actors can choose to express real feelings of perform real acts even in situations that are ostensibly fictive. What I mean by 'realistic representation', therefore, is a dramatic style that emphasizes the experiential nature of performance. Such theatre is far from 'naturalistic': rather than recreate the *appearance* of real life, it aims to use as much real material as possible, and to make its audience acutely aware of lived experience, no matter how absurd, extreme, or disproportionate this may seem on stage.

Ancient anecdotes about theatre exhibit recurring fascination for the permeable boundaries of dramatic mimesis; they concentrate overwhelmingly on those moments when real life penetrates theatrical illusion.¹³ For instance, Plutarch in his *Life of Crassus* (33.2-4) records that Crassus' severed head was brought into the king's presence at the precise moment when an actor, Jason of Tralles, was performing an excerpt from Euripides' *Bacchae*. Anticipating the climactic scene where Agave enters carrying Pentheus' head (*Bacchae* 1168), the Parthian

¹¹ States 1985 studies the phenomenology of theatre in a succinct and readable manner. For more explanation of the terms 'experiential' and 'referential', see Garner 1994, 1-17.

¹² Examples can be found in States 1985, 41-46, who focuses mainly on furniture.

¹³ A range of examples with discussion can be found in Garton 1972, 23-28.

carrying Crassus' rolls it into the middle of the room. Jason seizes it and uses it as a prop while speaking Agave's part. This performance breaks dramatic illusion in two ways. At a referential level, Crassus' head symbolizes both Pentheus and the Parthians' victory; the Roman general's gruesome cameo enables real events to intrude into the play's storyline. At an experiential level, Crassus' head breaks dramatic illusion in an even more fundamental manner: it is *a real head* and it points to a real decapitation, not a simulated one. The result is that the scene is not entirely mimetic. Its use of real material, moreover, disconcerts Crassus' actual killer, Pomaxathres, whom Plutarch describes as refusing to accept that Jason's performance is pretence. When the actor, as Agave, rejoices in his kill (Eur. *Bacchae* 1179), Pomaxathres believes his honour is being slighted, which prompts him to intervene in the performance and seize the head for himself. Since the head already represents an intrusion of reality, Pomaxathres' action merely completes the process of dismantling the drama's illusion.

In Plutarch's anecdote, theatre and reality merge because of coincidence. The actor, it appears, has no prop for representing Pentheus' head and decides on the spur of the moment to use Crassus'. Replacing a simulated object with a real one is not, therefore, a premeditated part of his performance. In early imperial Rome, however, the displays put on in theatres and amphitheatres alike employed real material deliberately. Anne Duncan describes the performance style of this period as "extreme mimesis", a form of display that strove repeatedly to close the gap between real life and its dramatized representation.¹⁴ I prefer the terms 'real mimesis' or 'mimed reality', since the point of these performances was to place actual events in a superficially fictive context (e.g. staged executions), or to create dramas that approximated real

¹⁴ Duncan 2006, 188.

experiences. In each instance, simulation was taken to an extreme where it ceased to be simulation at all. Theatre and spectacle of the era spanning from Augustus to Trajan privileged not just verisimilitude, but *veritas*.¹⁵

The most notorious example of this performance style is a sequence of public executions recorded in Martial's *Liber Spectaculorum*, in which condemned criminals are compelled to act out fatal roles from myth and legend. In Martial's corpus, 'Daedalus' and 'Orpheus' are torn apart by bears (8 and 21); 'Pasiphaë' is mated with a bull (5); and the folklore bandit 'Laureolus' is crucified (7). Odd though the practice seems, Martial's account in the *Liber Spectaculorum* is not our only evidence for it. A variety of scattered references indicate that this bizarre sort of display was a consistent feature in the arena of the early empire (Strabo 6.273; Loukillios *Anth. Gr.* 11.184; Martial 8.30 and 10.25; Suet. *Nero* 12) and continued even into the Christian period (Tert. *Apol.* 15.4 and *Nat.* 1.10.74).¹⁶ It is, moreover, significant that the poems in the *Liber Spectaculorum* focus on the ways in which myth has been made real rather than vice versa. That is, they regard these events primarily in terms of their accuracy, as technical feats of realistic representation instead of reality clothed in mythic guise.¹⁷ Of Laureolus' death, Martial declares, *quae fuerat fabula, poena fuit* ("what had been a play was now punishment", 7.12); about Pasiphaë, he tells Caesar, *quidquid fama canit, praestat harena tibi* ("whatever tradition sings of, the arena offers to you", 5.4); and on the topic of Orpheus' death, Martial remarks that this alone

¹⁵ Coleman 1990, 68, remarks that performances in the early empire displayed "a taste for realism". Duncan 2006, 188-218, examines the Romans' use of real material in dramas and spectacles throughout the first century C.E.

¹⁶ This bizarre and disturbing practice has been labelled 'fatal charades' by Coleman, whose 1990 article on the topic examines all of the available sources.

¹⁷ A point made by Ahl 1986, 23.

occurred *παρ'ἱστορίαν* (“contrary to the story”, 21.8). These poems therefore emphasize the act of using real material to make a performance more real.

Nor is Martial’s *Liber Spectaculorum* the only example of the early empire’s obsession with verisimilitude.¹⁸ Recording the ominous events supposed to presage Caligula’s assassination, Suetonius concludes his list with several foreboding performances: the understudies in a *Laureolus* mime that required one character to vomit blood were so anxious to display their skill that they all copied the act and flooded the stage with blood (*et cum in Laureolo mimo, in quo auctor proripiens se ruina sanguinem vomit, plures secundarum certatim experimentum artis darent, cruore scaena abundavit, Cal. 57*); on a separate occasion, Egyptian and Ethiopian actors were rehearsing at night a play about the Underworld (*argumenta inferorum, Cal. 57*).¹⁹ Both events exhibit a striking desire for realistic effect: vomiting blood does not *actually* happen in the *Laureolus* mime, but neither do the performers simply mimic regurgitation; they make their display as authentic as possible, probably by the use of blood bags, appropriately situated and punctured at just the right moment.²⁰ Suetonius’ second report

¹⁸ Ahl 1986, 24-6, argues that Martial subtly criticizes the emperor for putting on these grisly displays of realism. I agree that the poet’s voice sounds guardedly neutral in many of these poems, but I maintain that the general public’s sensibilities must have been otherwise: Titus would not have put on such a show if the majority of his audience were going to be revolted by it. And Roman spectators did not hesitate to voice their disapproval when certain displays were too shocking: at the dedication of Pompey’s theatre in 55 B.C.E., the staged slaughter of twenty elephants met with a hostile reaction from the crowd, who pitied the beasts (see: Cic. *Fam* 7.1; Pliny, *NH* 8.7.20; Seneca, *Brev. Vit.* 13; Dio 39.38).

¹⁹ From the accounts in Martial and Suetonius, we can surmise that the *Laureolus* mime was a popular narrative, and one that seemed to invite graphic entertainment. Another version is preserved in Josephus 19.94. Sutton 1986, 63-7, analyzes the extant evidence for performances of *Laureolus*’ story.

²⁰ Sutton 1986, 67, makes this suggestion, which is taken up by Boyle 1997, 132. While Sutton’s guess seems more or less correct, the technology of blood bags is attested in only one ancient source that dates from roughly a century after the period in question: Achilles Tatius 3.15-3.20 describes a mock disembowelment, performed by means of a trick knife and a pouch of sheep intestines.

likewise describes a performance striving for authenticity, as a play about the underworld must be dark, and must therefore be presented by Egyptians and Ethiopians, and at night.

From his record of Nero's reign, Suetonius mentions a further example: the emperor staged a revival performance of Lucius Afranius' *Incendium*, a *comoedia togata* from the late second century B.C.E., and allowed the actors involved to keep whatever furniture they managed to rescue from the burning house (*Nero* 11). Whether or not the house was actually on fire Suetonius does not make clear, but the performance definitely breaks dramatic illusion when the actors are permitted to retain the props.²¹ This kind of dramaturgy emphasizes the objects' status as real-world possessions rather than symbolic items.²² I mention above that every physical thing on stage has the dual quality of being representational and experiential: Nero's version of *Incendium* stresses the latter at the expense of the former, and invites audience members to concentrate on these stage properties' physical *realness* instead of their symbolism.

Lastly, the most popular theatrical genre of the first century C.E., pantomime, was also an art form that specialized in veristic portrayal. Texts from much later periods stress the dancer's ability to recreate characters, objects, and events with a surprising degree of accuracy. Libanius asserts that successful pantomimes will effect a mimesis that comes "as close to reality as possible" (δει γὰρ αὐτούς, εἰ μέλλουσιν εὐδοκιμεῖν, μιμῆσθαι, τὸ δὲ μιμῆσθαι καλῶς τοῦτο ἔστι δῆπου τῆς ἀληθείας ὅτι ἐγγυτάτω γενέσθαι, *Or.* 64.62), while Choricius envisages the most skillful dancer as one able to convince his audience not that he is imitating a character, but

²¹ Though Suetonius specifically refers to a 'burning house' (*ardentis domus*, *Nero*. 11), it is not clear whether this fire was real or imagined.

²² Warmington 1977, *ad loc.* compares Nero's action to the public distribution of largesse, an activity that emperors usually performed when they hosted spectacles or theatrical *ludi*.

that he really, naturally *is* whatever he is representing (πειρώμενον πείσαι τὸ θέατρον οὐχ ὅτι ἄρα μιμεῖται, ἀλλ' ὅτι πέφυκε τοῦτο ὃ δὴ μιμεῖται, *Dial.* 12.1).²³ Pantomime style must have remained consistent over many centuries, for some little-known Greek epigrams from the mid-first century C.E. likewise assume its capacity for verisimilitude. Writing scoptic epigrams during the reign of the emperor Nero, Loukillios taunts a dancer named Ariston for being so “naturally stony” (αὐτομάτως λίθινος) that he can, ironically enough, embody “the living figure of Niobe” (Νιόβης ἔμπνοον ἀρχέτυπον, *Anth. Gr.* 11.253).²⁴ The poem is obviously a joke, but a joke that rests on the idea of excessively faithful portrayal. It is a point Loukillios reprises in *Anth. Gr.* 11.254:

²³ Lada-Richards 2007, 54, remarks: “the driving force behind the rhythms and figures of the dancer’s corporeal imitation may well have been an overall aesthetic of performative verisimilitude.”

²⁴ For a lively analysis of Loukillios and his genre of scoptic epigram, see Nisbet 2003, 1-81. Scholarship on this elusive Neronian-era epigrammatist is scarce, but Robert’s 1968 study of Loukillios’ poems about athletes remains a deserved classic.

Πάντα καθ'ἱστορίην ὀρχούμενος, ἔν τὸ μέγιστον
τῶν ἔργων παριδῶν ἠνίασας μεγάλως.
τὴν μὲν γὰρ Νιόβην ὀρχούμενος, ὡς λίθος ἔστης,
καὶ πάλιν ὦν Καπανεύς, ἔξαπίνης ἔπεσες·
ἀλλ'ἐπὶ τῆς Κανάκης ἀφυῶς, ὅτι καὶ ξίφος ἦν σοι
καὶ ζῶν ἐξῆλθες· τοῦτο παρ'ἱστορίην.

You danced everything in accord with the plot
But greatly vexed us by overlooking the most important action.
For when you danced Niobe, you stood like a stone,
And again, as Capaneus, you suddenly fell down.
But your Canace showed no talent: you had a sword
And walked off alive. That was not in accord with the plot.

(*Anth. Gr.* 11.254)

For his punch-line, Loukillios relies on the notion that this dancer has portrayed everything accurately, but, at the same time, that such precision has produced a poor performance that could be redeemed only by further verisimilitude: suicide in the role of Canace. Interestingly, the final words of Loukillios' text match Martial's in *Sp.* 21: since both poems envisage entertainment in the form of real, staged death, Martial's *παρ'ἱστορίαν* may even be an allusion to the earlier epigram.²⁵ In Loukillios as in Martial, the expression suggests a desire for a performance so real that it ceases to be a performance. Pantomime, like the shows in the arena and like, it seems, most early imperial entertainment, aimed at verisimilitude to an almost paradoxical extent, for realistic representation implodes when carried to the extreme, creating drama in which the participants are not always actors and their roles not always acts.

²⁵ A correspondence well remarked, most recently by Coleman 2006, 175.

Performing Oratory

A performance culture that minimized simulation and favored realness in the theatre and the arena inevitably affected the Roman orator's self-definition. The prevalence of real material on stage destabilized the orator's status as an *actor veritatis* and brought new urgency to the perennial question of how and how much pleaders should be allowed to perform. This change is apparent in Quintilian's work most of all. Recasting ideas from Cicero, Quintilian exhibits acute awareness of the orator's need to act, as well as the problems and contradictions such performance could entail. Notably, Quintilian differs from Cicero by concentrating on the methods pleaders use to create and sustain convincing displays of emotion and his advice in these instances betrays the influence of contemporary trends in the theatre. No matter how much Quintilian tries to separate orators from actors, his emphasis on verisimilitude and realistic representation often has the opposite effect, showing that the orator is an actor *even when* he keeps mimesis to an absolute minimum.

Not surprisingly, Quintilian discusses oratorical performance whenever he addresses the topic of emotions. Greeks and Romans alike recognized that an orator's main skill lay in persuading his audience to think and feel (and so, judge) as he wished. In this most of all he resembled the actor, working to present a convincing illusion and provoke an emotional response in his listeners.²⁶ Accuracy and pretence, reality and imitation: when an orator played upon his audience's feelings, these issues came to the fore.

When Quintilian speaks about the emotions at *I.O.* 6.2.25-36, his advice proceeds in two stages: first, he proposes that the orator himself must express the feelings he wishes to arouse in

²⁶ And, like the illusions created by the actor, the orator's display was well rehearsed on the whole. Gotoff 1993 explains how speakers could pretend a spontaneity that was in fact prepared in advance.

judge and jury (*I.O.* 6.2.25-29); then, he describes the method enabling orators to stimulate their own emotional responses (*I.O.* 6.2.29-36). Although Quintilian prefaces this section with the confident claim that his theories derive from his own experience not other sources (*I.O.* 6.2.25-26), the first of his two ideas is by no means original.²⁷ Like so much else in the *Institutio Oratoria*, its most immediate source is Cicero, in this instance, a scene in *De Oratore* (2.189-95) where Antonius discusses his tactics for provoking an emotional reaction in his audience.²⁸ Relying on the notion that orators are *actores veritatis*, Antonius states that a judge will feel whatever the speaker wants him to feel only if he sees that the speaker is likewise affected.²⁹ In other words, real emotion derives from a real display of emotion, and oratory, since it deals with actual rather than invented material, must approximate and reproduce reality as closely as it possibly can. If pleading required counterfeit feelings, Antonius remarks, a greater art would be called for: *quodsi fictus aliquis dolor suscipiendus esset et si in eius modi genere orationis nihil esset nisi falsum atque imitatione simulatum, maior ars aliqua forsitan esset requirenda* (“if some feigned grief had to be undertaken and if this kind of oratory contained nothing that was not deceptive and pretended through imitation, some greater art would perhaps need to be sought”, *De Or.* 2.189). They may sound a little self-deprecating, but Antonius’ words aim to exalt oratory, not denigrate it. In particular, *ars* is not always a positive quality, it is a trick as

²⁷ Schrijvers 1982, 397, notes that even Quintilian’s introductory words – *promere in animo est quae latent et penitus ipsa huius loci aperire penetralia* (*I.O.* 6.2.25) – allude to Cicero’s in the *Tusculan Disputations* (4.25.55): *ne rhetorum aperiamus mysteria*.

²⁸ On Quintilian’s Ciceronianism, see Kennedy 1969, 110-12, and 1972, 505-506. More detailed information can be found in Schlemeyer, 1912, and Cousin 1936, the latter a comprehensive study of Quintilian’s sources. Winterbottom 1982a studies how post-Augustan writers in general used and regarded Cicero’s work.

²⁹ As it is far from original to Quintilian, the idea is also far from original to Cicero: *Rhet. Her.* 4.43 makes basically the same point. The idea that in order to move others, one must be moved oneself also features in ancient literary theory: see Horace *Ars Poetica* 102-103 and, in the Greek tradition, Aristotle, *Poetics* 1455a.

much as a skill or technique, and when juxtaposed with oratory it can mean only one thing: acting.³⁰ Antonius' ideas obviously rest upon the traditional dichotomy that contrasted stage performance – counterfeit, fictive, lying, untrustworthy – with oratory – genuine, real, truthful. More importantly, Antonius argues for absolute separation of advocate and stage artist: the orator's task may be analogous to the actor's, but that is as far as the connection goes; Antonius does not care to examine whether, in his attempt to rouse his listeners, the orator's act becomes problematic in the same way that an actor's does.

Quintilian, in contrast, does acknowledge this issue. For the most part, his first section on the emotions (*I.O.* 6.2.25-29) echoes Antonius' ideas, willing a literal correspondence between the pleader's display and the reaction of his audience. But Quintilian encounters more difficulty when making this point because, unlike Antonius, he understands that no matter how accurately an orator replicates emotions, he is still in some sense performing rather than feeling them. Whereas Antonius implies vaguely that he is always moved by his own speeches (*quin ipse...permoverer*, *De Or.* 2.189-90), Quintilian freely admits his own artistry: *frequenter <ita> motus sum, ut me non lacrimae solum deprenderent, sed pallor et veri similis dolor* ("I have often been moved to such an extent that not only have tears overtaken me, but paleness and grief that resembles the real thing", *I.O.* 6.2.36). Tears may come upon him unbidden, but Quintilian the advocate does not feel real grief, just something very much like it. His admission points out a fissure that inevitably separates the orator from the truth, namely, that the orator is a

³⁰ Duncan 2006, 12-14, defines the major division in ancient views about acting: on the one hand, it could be regarded as a variety of possession (the Platonic view); on the other, it could be classified as a skill, learned and perfected through practise (the – broadly – Aristotelian view). At 162, Duncan further remarks that, as a skill, acting could be learned and misused by anyone. Latin terminology makes this more pointed: *ars* can mean 'trick' as much as 'skill' (*OLD s.v. ars* entries 1 and 3).

representative, that he presents not his own case but somebody else's. However much the Roman orator may be an *actor veritatis* the fact remains that he is also an *actor*.

Recognizing this may be what prompts Quintilian to dwell on the orator's own emotive response and the methods used to create it. From *I.O.* 6.2.29 to *I.O.* 6.2.36, Quintilian describes a process of visualization whereby pleaders can imagine their litigants' misfortunes more vividly, so vividly in fact, that they can even practise a kind of psychological substitution, putting themselves in the victim's place. The techniques seem original. Extant rhetorical literature, at least, contains no exact precedent for them and though Kennedy speculates that Quintilian's ideas derive from "Greek psychology...the known methods of writers and actors, and...the suggestions of Cicero" the loss of so many works makes it impossible to know for certain.³¹ And if Quintilian's techniques are uniquely his own, then this circumstances would substantiate his earlier claim to be speaking from personal experience (*quae...non aliquo tradente, sed experimento meo ac natura ipsa duce accepi*; "things I have learned not from anyone else's precepts, but from my own experience and from nature herself as a guide", *I.O.* 6.2.25-26).³² Whatever the case – and a definitive answer is impossible – Quintilian's thoughts on visualization help explain his view of the orator *qua* actor at the same time as they respond to the performance styles most prevalent in his era.

³¹ Kennedy 1969, 75. Kennedy's sole example of a possible source is *De Or.* 2.189, but, as I argue above, Cicero's Antonius does not really concern himself with *how* the orator feels the emotions he subsequently displays. Schrijvers 1982, 398-401, goes into more detail, investigating the possible links between Quintilian's theories and the philosophical ideas current in his era. He does not, however, distinguish this special passage of Quintilian very clearly from the orator's other advice on emotive pleading.

³² Leigh 2004, 138-39, concludes the opposite, namely that Quintilian's claim to originality is part of his overall rhetorical *persona*. While he is correct in saying that authors of rhetorical handbooks typically claim their own unique contribution to the topic, I feel that Leigh does not examine closely enough the nuanced differences between Quintilian's work and that of his predecessors.

Put simply, Quintilian's advice runs as follows: Greek rhetorical theorists have declared φαντασία (Latin: *visiones*) a powerful stimulus for emotion, so a pleader who imagines his client's distress will present his case more believably; as a result of φαντασία, he will also produce ἐνάργεια – vivid description – which will allow his audience to see the event, thus prompting a stronger reaction in them.³³ So far, it is straightforward; the most interesting part comes at the end: at *I.O.* 6.2.34, Quintilian counsels advocates to imagine themselves as victims.

ubi vero miseratione opus erit, nobis ea, de quibus queremur, accidisse credamus atque id animo nostro persuadeamus. nos illi simus, quos gravia, indigna, tristia passos queremur, nec agamus rem quasi alienam, sed adsumamus parumper illum dolorem. ita dicemus, quae in nostro simili casu dicturi essemus.

Moreover, when pity is required, let us believe they have happened to us, those things about which we may complain, and let us persuade our minds of it. Let us be those people, whom we complain to have suffered grievous, unmerited, lamentable things, and let us not plead the case as though it were another's, but let us adopt that grief for a little while. In this way we shall say what we would have said in our own, similar misfortune.

(*I.O.* 6.2.34-35)

The process Quintilian describes is a kind of 'method acting', a technique whereby the performer immerses himself in his character's experiences and emotions in order to develop a convincing performance.³⁴ For the Roman orator, this means channeling the litigant's reactions and, in

³³ Apart from Quintilian's, the only other extant account of φαντασία is Longinus 15.1-12. The notion, however, is closely related to *evidentia* / ἐνάργεια, a technique almost all ancient works on rhetoric address: see Lausberg 1998, §810-811, and Cousin 1977 *ad loc.* for lists of ancient references. That both Quintilian and Longinus discuss φαντασία may indicate a rhetorical concern common in the first century C.E. (that is, if Longinus can be dated to that period, on which, see Russell 1964, xxii-xlii).

³⁴ By 'method acting' I mean, broadly, the highly influential actor-training system developed by Stanislavski as well as its later reformulations at the hands of Strasberg. Stanislavski expresses notions very similar to Quintilian's when he says: "[the actor] creates in his dreams the inner and outer image of the character he is to portray...he must adapt himself to this alien life and feel it as though it were his own" (cited in Benedetti 2000, 55). Worthen 1984, 143-5,

effect, *becoming* the litigant, albeit for a brief and circumscribed period. Such psychological substitution relates very closely to Quintilian’s views on acting, for if theatrical representations are problematic because they are counterfeit, then the best kind of representation – and the kind most fitting for the orator – is that which narrows as much as possible the gap between the real event and its enactment, one that is, in other words, hardly a representation at all. Like Cicero’s Crassus, Quintilian enjoys contrasting the orator’s activity with that of stage artists who, he declares, perform what is fabricated and false. At *I.O.* 11.3.5, he asserts that the advocate should be able to convey emotion more effectively because, unlike the actor, he believes in his material: *si in rebus quas fictas esse scimus et inanes tantum pronuntiatio potest ut iram lacrimas sollicitudinem adferat, quanto plus valeat necesse est ubi et credimus?* (“if delivery in matters which we know to be fabricated and empty has so much power that it conveys anger, tears, anxiety, how much more power will it have when it is necessary and we believe in it?”).³⁵ The idea surfaces earlier at *I.O.* 6.2.35-36, where Quintilian implies that orators are capable of appropriating their clients’ feelings: *si in alienis scriptis sola pronuntiatio ita falsis accendit affectibus, quid nos faciemus, qui illa cogitare debemus, ut moveri periclitantium vice possimus?* (“if in other people’s compositions delivery alone enflames us with feigned feelings, what shall we produce, we who must hold those things in mind so that we may be moved on our clients’ behalf?”). According to Quintilian’s principles, the orator is an *actor veritatis* not only because he deals with real material, but also because he presents that material in the most

further describes the technique as a “close synchrony of role and self in performance” which required the actor to “vivify the role’s responses by grounding them in his own feeling”.

³⁵ It is unclear whether Quintilian’s first person plural here designates orators believing in their own material, or audiences believing the orator (because his presentation, unlike an actor’s, does not comprise ‘empty, fictive matter’). Similarity between this passage and *I.O.* 6.2.35-36 has led me to adopt the former interpretation.

realistic manner possible. The beauty of method acting, for Quintilian, is that it implies a minimum of artifice and hence, deception. Moreover, a theory that allows the advocate to imagine himself as the accused is one that regards the speaker as a neutral conduit, a performer who conveys facts without altering their representation.³⁶ The kind of psychological substitution Quintilian describes assumes a one-to-one correspondence between the pleader and the material he performs. So, Quintilian advocates method acting because it minimizes the need for pretence and seems less ‘staged’ than if the orator were to invent emotional responses without truly feeling them.

This theory is what distinguishes Quintilian’s text from its model, *De Or.* 2.189-95. When Antonius talks about the emotions he addresses only one side of the theatrical event: the relationship between actor and audience. A display of genuine feeling from the performer will stimulate a genuine response in his listeners: Antonius, like Quintilian, argues for an effect being received in precisely the form in which it was created. But only Quintilian ventures to explain how the orator creates this effect. In doing so, he examines the other side of the theatrical event, that is, the actor’s relationship to his material. Quintilian’s description of method acting portrays the orator as an actor who must *re-present* not a scripted character but a real-life event, undergoing *gravia, indigna, tristia* before performing them in court. Like Antonius, Quintilian does not wish to allow for any degree of inaccuracy or re-interpretation, things that would place

³⁶ This basic interpretive concern reveals Quintilian’s conservatism: it is a view that privileges representation (dramatic storyline) over representer (actor) and so aims to reduce the possibility of new meanings/interpretations being created during the performance process. According to Schechner 1988, 71-3 and 210, acting is at its most realistic/naturalistic when there is an imperative to reproduce a script whole, stable, and unaltered. In contrast, performance cultures that practise more adaptation and improvisation allow the actor a more creative role and destabilize his/her text. This latter scenario may well be pertinent to Quintilian’s time-period, when excerpting, adapting, and improvising were by far the most common forms of theatre.

the orator's performance in the dangerous category of 'fake'. Quintilian's account differs principally in its concern for the orator's integrity as a performer.

In essence, then, Quintilian and Cicero's Antonius work from the same assumption, but they focus on different aspects of performance. They maintain this distinction even in their analogies whose subtle disparity scholars have yet to recognize.³⁷ To illustrate his argument, Antonius claims he has witnessed an actor produce what seemed like genuine anger: "I myself have often seen how the actor's eyes seemed to blaze behind his mask" (*saepe ipse vidi, ut ex persona mihi ardere oculi hominis histrionis viderentur, De Or. 2.193*).³⁸ Quintilian borrows the image and alters its meaning, slightly but significantly. Once he has explained his ideas on method acting, he appends, "I have often seen tragic and comic actors, when they have put aside their mask after an emotional scene, leave the stage still weeping" (*vidi ego saepe histriones atque comoedos, cum ex aliquo graviore actu personam deposuissent, flentes adhuc egredi, I.O. 6.2.35*). By placing the comment where he does, Quintilian implies that some actors achieve such complete identification with their characters that they continue to feel certain emotions even after they have ceased to occupy their designated role, that is, once they have taken off the *persona*. It is quite possible that Quintilian was not conscious of reworking this analogy, but the effect remains the same whether he misremembered Cicero's example or carefully rewrote it: the *Institutio Oratoria* addresses an issue of delivery absent (as far as we know) from preceding

³⁷ Cousin 1936, 323, acknowledges Quintilian's debt to Cicero here, but does not perceive the essential differences that separate these two passages.

³⁸ Gunderson 2000, 144, notes that Antonius' speech "is strikingly cluttered with statements of subjective impressions", which, I believe, reinforces its preoccupation with spectatorship, with what spectators, as opposed to actors, feel.

rhetorical theory, one that aims to minimize simulation by merging actor and character, orator and client.³⁹

Even when Quintilian describes *prosopopoeia*, the most thoroughly theatrical part of an orator's performance, he treats it not as a form of pretence or play-acting, but as a means of recreating reality. If an orator speaks in the person of his client, "the judge will seem to hear not someone lamenting another man's misfortunes, but the emotion and voice of those unfortunate men" (*non enim audire iudex videtur aliena mala deflentis, sed sensum ac vocem auribus accipere miserorum, I.O. 6.1.26*). In other words, the orator is no more than a neutral conduit through which litigant and judge may access each other directly. Though Quintilian proceeds to compare this courtroom task to the actor's, his simile stresses the realness of a pleader's performance: "these things...are more potent for rousing emotion when they are spoken as if from the litigant's mouth, just as for stage performers the same voice and delivery succeed more in stirring feelings when expressed in character" (*ea...sunt...ad adficiendum potentiora cum velut ipsorum ore dicuntur, ut scaenicis actoribus eadem vox eademque pronuntiatio plus ad movendos adfectus sub persona valet, I.O. 6.1.26-27*). For Quintilian, the orator's display is more moving precisely because it is closer to the real thing; the speaker adopts a *persona* not in order to act, but in order to give the litigant a voice. And when the judge thinks he hears the client's voice from the orator's mouth, the effect is equivalent to an audience hearing a character's voice channeled via an actor. In each case, the reality assumed to lie behind its representation emerges virtually intact. Quintilian's *prosopopoeia* is a performance that gains its impact by

³⁹ Since ancient writers often knew texts by heart, misremembering was a relatively frequent occurrence: Fraenkel 1924 (reprinted 2010), 24-25, supplies an illustrative example from Latin poetry. Quintilian's admiration for Cicero leads him to replicate much of the republican orator's style and phrasing.

subordinating pretence and focusing on realistic representation, the same concerns that motivate his theory of method acting.

Of course, not all early imperial rhetoric dealt with the ‘real-life’ business of court cases (*veritas*). While advocates were pleading on behalf of actual clients, their counterparts, declaimers, were delivering speeches on purely imaginary issues. Except in the most stereotyped ways, declamation did not involve situations drawn from real life: its practitioners worked with fictive material of which the stock characters and events were recognized, accepted, and expected.⁴⁰ In other words, declaimers *performed* more than orators did, or could. It was their job to produce a convincing mimetic display, not to minimize it in the interests of legal veracity. But, Quintilian contends, even this kind of performance will be made better, will grow more convincing, if speakers imagine their case to be real:

sed in schola quoque rebus ipsis adfici convenit, easque veras sibi fingere, hoc magis quod illic ut litigatores loquimur frequentius quam ut advocati: orbum agimus et naufragum et periclitantem, quorum induere personas quid attinet nisi adfectus adsumimus?

But in the school also it is appropriate to be moved by the issues themselves, and to imagine them to be real, especially since in that place we speak as litigants more often than we speak as advocates: we are pleading in the character of an orphan, a shipwrecked man, a man in serious danger – what good does it do to assume roles unless we take on their emotions as well?

(*I.O.* 6.2.36)

The language of the theatre permeates this passage: in the expression *orbum agimus et naufragum et periclitantem*, the verb means ‘to play a part’, while the phrase *induere personas* means literally ‘to put on masks’. Quintilian clearly acknowledges that declaimers practise mimesis. Further, he advises them to produce a more complete imitation by setting aside their

⁴⁰ See Chapter 3, esp. 102-116.

subjectivity and channeling their characters' emotions; he advises them, that is, to imitate as little as possible, and to *become* their characters instead. To achieve this, they must imagine that the events in question really did happen (*easque veras sibi fingere*). Although Quintilian does not explicitly recommend that declaimers engage in the kind of 'method acting' or psychological substitution he has described earlier, he is still trying to minimize pretence in this context. In effect, Quintilian urges declaimers to *be* rather than *play* the litigant.

Read closely, therefore, the *Institutio Oratoria* reveals an obsession for performances that minimize simulation and present themselves as being fundamentally real. Such preoccupations may well derive – consciously or unconsciously – from the theatrical culture prevailing during Quintilian's lifetime. Overall, theatre and spectacle of the first century C.E. operated according to two main principles, which, moreover, it appears to hold in common with Quintilian: first, representation should aim at reproducing reality rather than simply imitating it; second, a good performance entails the displacement, or in more extreme cases utter annihilation, of the performer's subjectivity. Although in each context, the material and its effects differ markedly, the motivation remains essentially the same: an orator of this period, like an actor, must try to close the gap between theatrical illusion and reality. On the stage, in the arena, and in the courtroom, the prevailing ethos of performance dictated that actual events were preferable to mere simulation. Quintilian may desire to distance the orator's activity from the essentially theatrical, but in his attempt to do so, he exhibits a mindset that matches the dramatic tastes of his era. While making sure that orators confine themselves to being *actores veritatis*, Quintilian omits mentioning that this same label can be applied to most of his contemporary performers as well.

Naturally, Quintilian makes his recommendations not because he has any particular interest in performance theory, but because he wants to show Roman orators how best to keep their dignity and social standing. In a community that treated actors as social outcasts and deprived them of basic civic and legal rights, it was vital for members of the elite, orators especially, not to appear ‘theatrical’ (*scaenicus*). Quintilian intends that pleaders will avoid such slurs only if they refrain from mimesis and engage as much as possible in authentic displays of emotion. Yet even authenticity is not without risk. Quintilian does not acknowledge this fact, but an anecdote from Plutarch (*Vit.Cic.* 5.4-5) suggests that actors – and perhaps by implication, orators – could end up losing control if they over-identified with the role they were playing. Plutarch relates that Aesopus, a tragic actor of the late republic, was so transported while playing Atreus that he struck and killed an unfortunate assistant who happened to run across the stage. Aesopus, Plutarch concludes, was “out of his mind owing to the emotion of the role” (ἔξω τῶν ἑαυτοῦ λογισμῶν διὰ τὸ πάθος, *Vit. Cic.* 5.5); he had merged his identity with that of his enacted subject to the extent of perfect if devastating realism. Interestingly, Plutarch situates this anecdote in the context of discussing how Cicero, like Demosthenes before him, required training in delivery: λέγεται δὲ καὶ αὐτὸς οὐδὲν ἦπτον νοσήσας τοῦ Δημοσθένους περὶ τὴν ὑπόκρισιν, τοῦτο μὲν Ῥωσκίῳ τῷ κωμῳδῷ, τοῦτο δ’ Αἰσώπῳ τῷ τραγῳδῷ προσέχειν ἐπιμελῶς (“he too is said to have been no less weak in his delivery than Demosthenes, and so paid careful attention to the comic actor Roscius, on the one hand, and to the tragic actor

Aesopus, on the other”, *Vit. Cic.* 5.4).⁴¹ This context, combined with the word *πάθος*, a term integral to rhetorical theories of the emotions since Aristotle’s time, draws an explicit comparison between oratorical and theatrical delivery and may even suggest an overlap in technique.⁴² We have, after all, seen how some orators prided themselves on using real material and enacting real life, especially in those parts of the speech that called for *πάθος*.⁴³ At the same time, however, Aesopus is clearly an example of extreme authenticity that the orator must take care to avoid.⁴⁴ The orator must present emotions that resemble the real thing, and, in Quintilian’s case, he must even try to make these emotions real for himself, but he should not under any circumstances sacrifice his dignity in the name of authentic representation.

Public Roles

Roman orators did not just play roles in court; they themselves *were* roles within Roman society. In other words, their social identity was a performance in a metaphorical sense. The idea derives from a broader concept of life as a drama, a simile as popular and prevalent in Greco-Roman

⁴¹ Dupont 2000, 17-22, is right to remark that Plutarch has created a disingenuous parallel between Demosthenes’ activity and Cicero’s: Roman society did not look kindly on the elite mingling with actors, so Cicero could not learn delivery from Roscius and Aesopus in exactly the same way Demosthenes is said to have learnt it from Satyros.

⁴² For *πάθος* see Arist. *Rhet.* 1356a; 1378a; 1419b. A list of relevant source material is supplied by Lausberg 1998, §257.3 and §433.

⁴³ The *peroratio* or conclusion to a speech was the point most likely to require emotive amplification; it is therefore no coincidence that Quintilian’s treatment of the *peroratio* intersects with his advice on the emotions (*I.O.* 6.1-2).

⁴⁴ I do not agree with the interpretation of Gunderson 2000, 142, who thinks Plutarch presents Aesopus as a good example for orators whose delivery is somewhat lacking. True, Plutarch implies that Aesopus helped ‘cure’ Cicero’s ‘afflicted’ delivery (οὐδὲν ἦτρον *νοσήσας*, *Vit. Cic.* 5.4), but this additional anecdote clearly represents the actor losing control in a manner scarcely appropriate for a stage artist let alone an orator.

antiquity as it later became in the time of Shakespeare.⁴⁵ Evidence assembled by Minos Kokolakis further suggests that the simile was favored by philosophers, especially those of the Stoic school, who used it to illustrate precepts about proper behavior (Gr: τὸ καθήκον; Lat: *decorum*), that is, behavior befitting one's personal attributes and place within society.⁴⁶ This philosophical background is crucial for understanding how Roman orators represented themselves and in turn, how Roman society expected them to behave.

In Latin philosophical thought, ideas of self-presentation and public identity hinge on the term *persona*, which originally designates a theatrical mask (and by extension, a dramatic character), but also comes to mean 'the part played by a person in life'.⁴⁷ This secondary use of the word appears to develop rapidly during the first century B.C.E. and it is well established by the early imperial period.⁴⁸ Significantly, *persona* is the word Cicero chooses to employ when he translates Panaetius' ideas at *De Officiis* 1.107-115. In this passage, Cicero describes four facets of human identity, each of which he labels *persona*: first, we have a universal identity as humans (*De Off.* 1.107); second, we have a particular identity depending on our personal attributes (*De*

⁴⁵ Kokolakis 1960 collects all the instances of this simile appearing in Greco-Roman texts. For analysis of its appearance in Roman literature (of the early empire especially), see Kessissoglou 1988, and Bartsch 2006, 216-29.

Shakespeare's Globe Theatre is thought to have been called such after the Latin tag *totus mundus agit histrionem* ("the whole world plays the actor"), and Shakespeare's plays themselves make liberal use of this dramatic simile (e.g. "All the world's a stage", *As You Like It*, Act 2, Scene 8; "Life's but... a poor player", *Macbeth*, Act 5, Scene 5). Renaissance and Jacobean's tragedy's predilection for staging 'plays-within-plays' further demonstrates the self-conscious theatricality prevalent in Shakespeare's era.

⁴⁶ The philosophers who refer to life as a drama are cited in Kokolakis 1960, 11-15, 23-25, 32-34, 37-38, 43-44, and 46-50. For the simile's use in Stoic philosophy, see Dyck 1996, 269-71 (a useful overview); Rosenmeyer 1989, 37-39 and 47-62; Bartsch 2006, 208-29.

⁴⁷ *OLD* s.v. *persona*, entries 1-3. On the use of *persona* in Roman philosophy, see De Lacy 1977; Gill 1988; Bartsch 2006, 216-29.

⁴⁸ What prompts my observation is the fact that almost all *OLD* entries for *persona* (3) date from the first century B.C.E. or later.

Off. 1.107); third, we have a *persona* dictated by external circumstance (*De Off.* 1.115); last, we derive a *persona* from the choices we make (*De Off.* 1.115). As Shadi Bartsch observes, it is Cicero's second *persona* that has attracted the most scholarly attention, partly because it is the only definition to approach modern concepts of 'the individual', and partly because it provides the best insight into Cicero's very idea of *persona*.⁴⁹ An important aspect of this idea is role play. When Cicero explains the second *persona* in more detail, he resorts to an extended dramatic simile:

Suum quisque igitur noscat ingenium acremque se et bonorum et vitiorum suorum iudicem praebat, ne scaenici plus quam nos videantur habere prudentiae. Illi enim non optimas, sed sibi accomodatissimas fabulas eligunt; qui voce freti sunt, Epigonos Medumque, qui gestu Melanippam, Clytemestram, semper Rupilius, quem ego memini, Antiopam, non saepe Aesopus Aiacem. ergo histrio hoc videbit in scena, non videbit sapiens vir in vita?

Let each person therefore know his own natural disposition and show himself a sharp judge of his own good morals and vices, so that actors may not seem to have more wisdom than us. For they select not the best plays, but the ones most suited to them; those confident in their voice choose the Epigoni and Medus, those confident in their gesture choose Melanippa and Clytemnestra; Rupilius, whom I myself remember, always chose Antiope, Aesopus rarely chose Ajax. Will an actor therefore have regard for this on stage, while a wise man disregards it in life?

(*De Officiis* 1.114)

By referring to the theatre, Cicero implies that a person's individual *persona* is very much a public role, one that has an audience and is judged according to that audience's expectations.⁵⁰ It is also a role that allows for very little personal choice: an actor may decide which character best

⁴⁹ Bartsch 2006, 218-19.

⁵⁰ De Lacy 1977, 163, captures this idea nicely when he writes: "perhaps the most interesting feature of the term *persona*—*prosôpon* in ethical contexts is the way in which it combines a specification of individual differences with a suggestion of detachment." This detachment is, in fact, what makes the notion of *persona* inherently theatrical: it envisages a potential divorce between the individual actor and the role he plays. It likewise assumes an audience, a group that will judge the performer according to how well or badly he performs his social role.

fits his abilities, but he cannot invent an entirely new character *ex nihilo*; these roles are standard types.⁵¹

Though Cicero does not say so in this passage, it is also clear that *persona* and its attendant notions of public performance were relevant to orators especially. As an occupation situated at the juncture of elite identity and actual public display, oratory represented a performance in both the literal and figurative sense.⁵² When Cicero's Antonius claims that he has a talent for emotive delivery, he compares himself to stage artists: *neque actor sim alienae personae, sed auctor meae* ("although I am not an actor of someone else's character, but a performer of my own", *De Or.* 2.194). Besides the binary *actor* / *auctor*, Antonius' point rests on a double meaning of *persona*: in the first instance, the word designates a dramatic role; in the second, it applies to Antonius' own character and public identity as an orator. In sum, when Antonius performs a peroration, he selects a *persona* that suits the situation but does not have a detrimental effect on his own *persona*, or social role. Nor is this the only link between Cicero's

⁵¹ Dyck 1996, 283, on *De Off.* 1.97-98 and 1.114: "both comparisons assume that the roles cannot be freely created but are conditioned either, for the playwright, by the expectations of an audience familiar with pre-existing saga or, for the actors, by the plays' existing repertory; this limitation corresponds to the fact that what Cicero actually discusses in the sequel are roles conventional in society."

⁵² The importance of *persona* for the Roman orator is shown in the way Cicero uses Greek rhetorical notions of ἦθος. Drawing of Aristotle, Cicero applies the term to the orator's own personal character rather than the character of his client. Guérin 2011, 146, remarks: "L'enjeu majeur de l'ἦθος aristotélicien est donc à la fois la capacité à fabriquer une image propre à rendre l'orateur digne de confiance, et la faculté de prendre la parole en usant d'un langage qui n'entre pas en contradiction avec l'ἦθος référentiel. La rhétorique cicéronienne, quant à elle, conçoit le problème sous la forme d'une proximité ou d'une distance à soi: l'enjeu, pour l'orateur, est de maîtriser l'*ars* de façon à reproduire fidèlement sa propre *persona* dans l'ordre discursive. En cas d'échec, c'est moins la disparition de la crédibilité qui affectera la position de l'orateur que celle de la légitimité et la dignité."

rhetorical and philosophical theory: the notion of *decorum* or *quid decet*, which Cicero uses to translate Panaetius' τὸ καθῆκον, is also regarded as key to a successful oratorical performance.⁵³

The orator, then, is simultaneously an actor and a role; he acts himself and acts on behalf of a client. Significantly, Quintilian treats the orator's technical education as inseparable from his moral education; the *Institutio Oratoria* aims not just to teach rhetorical theory, but to fashion an entire identity on the basis of Cato the Elder's dictum, "an orator is a good man skilled in speaking" (*orator est...vir bonus dicendi peritus*, *De Rhet.* fr. 14 Jordan). For Quintilian, the orator's *persona* is just as important as his behavior while pleading a case. In fact, as the example from Cicero shows (*De Or.* 2.194, above), an orator's professional conduct overlaps with and even helps create his public identity.

We must, moreover, be careful not to regard this ancient concept of *persona* as indicating fakery or pretence. Although the term implies that one's public role is like a mask, Roman texts of the late republic and early empire rarely suggest a discrepancy between an individual's 'genuine' identity and his or her public 'face'.⁵⁴ Only the younger Seneca's philosophic writings occasionally imply that social roles are an act, but the majority of writers in the first century C.E.

⁵³ Strictly speaking, Cicero's *decorum* translates the Greek rhetorical concept τὸ πρέπον, as for instance, *Or.* 70: *oratione nihil est difficilius quam quid deceat videre. πρέπον appellant hoc Graeci, nos dicamus sane decorum.* Still, the overlap between *decorum* = τὸ καθῆκον and *decorum* = τὸ πρέπον links the orator's public role with his rhetorical style and self-presentation in court.

⁵⁴ A point emphasized by Bartsch 2006, 220-24. Long 2009, 27, stresses that Stoic philosophy does not "envision a purely private or introspective selfhood divorced from determinate roles." Late-twentieth century critical theory/philosophy follows a similar line of thought since it regards identity as a primarily social construct confirmed via repetition of expected roles, dress codes, discourses etc. Butler 1988 is particularly useful for understanding how identity can be performed. For a more general summary of concepts such as *persona*, person, character, and individual, see Rorty 1976.

do not share his outlook.⁵⁵ In regard to oratory specifically, Quintilian's views correspond closely to Cicero's: one's public role is a performance not because it is fabricated but because it is inherently *public*, a display of the self that harmonizes social expectations with individual capabilities.

In sum, the concept of an orator's *persona* bears some resemblance to the 'real mimesis' I describe in the preceding section of this chapter. Both are displays of real material, both concentrate on the performance of actual, lived experience, both aim to minimize any simulation. And even though ideas about *personae* and social roles were prevalent in Rome long before the first century C.E., the new performance culture that developed in that era made public identity more self-conscious. Evidence in Quintilian and Seneca the Elder reveals orators and rhetoricians drawing on their own highly personal experiences in order to fashion their social, professional *personae*. In doing so, they merge the figurative and literal meanings of performance just as they combine contemporary theatrical tastes with popular philosophical views.

A telling example of such self-fashioning appears in the preface to Book 6 of Quintilian's *Institutio Oratoria*, a passage that Austin describes as "one of the saddest things in all Latin literature".⁵⁶ In the prooemium to his chapters on the emotions, Quintilian narrates the death of

⁵⁵ Bartsch 2006, 225-29, argues that Seneca the younger emphasizes "the falsity of public *persona*". Further, she treats his views as indicative of first-century C.E. elite attitudes. While I am willing to accept the first half of her assertion, the second seems far less certain. For instance, the idea that social roles are genuine performances is crucial to Quintilian's entire educational program. In fact, Quintilian, Tacitus, and Pliny all regard oratory as an identity as well as an activity. Seneca's views may represent a change in philosophical outlook, but I hesitate to label them representative. Further, Seneca's opinion may betray influence from Epicurean thought, for instance, Lucretius' *DRN* 3.58: *eripitur persona, manet res* ("the mask is torn off, reality remains").

⁵⁶ Austin 1948, x.

his eldest son in terms so moving that few commentators have failed to remark upon them.⁵⁷ Addressing his friend Marcellus Vitorius, Quintilian explains that he no longer has any personal reason to continue writing his handbook because his son, whom he had hoped would inherit and use the work, has recently died after a brief illness (*I.O.* 6 *pr.* 1-3). He adds that this event is the last in a series of misfortunes: he has already lost his young wife (*I.O.* 6 *pr.* 4-6), and shortly after that, the younger of the two sons she had born him (*I.O.* 6. *pr.* 6-9). The one still surviving was thus doubly dear to his father, and not least because he displayed an early talent for rhetoric (*I.O.* 6. *pr.* 10-12). Now that this third bereavement has occurred, Quintilian confesses himself at a loss, though he acknowledges literary endeavour as the only possible solace for educated men like himself (*I.O.* 6. *pr.* 14); in the end, he will continue to write so that other people may inherit and use his teachings (*I.O.* 6. *pr.* 16).

The description seems sincere – we know of no plausible reason why Quintilian would invent such an account – but its opportune positioning at the beginning of his chapters on the emotions also lends it a certain deliberate quality, as if Quintilian were giving a practical example of the precepts he is about to expound.⁵⁸ Close correspondences between the prooemium and its subsequent chapters certainly encourage such a conclusion: Quintilian’s

⁵⁷ Besides Austin (cited in the note above), there is Janson 1964, 59, who writes: “the deeply personal introduction to Book 6, which as a human document is unique among Latin prefaces, gives us a picture of his personal background at the time he was writing”; and Cousin 1977, ix: “la douleur de ce père, qui a dû suivre pendant huit mois d’évolution d’une implacable maladie et vivre dans l’attente, l’espérance, l’abattement, s’exprime de façon poignante, et ces lignes approfondissent notre connaissance de l’homme, dont l’*Institution* est le seul livre parvenu jusqu’à nous...dans l’histoire des letters, il est sans doute unique pour un homme de subir une telle suite de deuils, unique de composer une oeuvre pour un fils et de le voir disparaître, unique d’interrompre un traité théorique pour parler de son destin.” Although I do not wish to espouse a thoroughly postmodern cynicism with regard to Quintilian’s grief, I would hesitate to view the orator’s text as a purely spontaneous or unselfconscious expression. As Zinsmaier 2003 shows, the prooemium to *I.O.* 6 may reveal more about declamatory tropes than it does about Quintilian himself.

⁵⁸ A suggestion made by Ahlheid 1983, 55; Rahn 1972-75, 672 n.3; and Winterbottom 1975, 90-91.

account of his own grief immediately precedes his treatment of the *peroratio* (*I.O.* 6.1.1 – 6.1.55), the final part of an orator’s performance and the locus of emotional appeal (*I.O.* 6.1.8-51). The *peroratio* was moreover the moment when an orator might choose to bring in and display his client’s children or parents dressed in the squalid garments of mourning in order to rouse the jury’s sympathy, and Quintilian notes this trick’s effectiveness (*I.O.* 6.1.30). By cruel yet appropriate coincidence, Quintilian’s own misfortune involves his wife and children, and even though there is no legal need for this passage to arouse sympathy, there may well be a paradigmatic need: Quintilian’s description of loss shows readers and students of rhetoric how to direct emotion in the *peroratio*.⁵⁹ By creating close connections between the Book 6 preface and his subsequent account of *peroratio* techniques, Quintilian aligns his supposedly private grief with the orator’s public performance, and with the latter’s superlative control over an audience’s emotions. In other words, the Book 6 preface presents Quintilian in the *persona* of an orator stirring up his audience. It also presents him in the role of a rhetorician who has lost a treasured pupil (*I.O.* 6 *pr.* 10-12: Quintilian’s son shows talent for rhetoric). Though scholars tend to interpret this scene as a genuinely and entirely private moment, it is more ambiguous than that: it is Quintilian fashioning a real event to express his public identity.⁶⁰

Further, Quintilian’s prooemium enacts his later advice on the topic of real versus feigned emotion. I have already discussed how, in *I.O.* 6.2, Quintilian advises orators to enact the emotions they wish their audience to feel: *quare, in iis quae esse veri similia volemus, simus ipsi*

⁵⁹ A point brought out especially by Ahlheid 1983, 55, who calls the passage “an impressive ‘leçon par l’exemple’”. On the topic of Quintilian’s wife and children, Leigh 2004, 135-36, compares Quintilian’s preface to the types of *conquestio* listed in Cicero’s *De Inventione*: 1.107 (lament for the death of a child); 1.109 (commendation of children to jurors); 1.109 (sorrow at the separation of parent from child).

⁶⁰ For scholars’ reactions to the passage, see above, n. 57.

similes eorum qui vere patiuntur adfectibus, et a tali animo proficiscatur oratio qualem facere iudici volet (“therefore, if we wish our words to appear true, we ourselves should resemble those who really are suffering emotions, and let eloquence proceed from a feeling such as it intends to produce in the judge”, 6.2.27).⁶¹ This is exactly what the Book 6 prooemium does, in a very striking way, and the number of scholars who have reacted to it with sadness proves the effectiveness of Quintilian’s technique.⁶² Further, Quintilian rates emotional appeal as oratory’s most important activity: it is, he asserts, the life and soul of pleading (*velut spiritus operis huius atque animus est in adfectibus, I.O. 6.2.7*), and this observation indicates that he has paid a lot of attention to manufacturing emotion and provoking it in others over the course of his oratorical career. He even confesses a particular professional skill for creating the semblance of grief: *frequenter <ita> motus sum ut me non lacrimae solum deprenderent, sed pallor et veri similis dolor (I.O. 6.2.36)*. Lastly and most importantly, Quintilian claims that to achieve these displays of emotion, he practises imagining his client’s fate as his own (*I.O. 6.2.34*). Given Quintilian’s desire to create the most realistic possible mimesis, it is tempting to regard his introductory show of personal sorrow as a practical illustration of his theory, if not consciously contrived then at least influenced by his extensive courtroom experience.

Naturally, we can consider Quintilian’s prooemium a practical example of emotive oratory only to the degree that we can classify it as deliberate. The author’s loss could, after all, be no more than a cruel coincidence, a situation that would render much further speculation invalid. On this point Thomas Zinsmaier’s prudent investigation demonstrates that the *Institutio Oratoria* as we have it was almost certainly composed in sequence and shows little sign of

⁶¹ See above, 29-37.

⁶² See above, n.56 and 57.

revision.⁶³ Such evidence indicates that Quintilian's personal tragedy coincided with his work on Book 6 and we should therefore be careful not to over-emphasize the author's artifice.⁶⁴ At the same time, we should not entirely discount the idea that Quintilian exercised some measure of deliberate choice, especially since other prefaces in the *Institutio Oratoria* likewise match the content of their subsequent chapters.⁶⁵ The most probable scenario is, therefore, one that combines these two points: Quintilian's loss was real and really did occur when he was preparing to write his chapters on the emotions, but by deciding to express his grief in the prooemium, he made it a rhetorical event as well.

Issues of enactment also underlie Quintilian's biographical prooemium. Summing up the effect of this passage, Matthew Leigh comments:⁶⁶

If I may speak of the problem of rhetoric, it must lie in the breach between the father who loves and grieves in the particular and the orator who must take another's child and learn to cry over him. By locating the *conquestio* for his son where he does in the *Institutio*, Quintilian detaches him from the visceral emotions of the former category and makes him serve the artifice of the latter.

Leigh's observation is generally correct. But I would add that the phenomenon he describes is more than just 'the problem of rhetoric', it is the problem of rhetoric *as a form of acting*, since any kind of performer must learn to express as deeply personal material that need not pertain to him directly. And this is precisely the issue Quintilian addresses when he advises orators to internalize their clients' suffering as if it were their own (*I.O.* 6.2.34): a mild form of

⁶³ Zinsmaier 2003, 154-55, who disproves the arguments put forward by Colson 1924, xix n. 1, and Janson 1964, 58-9, to my mind, conclusively.

⁶⁴ A fault that characterizes Leigh 2004, which is in all other respects an insightful article.

⁶⁵ Winterbottom 1975, 90: "It may be observed how the prefaces to individual books, while marking off the firm structure of the work, ... are cunningly related to the subject of the succeeding chapters." Besides the Book 6 preface under discussion here, Winterbottom lists Book 4's preface as aiming "to capture the goodwill and attention of the reader in the same way as the exordia that [Quintilian] then proceeds to discuss."

⁶⁶ Leigh 2004, 136.

psychological substitution allows performers to animate their characters more fully at the same time as it makes their performance seem more ‘real’, at least according to Quintilian. In this regard, what Quintilian’s prooemium illustrates is not so much how to divorce “visceral emotions” from artifice, but how to merge them with artifice in order to create a more complete and convincing presentation.

A noteworthy parallel to Quintilian’s situation occurs in an anecdote recorded by Aulus Gellius. Polus, a Greek performer from the fourth century B.C.E., brought Sophocles’ *Electra* to a new level of realism when he filled her urn with his dead son’s ashes and expressed his grief via the character’s lament. In this way, Gellius declares, Polus “filled the entire place not with simulations and imitations but with sorrow and true, live lament. Thus, though the play appeared to be performed, grief was enacted” (*opplevit omnia non simulacris neque imitamentis, sed luctu atque lamentis veris et spirantibus. Itaque cum agi fabula videretur, dolor actus est. N.A. 6.5.7-8*). Like Quintilian, Polus appears to make a conscious choice about exhibiting his grief and having it contribute to his art.⁶⁷ His performance becomes more real as a result (*dolor actus est*), and also more emotive (*opplevit omnia...luctu atque lamentis veris et spirantibus*). In the manner of a first-century C.E. Roman performer, Polus brings actual material onstage – both his grief and his son’s remains – and so closes the gap between actor and character, playing the role of a

⁶⁷ Duncan 2005, 66, emphasizes this deliberate, calculated aspect of Polus’ performance, and so plays down the extent to which he merges himself with the character. Granted, Gellius does remark that Polus returned to practising his profession only once he had indulged his grief sufficiently (*eum luctum quoniam satis visus est eluxisse, rediit ad quaestum artis, N.A. 6.5.2-3*), but the overall impression this anecdote gives is of an actor blending real life with performance. Duncan’s conclusion stems from her tendency to divide ancient acting theories into two groups – those that privilege skill versus those that use absorption/possession to achieve mimesis. These categories are valid, but ancient anecdotes about the theatre rarely divide so neatly and, in Polus’ case, even Duncan (2005, 67) is forced to admit that the actor displays a lot of absorption in the role. The analysis of Ringer 1998, 2, comes closer to my own, since he compares Polus’ presentation to modern method acting.

grieving family member in everyday life and in the theatre. Polus' action is an extreme form of realistic representation at the same time as it theatricalizes his experience by channeling what is unique and personal into the more standardized and universal vessel of a staged character. Polus uses his grief to fashion a dramatic *persona* like Quintilian uses his grief to fashion a public one.

Even Quintilian's seemingly private *persona* of the grieving father reveals itself as a typology to some extent. Zinsmaier's study pinpoints numerous stylistic features that Quintilian's prooemium shares with extant declamation texts about bereaved parents: Quintilian focuses on the image of the funeral pyre (*I.O.* 6. *pr.* 3; compare: *DMai.* 4.22; 5.17; 6.23; 8.7; 10.4; 10.16); he regrets his continued life (*I.O.* 6. *pr.* 3; compare: *DMai.* 6.1; 6.23; 18.17; and Seneca, *Contr.* 4.1 and 8.1); he consoles himself with the thought that Fortune can do nothing more to him now (*I.O.* 6. *pr.* 15; compare: Seneca, *Contr.* 4.1 and 5.1).⁶⁸ These *topoi* seem fairly standard, and they are certainly not unique to declamation just as they are not unique to Quintilian.⁶⁹ But Quintilian, as a teacher of rhetoric, is most likely to frame his thoughts within the stock themes and stereotyped emotions of the declamatory tradition.⁷⁰ What is more, the characters in declamation texts represent social roles – mother, father, priestesses, tyrants – so that engaging in these speeches was a form of enculturation and social training.⁷¹ Since

⁶⁸ Zinsmaier 2003, 160-64.

⁶⁹ Zinsmaier 2003, 157-59, gives a variety of other examples, including epigraphic evidence.

⁷⁰ Especially since, in this preface, Quintilian's style is thoroughly typical of its era. Winterbottom 1975, 91, observes: "when he does pull out all the stops, Quintilian is clearly not *trying* to write like Cicero. The lament for his wife and children is moving enough; but its rhythms and mood are those of the first century A.D." Zinsmaier 2003, 156, concurs: "Aber wohl nirgendwo deutlicher als hier offenbart sich der Klassizist und Ciceronianer Quintilian als ein Schriftsteller seiner Epoche." Overall, Zinsmaier 2003 shows how the preface to *I.O.* 6 fits the prevailing style of the declamation schools. On declamation's stock themes and stereotyped emotions, see Wooten 1976, 68-72.

⁷¹ This is the main point made by Bloomer 1997a, who regards declamation as a way for young Roman men to practise the kind of social mastery and gendered behavior that will later be expected of them in professional/social contexts. Similar ideas can be found in Kaster 2001 and Corbeill 2007.

declaimers were accustomed to deliver their speeches in *persona*, that is, in the litigant's voice rather than the orator's, their activity combined the literal and figurative aspects of performed identity. When a declaimer spoke as a grieving father, his action confirmed this *persona* as a public role, presented to an audience and shaped according to social precedent. Therefore, when Quintilian uses standard, declamatory *topoi* to express his personal loss, he is also performing a social role to some extent. His particular experience as a grieving father becomes a standard, declamatory *persona*.

Such performance of social identity is even more apparent Book 4 of Seneca's *Controversiae*. In the preface to this Book, Seneca recounts the contrasting conduct of two declaimers who have each lost a son: Asinius Pollio remains steadfast despite his misfortune, dining the very day his son dies and declaiming three days afterwards (*Contr. 4 praef.* 4-6); Haterius, on the other hand, continues to give in to grief long after the initial event of his bereavement and even dissolves into tears when declaiming in the role of the bereaved father (*Contr. 4 praef.* 6). The primary purpose of this anecdote is for Seneca to pass judgement on his friends' level of emotional restraint and manliness, yet it also reveals a lot about performed identity and social *personae*, especially since Seneca's text, like Quintilian's, matches preface with subsequent material: *Controversia* 4.1 features a bereaved father suing a young man who has dragged him from the graveside of his three dead sons, given him a haircut, changed his clothes, and forced him to attend a party.⁷² With such a combination of circumstances, this

⁷² Sinclair 1995, 100-101, notes this correspondence. The scenario is stated as follows: *amissis quidam tribus liberis cum assideret sepulchro, a luxurioso adulescente in vicinos hortos abductus est et detonsus coactus convivio veste mutata interesse. dimissus iniuriarum agit*. Letting one's hair grow long was a mark of mourning in Roman culture, a fact that accounts for the otherwise silly-sounding detail of a haircut. For the issue of manliness, see Leigh 2004, 122 and 140. Seneca makes it quite clear that Pollio is an *exemplum* of good, manly conduct under difficult

declamation resembles Seneca's prefatory story of Asinius Pollio: both Pollio and his declamation counterpart have their recent grief curtailed by a social gathering, the former out of choice, the latter from compulsion.⁷³ Unfortunately, *Controversia* 4.1 is preserved in excerpt only,⁷⁴ so we cannot know which declaimers participated in it, nor if Pollio, like Quintilian, used such rhetorical material to enact his own emotional situation. Still, Seneca's pairing of preface and first scenario reveals an interest in *persona*, in this case, the *persona* of the grieving man, how he should conduct himself in public and how he should be allowed to conduct himself. By introducing scenario 4.1 with two stories of actual loss, Seneca equates real situations with declamatory ones and regards the two as affecting each other: a man may bring his real experience to the declamation topic and the topic will ensure that that experience is granted a public typology.⁷⁵

This is even more noticeable in the case of Haterius, the second of Seneca's prefatory *exempla* (*Contr.* 4 *praef.* 6) and a man who elides his own misfortune with that of the *persona* he is enacting. Seneca reports: *memini, cum diceret controversiam de illo qui a sepulchris trium filiorum abstractus iniuriarum agit, mediam dictionem fletu eius interrumpi* ("I recall when he [i.e. Haterius] was speaking the *controversia* about the man who sues for damages after having

emotional circumstances when he exclaims (*Contr.* 4 *praef.* 6): *o magnos viros, qui fortunae succumbere nesciunt et adversas res suae virtutis experimenta faciunt!*

⁷³ Seneca quotes Pollio as saying, *eo die cenavi, quo Herium filium amisi* in response to Augustus' complaint that a good friend of his dined *pleno convivio* despite Gaius Caesar's recent death (*Contr.* 4 *praef.* 5). While *cenavi* on its own need not imply dining *in company*, this fact must be understood in order for the comparison to work. We can therefore assume that Pollio, like Augustus' unnamed friend and like the father of *Controversia* 4.1, dined with others, not alone.

⁷⁴ Winterbottom 1974, xix-xx, gives a brief but informative summary of the manuscript tradition. Håkanson 1989, v-xvii, is more detailed.

⁷⁵ Declamation appears to have been particularly adept at producing and reinforcing social roles and typologies. On this topic, see Bloomer 1997a.

been dragged away from the graveside of his three sons, he broke off in tears, mid-speech”, *Contr. 4 praef. 6*) Here Seneca imagines Haterius occupying the role of the bereaved father both in actuality and in declamatory presentation: both are performances and both inform, affect, and permeate each other. Not only does Haterius’ real grief intrude upon his presentation, but it also adds to the intensity and general quality of his speech, at least according to Seneca: “after weeping, he spoke with so much more force and wretchedness that it was clear how great a part grief can sometimes play in someone’s talent” (*deinde tanto maiore impetu dixit, tanto miserabilius, ut appareret quam magna interim pars esset ingenii dolor, Contr. 4 praef. 6*). Haterius’ experience is therefore put to use in achieving an oratorical effect just as Polus’ grief achieves a theatrical one. As in Quintilian’s prooemium, so in Seneca’s story of Haterius: rhetorical grief converges with actual grief to produce a precisely circumscribed, publicly identifiable *persona* that is literally enacted either in front of an audience attending a declamation, or in written form, in a handbook for those who will teach and study precisely such rhetorical tricks.

Seneca’s text, then, reveals the same concerns as Quintilian’s inasmuch as it conflates actor with character, praises realistic representation and the use of real material, and translates personal experience into public *persona*. The prefaces to *Institutio Oratoria* Book 6 and *Controversiae* Book 4 depict orators’ and declaimers’ identities as deliberate, careful performances. Quintilian’s text advertises its writer as a skilled emotive pleader and a rhetorician acutely aware of social roles. The *Controversiae* passages show orators (Pollio) and declaimers (Haterius) literally enacting their own public *personae* in front of an audience. Haterius in

particular emphasizes the performed nature of his identity by merging his own experience with that of the imaginary litigant whose case he is pleading.

Further, although philosophical notions of *persona* do not originate in the first-century C.E., the early imperial period is so obsessed with staging real material that public identity becomes more self-consciously performative. It also becomes more pervasive. When Cicero imagines the orator as a role, he imagines a man exploiting his natural abilities to play the part best suited to him. Quintilian, on the other hand, assumes an orator's *persona* even when he is not in his official capacity. Cicero plays whichever part the drama of his life demands; Quintilian and Seneca focus on how such roles are constructed. Quintilian's and Seneca's accounts express a sense of deliberate self-fashioning while Cicero comes across as more natural. It is a difference resulting from first-century C.E. performance culture, which focuses above all on the actor's relationship to his material and on performance as a process rather than a finished product.

Conclusion

When Cicero's Crassus defines orators as *actores veritatis* and actors as *imitatores veritatis*, he creates a false dichotomy. The division grows all the more false during the early empire, when performances strive to approximate real life. By minimizing simulation and bringing real material on stage, first-century C.E. theatre and spectacle diffused the actor's status as an imitator and master of mimetic art. Confronted by a performance culture that specialized not in imitating *veritas* but in simply presenting it, a Roman orator's self-definition became less secure. Distrusting simulation of any kind, Quintilian advises orators to elide their subjectivity with that of their clients in order to produce a more accurate and therefore more convincing performance.

Bringing real material into one's act was likewise viewed as desirable, with the extreme result that Quintilian makes an instructive display of his own grief in the preface to Book 6. Contrary to Quintilian's aims, however, these practices merely narrow the gap between professional orators and professional performers. At the end of the first century C.E., the Roman orator was an *actor veritatis* in a sense far different from Cicero's.

Further, the orator was intrinsically a performer in the sense that he enacted a specific, public identity. Although this idea has currency long before Rome's change to autocratic rule, its implementation grows more self-conscious in Seneca the Elder's and Quintilian's lifetimes. In fact, Seneca's anecdotes in the *Controversiae* reveal declaimers literally presenting themselves as roles, combining their own *personae* with the *dramatis personae* in their speeches. While Cicero envisages identity as an act, declamation transforms it into one in the most fundamental sense: a declaimer plays a role in front of an audience.

At the same time, these developments in Roman oratory reflect broader trends in Roman society. As William Worthen observes, any society that uses theatre as a guiding metaphor for social interaction will generate theatricalized behavior to a greater degree, and with theatricalization comes the notion that a person's identity is a public role.⁷⁶ In Rome, the metaphor of life as drama was given quite literal expression by the socially stratified seating that characterized both theatre and Circus. Although reserved seating in the theatre had been assigned to Roman senators as early as 194 B.C.E., the privilege was seldom observed until Augustus

⁷⁶ Worthen 1984, 81-4. Worthen is talking about the sentimental theatre of 18th-century England, but his proposition fits 1st-century C.E. Rome just as well.

instigated firmer and more thorough modes of stratification.⁷⁷ Besides reserving orchestra space for senators, Augustus separated men from women, ensured that no foreign envoys could sit with Rome's patricians, and banned anyone except those occupying the back rows from wearing dark cloaks (Suet. *Aug.* 44).⁷⁸ Claudius followed suit, extending the senators' privilege to seats in the Circus (Suet. *Claud.* 21), while Nero reserved fourteen rows for the knights (Suet. *Nero* 11; Tac. *Ann.* 15.32.2). Domitian even enforced the wearing of togas at public shows, thereby "stressing the civic identity of the spectators".⁷⁹ Dividing theatre audiences according to social rank appears to have been a particular preoccupation of Rome's early emperors and a pervasive aspect of public shows throughout the first century C.E. Jean-Marie André remarks that this system of seating transforms the theatre into a microcosmic representation of Roman society.⁸⁰ I would add that the reverse is also true: the theatre's seating arrangement makes Roman identity inherently theatrical. It presents social typologies as performances and promotes a form of social conduct that is based on dramatized self-awareness. This is especially true for the Roman elite, who sat in the orchestra and so occupied an intermediate position between the performance proper and the

⁷⁷ On Augustus' *lex Julia theatralis*, see Rawson 1987. For a thorough study of imperial and pre-imperial seating arrangements in the Roman theatre, see Bollinger 1969, 1-24.

⁷⁸ Since dark cloaks were a sign of lower status, we can make the further inference that Augustus treated clothing like costumes in this instance. One's identity is defined via outward symbols and via one's place in the microcosmos of the theatre.

⁷⁹ As Bartsch 1994, 200 n.66, comments. A full list of references accompanies her observation.

⁸⁰ André 1990, 165-67. To some extent this is also true of Greek theatres, where prominent individuals and priests enjoyed the right of *prohedria* (front-row seats), sections were reserved for the council, and people may have been grouped according to tribe or citizenship. Evidence for the classical period is, however, slim: the practice became more consistent and prominent in imperial times. On the Greek theatre audience, its arrangement and composition, see Pickard-Cambridge 1968, 263-70. Another factor ensuring greater theatricality in the Roman theatre was the emperor's presence as spectator and evaluator not only of the performance, but also of the audience, on which, see Bartsch 1994.

rest of the audience.⁸¹ For an upper class Roman of the early empire, being an audience member at the theatre was equivalent to being a member of society: both demanded a calculated positioning of the self; both defined identity in the context of drama. Onstage and off, everyone was a *persona*.

Under such social conditions, orators evidently needed to manage their *personae* carefully, monitoring their self-presentation to ensure that it suited their profession and status. This topic occupies the following chapter.

⁸¹ This fascinating point comes from Parker 1999, 166 and 171-72, who suggests that the Roman elite's position in the orchestra made them into a potential source of spectacle for the rest of the theatre audience, and a potential source of ridicule for the actors on stage.

VIR BONUS SALTANDI PERITUS?

Introduction: Body Language

Delivering a speech before an audience was the ancient orator's fullest opportunity for self-fashioning. It was the moment when a pleader used his voice, his dress, and his body to convey and enhance the content of his words. Logically enough, it was also the moment when orators were most prone to resemble actors. Ancient rhetorical treatises and handbooks acknowledge this possibility without hesitation and, discussions of emotion aside, draw their most frequent analogies with the stage when describing a pleader's vocal modulations or how he ought to move. Delivery, it seems, was best explained in theatrical terms.

Roman writers, however, were seldom comfortable with this analogy, because it linked two professions that their society strove to keep separate.¹ Their works on rhetoric thus refer to the stage in predominantly negative terms, calling up the analogy only to illustrate what an orator *should not do*.² Even Cicero warns his readers against delivery that is too *scaenicus* (*Brut.* 203; *De Or.* 3.220) and he, more than any other Roman orator, displays a genuine interest in the theatre and a sincere appreciation of its techniques.³ Naturally, writers expressed varying degrees of hostility, yet a closer look at Latin rhetorical handbooks reveals a consistent trend: they are

¹ For discussion of why and how Roman society stigmatized the acting profession, see Introduction, 2 (esp. notes 7-9). Studies that address the issue include: Dupont 1977, 64-65; Leppin 1992, esp. 71-83; Csapo and Slater 1994, 275-79; and Edwards 1993, 123-26 and 1997.

² Gunderson 2000, 111, defines this practice as a "movement of rejection". I do not agree with Dupont 2000, 10, who argues that the actor is neither a model nor foil for the orator because interaction between the two professions occurred only in discourse, not in practice. That Roman rhetorical discourse clearly *does* use the actor as a foil reflects more general elite acknowledgement of the orator/actor binary. And this pairing has a long history: Terence plays on the idea in the prologue to his *Heauton Timoroumenos* (11-15). For further discussion of actors as the "models and foils" of orators, see Fantham 2002.

³ On Cicero's interest in the theatre, see Wright 1931, Winniczuk 1961, 213-22, and Laidlaw 1962, 139-42.

more likely to reprove a pleader for gesturing in a theatrical manner than for using his voice like an actor. Hence the *Rhetorica ad Herennium* exhorts orators “not to gesture with noticeable grace or ugliness” for fear they resemble “actors or workmen” (*in gestu nec venustatem conspiciendam nec turpitudinem esse, ne aut histriones aut operarii videamur esse, Rhet. Her.* 15). Quintilian likewise considers it worse that an orator move theatrically (*I.O.* 11.3.88-89; 11.3.103; 11.3.123-25; 11.3.181-83) than speak theatrically (*I.O.* 11.3.57; 11.3.91), and Gellius (*N.A.* 1.5) tells how Hortensius earned the title *Dionysia*, the stage name of a contemporary mime artist, precisely because people thought him *gestuosus*.⁴ Cicero’s views are slightly more balanced (*De Or.* 1.128 and 1.251), but even he advises that pleaders avoid ‘stagey’ gesture (*De Or.* 3.220; *Brut.* 203) while elsewhere praising the theatre as a valuable resource for vocal training (*De Or.* 1.128, 1.156, and 1.251).⁵

Curious as the distinction may seem, there is a very simple explanation for it: Latin’s rhetorical vocabulary. Unlike Greek, which used a single word, ὑπόκρισις, to cover each and every one of the activities involved in delivery, Latin had two terms: *actio* and *pronuntiatio*.⁶

⁴ My assertion about Quintilian may seem disingenuous given that he devotes a far greater portion of his work to gesture (*I.O.* 11.3.65-184) and covers voice in a smaller section (*I.O.* 11.3.14-65). Yet his references to the stage remain disproportionate even when we take this into account. On the Gellius passage, Gunderson 2000, 129, notes that Hortensius’ critics not only class him as a performer, but also treat him like one by interrupting his speech and assailing him with epithets as a theatre crowd might do.

⁵ Similarly, at *De Or.* 3.224, Crassus ranks voice above gesture as the orator’s prime concern during delivery. The main impediment to assessing Cicero’s views on delivery, however, is that he wrote the *De Oratore* in dialogue form: Dugan 2005, 75-171, analyzes the various speakers’ views.

⁶ A fact Quintilian remarks on at moderate length (*I.O.* 11.3.1-2). See Maier-Eichhorn 1989, 11-14, on the various uses of ὑπόκρισις, *actio*, and *pronuntiatio*. The fundamental sense of ὑπόκρισις is, of course, similar to *pronuntiatio*, but Greek texts use the term to signify delivery *in toto* – as in Arist. *Rhet.* 1386a – or even physical as opposed to vocal presentation, like in Plutarch *Vit. Dem.* 7.6, where Demosthenes descends to his underground

Though often employed interchangeably, these two words each represent a distinct aspect of oratorical performance: the physical and the vocal. Further, only one of them allows for any analogies with the theatre. Via its related forms, *agere* and *actor*, *actio* is the closest Latin comes to replicating the semantic associations of ὑπόκρισις.⁷ Whereas the Greek term applies equally to an actor's performance and to the fifth component of rhetorical study, Latin's vocabulary singles out movement as the more inherently dramatic aspect of an orator's delivery. Erik Gunderson observes that Roman texts on oratory inevitably associate the actor with the body.⁸ I would add that this connection results from vocabulary as much as from cultural prejudice. Given the connotations of *actio*, it is little wonder that Roman rhetorical handbooks take special care to distance the pleader's gesture from the performer's: this was the point where, linguistically at least, the two professions had most in common.

Vocal work, in contrast, presented less of a threat. Speaking was what defined the orator, and his professional title indicated this primary skill. In fact, according to Cato the Elder's famous dictum, an orator was simply a *vir bonus dicendi peritus* ("a good man skilled in speaking" *Rhet.* fr. 14 Jordan). Hence, *pronuntiatio* was entirely within the orator's domain; it evoked no specific associations with the stage, so theatrical analogies could be drawn without fear of jeopardizing oratory's elite status. Whether actual practice reflected this cognitive

chamber "to shape his (physical) delivery and train his voice" (πλάττειν τὴν ὑπόκρισιν καὶ διαπονεῖν τὴν φωνήν).

⁷ Dupont 2000, 13-23, remarks that Latin writers never use *actio* to refer to stage action, only to oratorical delivery, and so argues that the word has no theatrical connotations: "l'*actio* désigne l'acte de parler devant une assemblée civique, bien ou mal, l'énonciation oratoire, tandis que l'*hypokrisis* désigne la mise en scène de toute énonciation en publique, civique ou non." It is a distinction I find overly subtle, especially since *agere* and *actor* apply to both oratory and the theatre. More details on the semantic range of these words can be found in Chapter 1, 19 n. 6.

⁸ Gunderson 2000, 112.

division is a question we cannot answer. But Latin's variant terminology certainly appears to have affected Roman assumptions and prejudices regarding delivery.

The challenge for Latin rhetorical discourse, then, was to reclaim *actio* from the theatre, to recommend gestural training as appropriate and justified. When Cicero approaches the topic, it is no accident that he introduces *actio* as belonging fundamentally to the pleader: *est...actio quasi corporis quaedam eloquentia* ("delivery is a sort of bodily eloquence", *Or.* 55). He has Crassus voice an almost identical opinion at *De Or.* 3.222: *est actio...quasi sermo corporis* ("delivery is like the language of the body"). In each instance, Cicero reconfigures physical delivery as a kind of speech.⁹ He plays on the literal meaning of *actio* in order to make a serious point about acceptable styles of delivery. The *actio/pronuntiatio* antithesis underlies his statement, and by using the former term, Cicero manages to minimize *actio*'s theatrical associations in favor of oratory's dominance in the art of speaking. Imagining gesture as a variety of eloquence was oratory's way of appropriating it, incorporating it and ultimately, controlling it. The body was fine so long as it was a part of language.

So, a polarity of movement and speech, body and voice defined the Roman orator's delivery. Such distinctions, moreover, became increasingly acute and problematic during the early empire, as changes in performance culture rendered the actor's art more gestural than ever before. Significantly, first-century C.E. Rome witnessed the official introduction of a new entertainment genre, one that literally divided gesture from speech: pantomime. How rhetorical theory reflected and responded to this development is the subject of my ensuing investigation.

⁹ A point noted by Dugan 2005, 157.

Silent Speech

At the games of Marcellus in 23 B.C.E., a performer name Pylades presented a new kind of entertainment, which involved a mute dancer acting out mythical narratives to the accompaniment of a chorus and a flute.¹⁰ This is the simplified version of pantomime's arrival in Rome. The properly academic version reveals a much more complex genesis: pantomime developed from pre-existing Greek dance traditions and is attested in Greek inscriptions as early as the 80s B.C.E., though it did not arrive in Rome until Augustus' reign, where its major practitioners – and possibly, innovators – were the performers Pylades and Bathyllus.¹¹ From there, it gained immense popularity in Rome, even to the extent of provoking riots under Tiberius and Nero.¹² No matter which version we choose, however, the fact remains that pantomime was a popular art form in Quintilian's day, while it was essentially unheard of in Cicero's. Though long established in the Greek east, the practice of narrative dance had scant

¹⁰ I paraphrase the information given in Jerome's annotation of Eusebius' *Chronicle*: *Pylades Cilex pantomimus, cum veteres canerent atque saltarent, primus Romae chorum et fistulam sibi praecinere fecit*. Jerome gives the date as 22 B. C.E., but Jory 1981, 148, proposes 23 B.C.E. and the games of Marcellus as more appropriate timing.

¹¹ Evidence for a pre-existing Greek tradition of narrative dance can be found in Xenophon's *Symposium* 9.3-7, where two performers mime Ariadne's marriage to Dionysus. Weinreich 1984, 128, and Wüst 1949, 840-41, regard this scene as proto-pantomime, a conclusion Garelli 2007, 80-82, refutes. In either case, the passage remains an early instance of a mythic scene being mimed to music and so, important testimony for later genres of narrative dance. Another possible piece of early evidence is an epigram from the 3rd century B.C.E. (*Anth. Gr.* 11.195) describing a dance performance. It, too, is contested, with Weinreich 1948, 215, and Kokolakis 1959, 12, regarding it as pantomimic while Garelli 2007, 82-91, disagrees. Earliest inscriptional evidence for pantomime comes from Priene (c. 80 B.C.E: *I. Priene* 113) and Delphi (84-60 B.C.E: *S.E.G.* 1.167): both are analyzed by Robert 1930, 106-22. On pantomime's invention by Pylades and/or Bathyllus during the reign of Augustus, Jory 1981 is a careful and sensible study of difficult sources. Garelli 2007, 149-68, is also helpful on this topic. Other, more general studies of ancient pantomime include: Lada-Richards 2007; Webb 2008; and the volume of essays edited by Hall and Wyles 2008.

¹² For analysis of this strange phenomenon, see Bollinger 1969, 24-71; Jory 1984; and Slater 1994 and 1993, 205-12.

history in Rome prior to the principate. And it would not be excessive to call pantomime the single most significant theatrical development of the early empire.¹³

As for the performance itself, pantomime was a gestural art. Musicians and singers worked as auxiliaries, supporting the dancer's silent movement, and libretti, though used, were considered trivial and ephemeral (the latter of which assumptions history has, unfortunately, confirmed).¹⁴ Compared to tragedy, comedy, and the improvisational genre of mime, pantomime dance was unique in privileging movement over speech. Describing the art in his *De Saltatione*, Lucian even claims that skilled dancers could make themselves understood without any help from a chorus. His anecdote concerns a cynic philosopher, Demetrius, whose dismissive assessment of the pantomime provokes one particular dancer to prove his skill minus costumes, castanets, and libretto. The dancer performs for Demetrius in private and narrates, through movement alone, the love affair of Ares and Aphrodite. By the performance's end, Demetrius is so persuaded that he exclaims, ἀκούω, ἄνθρωπε, ἃ ποιεῖς: οὐχ ὁρῶ μόνον, ἀλλά μοι δοκεῖς ταῖς χερσὶν αὐταῖς λαλεῖν (“I hear, sir, what you are doing: not only do I see it, but you seem to

¹³ Significant both because it endured long into late antiquity and because, in the early empire at least, pantomime artists were known to associate with members of the elite. Webb 2008 studies dancers in high and late empire, while Morel 1969; Sick 1999; and Slater 1994, 122-32, investigate when and how pantomime performers interacted with members of Rome's upper classes. Some pantomimes could achieve considerable wealth and influence, as *ILS* 5186 demonstrates.

¹⁴ That is, by destroying all traces of pantomime libretti, with the possible exception of the so-called ‘Barcelona *Alcestis*’, which Hall 2008 suggests as the sole surviving example of a genre that was once so prevalent. On the topic of who accompanied the solo dancer and how, see Lucian *De Salt.* 2, 30, 35, 63, 64, 68, and 84; Macrobius *Sat.* 2.7.18; Libanius *Or.* 64.69; and Jerome's comment on Eusebius' *Chronicle* for the year 22 B.C.E. (above, n. 10). Further sources, as well as a useful summary of pantomime accompaniment, can be found in Lada-Richards 2007, 41-42.

Of course, the fact that pantomime libretti have not survived does not imply that other lost texts were considered “trivial and ephemeral”. Antiquity regarded Menander as the greatest comic playwright, yet only fragments of his work remain.

me to speak with your very hands”, *De Salt.* 63). Like Cicero’s *eloquentia corporis*, Lucian’s Demetrius represents gesture as a kind of verbal communication: the dancer speaks with his hands and the spectator hears what is being depicted (ἀκούω... ἃ ποιεῖς).¹⁵ Such comparison envisages gesture as a sign system that is equal to language and hence a potential alternative to it.¹⁶ The pantomime dancer does not simply favor movement over speech, but creates a gestural language that, for Lucian’s Demetrius at least, surpasses more literal forms of communication.

It is, however, a coincidence that Lucian’s description of pantomime at *De Salt.* 63 resembles Cicero’s definition of *actio* at *De Or.* 3.222 and *Or.* 55 (above). Lucian is not alluding to oratory at this particular point in his treatise although, as we shall see, he certainly does so elsewhere. Rather, when Lucian’s Demetrius exclaims that the pantomime performer is “speaking with his hands”, he adopts a cliché found in many other accounts of mimetic dance. An epigram from the *Greek Anthology*, for instance, portrays pantomime’s Muse, Polyhymnia, as “speaking through the palm’s enchanting movement” (φθεγγομένη παλάμης θελξίφρονα παλμόν, *Anth. Gr.* 9.505). Elsewhere in the same collection, Antipater of Thessalonica praises the dancer Pylades for his “expressive hands” (παμφώνοις χερσὶ, *Anth. Gr.* 16.290). Similar phrases appear in Nonnus (*Dion.* 7.21) and Cassiodorus (*Variae* 4.51.8).¹⁷ Clearly, the paradox

¹⁵ On pantomime’s ‘body language’ more generally, see Robert 2009, 231-40.

¹⁶ Robert 2009, 237, remarks that in Lucian’s descriptions, gesture attains a semiotic value equal to words.

¹⁷ Further examples and analysis can be found in Robert 2009, 235-37, and Lada-Richards 2007, 44.

of gestural language was one few writers could resist using when it came to depictions of pantomime.¹⁸

Still, there are other occasions in the *De Saltatione* when Lucian describes pantomime gesture as a form of speech because he wants to draw a comparison with oratory. In this regard, Lucian's aim is broadly similar to Cicero's. Both writers attempt to make gestural skill acceptable to an elite, educated audience by equating it with the main outcome of that education: oratorical skill. Cicero, as we have seen, matches movement and language in an attempt to imbue *actio* with oratorical rather than theatrical associations. Lucian approaches the actor/orator relationship from another angle. Not concerned with minimizing oratory's theatrical aspects, Lucian's *De Saltatione* connects dance and rhetoric in an effort to present pantomime as entertainment worthy of a sophist's attention.¹⁹ Though the treatise's tone is tongue-in-cheek – a quality it shares with all of Lucian's work – *De Saltatione* still constitutes a valuable source for our understanding of oratory's vexed relationship with the stage and with gesture specifically. Granted that Lucian composed this work in an era and a location far removed from first-century C. E. Rome, and for a society less inclined to stigmatize performers, the text still warrants inclusion in my study, and for two reasons.²⁰ First, it shows how pantomime and oratory could be regarded as parallel activities. This is no small thing: without Lucian's evidence, the

¹⁸ Weinreich 1948, 140-45, and Wüst 1949, 853, both recognize this as a common *topos* of pantomime descriptions.

¹⁹ Lada-Richards 2007, 79-103, is right to argue that Lucian's *De Saltatione* represents pantomime as a form of highbrow entertainment in harmony with Second Sophistic notions of *paideia*. She does not, however, pursue this argument far enough: when Lucian's Lykinos defends pantomime, he himself behaves like a sophist declaimer, presenting a viewpoint not because he necessarily believes in it, but for the sake of intellectual display. The work's double level of sophistry should caution us against taking Lykinos' claims too literally.

²⁰ Csapo and Slater 1994, 221-85, is a useful collection of source material regarding actors' contrasting status in Greece and in Rome. It is clear that Greek actors enjoyed grants of citizenship, priesthoods, and diplomatic missions through the Hellenistic period. Whether this prestige continued under the Second Sophistic is a question strangely absent from secondary literature – one certainly worth exploring.

correspondence would seem less secure, especially when we consider that the two pursuits are so fundamentally antithetical.²¹ The analogies Lucian draws in the *De Saltatione*, then, enable us to detect instances of earlier writers doing the same. Second, Lucian's work assimilates gesture to speech in a manner that illustrates quite nicely the Roman orators' anxieties about *actio*. Of course, Lucian himself is not working within the constraints posed by the Latin *actio/pronuntiatio* dichotomy, but his text does show how pantomime fits into this pre-existing binary and has the potential to create even deeper divisions between voice and gesture. So, before examining the views of Quintilian, Tacitus, and their contemporaries, I wish to digress, briefly, into Lucian's treatment of pantomime.

The principal speaker in Lucian's dialogue, Lykinos, is an adherent and enthusiastic defender of the pantomimes' art. He justifies his interest by ranking the dance with serious pursuits like natural and moral philosophy (*De Salt.* 35) and especially, rhetoric: οὐ μὴν οὐδὲ ῥητορικῆς ἀφέστηκεν, ἀλλὰ καὶ ταύτης μετέχει, καθ' ὅσον ἡθους τε καὶ πάθους ἐπιδεικτικὴ ἐστίν, ὧν καὶ οἱ ῥήτορες γλίσχονται ("nor does the dance stand apart from rhetoric, but has a share in this art as well, inasmuch as it is a display of character and passion, something orators strive for too", *De Salt.* 35). Lykinos reiterates the comparison later in his defence when he asserts that ὑπόκρισις is the main aim and occupation for rhetoricians as well as pantomimes: Ἡ δὲ πλείστη διατριβὴ καὶ ὁ σκοπὸς τῆς ὀρχηστικῆς ἢ ὑπόκρισις ἐστίν...κατὰ τὰ αὐτὰ καὶ

²¹ One using the medium of speech, the other silent gesture, as Robert 2009, 225, observes.

τοῖς ῥήτορσιν ἐπιτηδευσμένη (*De Salt.* 65). Since Lykinos proceeds to talk about declaimers presenting speeches *sub persona*, ὑπόκρισις in this instance must mean not delivery *per se*, but delivery in character (‘role play’). Beyond the specific semantics, however, it is clear that Lucian exploits the double sense of ὑπόκρισις in order to link pantomime with oratorical activity. He does the same in Lykinos’ earlier analogy, which contains a clever pun. As Silvia Montiglio observes, ἐπιδεικτική is a perfect word for connecting oratory and dance because it simultaneously conveys ideas of physical display and epideictic rhetoric.²² In each instance, therefore, Lucian’s Lykinos aligns pantomime with the main rhetorical activity occurring in the Eastern empire in the second century C.E: display oratory or declamation.²³ The result is that he makes pantomime seem like an innately sophistic and hence, sophisticated form of entertainment.²⁴

In fact, the entire text of *De Saltatione* conveys the impression that dance and oratory belong side by side. Apart from explicit analogies, Lucian’s text draws numerous implicit parallels between the two practices, most of which have been collected and analyzed in a recent article by Fabrice Robert (2009). This careful study shows how rhetorical concepts and terminology saturate Lucian’s *De Saltatione* with the result that pantomime is always defined by its antithesis: language.²⁵ Speaking of a dancer’s mistakes, Lucian’s Lykinos employs the

²² Montiglio 1999, 269 n.23. The ἐπιδεικτικόν γένος λόγων was the third branch of oratory (Arist. *Rhet.* 1358b8).

²³ Russell 1983 is an informative and highly readable overview of Greek declamation. Gleason 1995 and Lada-Richards 2007, 114-20, analyze the theatrical aspects of Second Sophistic display oratory.

²⁴ Lada-Richards 2007, 79-103, treats the various ways in which Lucian’s Lykinos achieves this.

²⁵ Robert 2009, 225-57.

grammatical term *σολοικία* (*De Salt.* 80). He also insists that pantomimes acquire a strong memory and a critical appreciation of literature (*De Salt.* 74), both of which skills derived from an education in rhetoric.²⁶ As we have seen, he links oratory and dance via loaded words like *ὑπόκρισις* and *ἐπιδεικτική*; he also uses the terms *ῆθος* and *πάθος* (*De Salt.* 35, above) to align the dancer's and the pleader's skill in characterization and emotive presentation. The overall effect is that pantomime becomes a pursuit analogous to the orator's.

The Orator's Equal?

Let us return now to our main focus: first-century C.E. Rome. Recent scholarship on pantomime has detected numerous instances in which Roman rhetorical texts appear to mention dancers.²⁷ With the exception of Robert's work, however, scholars tend to cite these instances only in passing, and no one has yet paused long enough to assemble a comprehensive study of early imperial oratory's relationship to pantomime.²⁸ This task therefore occupies the rest of my current chapter. Though first-century Roman evidence is less direct and conclusive than Lucian's, there is good reason to believe that orators from this time period were likewise juxtaposing their activity with that of pantomime artists: scattered observations in Quintilian and

²⁶ Connections noted by Robert 2009, 230 and 237-38.

²⁷ Most of these instances come from Quintilian: see Maier-Eichhorn 1989, 55-6; Aldrete 1999, 54; Garelli 2007, 379-80 (who also notes a passage from Tacitus); Lada-Richards 2007, 118; Robert 2009, 241-44. A precursor to this scholarly trend is Weinreich 1948, 141, who also remarks Quintilian's possible descriptions of pantomime.

²⁸ Garelli 1995, 37-43, comes the closest when she studies dance in general as a Roman symbol for bad or dissolute behavior. She does not, however, sufficiently distinguish the varying genres and movements the terms *saltatio/saltator* designate from the late republican period to the early empire.

Tacitus suggest that the two professions had come to resemble each other at least in discourse and perhaps in actual practice.

At the same time, Quintilian and Tacitus hold a far more negative opinion of pantomime than Lucian does. It is a difference due partly to cultural factors, since the Romans never cultivated and accepted dancing in quite the way that Greeks did, and partly to authorial purpose.²⁹ Unlike Lucian, Quintilian and Tacitus are not writing playful apologetics for the dance but critiquing what they regard as theatrical and licentious delivery styles. To this end, they want to distance orators from stage performers whenever and wherever possible. Their conservative attitude contrasts with Cicero's more permissive one and indicates that by the late first century C.E., theatrical performance had altered in such a way that it posed more of a threat to the orator's self-definition.³⁰ Since pantomime did not exist as a genre in Cicero's day, it may well be the cause of Quintilian and Tacitus' anxiety. Both of them depict it as a pursuit fundamentally opposed to the orator's social identity and elite status. Pantomimic behavior was to be avoided at all costs.

Quintilian even says as much at *I.O.* 11.3.89: *abesse...plurimum a saltatore debet orator* ("an orator ought to distance himself from a dancer most of all"). An emerging scholarly consensus holds that this *saltator* is a pantomime artist, a conclusion borne out by two other passages in Quintilian's text.³¹ At 11.3.66, Quintilian remarks that *saltatio* is a primarily silent occupation (*et saltatio frequenter sine voce intellegitur et adficit*; "dance too often makes it self

²⁹ Garelli 1995, 34-7, explores the difference in Roman and Greek opinions of dance.

³⁰ A contrast made even more noticeable by Quintilian's neo-Ciceronian agenda. For sources on Quintilian's Ciceronianism, see Chapter 1, 30 n.28.

³¹ Maier-Eichhorn 1989, 55-6; Aldrete 1999, 54; Garelli 2007, 379.

understood and move us without the aid of speech”), while in Book 6 he uses *saltator* as a clear equivalent for *pantomimus*:³²

nam et finitione usus est Augustus de pantomimis duobus qui alternis gestibus contendebant, cum eorum alterum saltatorem dixit, alterum interpellatorem.

For Augustus used ‘definition’ concerning two pantomimes, who were contending with alternating gestures, since he called one a dancer, the other an interrupter.

(*I.O.* 6.3.35)

As in Lucian’s text, so in Quintilian’s: supreme gestural skill is what defines the pantomime dancer. So, if he influences oratorical delivery styles in any way, it will be in the realm of *actio*, or physical delivery. This in turn is what makes the pantomime such a dubious model for the orator: his defining trait is one that threatens to destabilize the self-definition of those whose main occupation is public *speaking*.

And the worry that orators might imitate dancers clearly troubles Quintilian. At the end of *I.O.* Book 1, where he summarizes the recommended extent of a young boy’s extra-rhetorical activities, he cautions that he does not want to form pupils “who resemble comic actors in their vocal delivery or dancers in their gesture” (*non comoedum in pronuntiatio nec saltatorem in gestu facio*, *I.O.* 1.12.14). Cicero’s Antonius provides similar advice in the *De Oratore*, only he phrases it in positive terms: *vox tragoedorum, gestus paene summorum actorum est requirendus* (“one must try to obtain the vocal style of tragic performers and the gestural style virtually of the greatest actors”, *De Or.* 1.128). In both cases, the writer divides vocal and physical expertise between two distinct groups of performers, but each chooses different performers. Antonius recommends tragedians for their voice (again at *De Or.* 1.251: *tragoedorum voci serviet*) and by

³² Montiglio 1999, 269, assumes that *I.O.* 11.3.66 is describing pantomime.

summorum actorum he means Roscius, who was famed for his charming movement and specialized in comic roles.³³ By Quintilian's time, however, performance styles appear to have altered, since *I.O.* 1.12.14 (above) indicates that early imperial orators are more likely to model their voices on those of comic actors and their movement on pantomime dancers. *Saltatores* are not an issue for Cicero, and this simple fact may well account for Quintilian's radically different treatment of gesture.

Also, when Cicero's Antonius recommends that orators study Roscius' movement, he is not making the blanket recommendation that any or all actors are potential sources of good oratorical gesture. Roscius was a special case, and his quasi-elite status definitely contributed to his role as a positive example.³⁴ Concerns about elite status and self-presentation were the main reasons for orators to distinguish between *actio* in the theatre and *actio* in the courtroom. A pleader jeopardized his standing if he failed to observe this division sufficiently. Roscius' conduct, on the other hand, upheld the distinction. After becoming an *eques*, Roscius ceased to perform for money, thereby lessening any stigma of *infamia*.³⁵ Moreover, Cicero aligns Roscius' acting style with what he regards as oratory's main aims: *docere, movere, delectare* ("to teach, to move, to delight", *Brut.* 276; *De Op. Gen. Or.* 3.6). Describing the great comic actor at *De Or.* 1.130, Cicero's Crassus remarks: *videtisne quam nihil ab eo...fiat, nisi ita, ut deceat et uti omnis*

³³ Leeman, Pinkster, and Rabbie 1989 *ad loc.* assert that Cicero's Antonius has Roscius in mind at *De Or.* 1.128 and 251. In fact, Roscius was Cicero's main example of decorous movement, on which, see Gunderson 2000, 118-20.

³⁴ Macrobius *Sat.* 3.14.13 reports that Sulla gave Roscius a gold ring – *is est Roscius qui etiam L. Syllae carissimus fuit et anulo aureo ab eodem dictatore donatus est* – which implies the bestowal of equestrian status (Dio 48.45.7; cf. Cic. *In Verrem* 2.29 and 3.137). For a general summary of Roscius' career, see Garton 1972, 158-88.

³⁵ Cicero (*Pro Roscio Comoedio* 23) remarks that Roscius, though continuing to act, refused payment since that would render his activity disgraceful (*sordida*). According to Roman law and social mores, those who earned money from their bodies (actors, gladiators, prostitutes) were *infames*: see Edwards 1997 (and Nepos *praef.* 5). A broader account of *infamia*, its precise legal implications and applications, can be found in Greenidge 1894.

moveat atque delectet? (“do you see how he does everything...in such a way that it is fitting, and that it moves and delights everyone?”). Like the ideal pleader, Roscius’ performance creates an emotional effect (*moveat / movere*) and brings enjoyment (*delectet / delectare*). Although it does not also teach (*docere*), it does achieve its effects via *decorum* (*deceat*), another key principle in Ciceronian rhetorical theory (*Or.* 70).³⁶ Overall, Cicero portrays Roscius’ performance as virtually a form of oratory and therefore an acceptable model for gesture. Like Lucian’s account of pantomime, Crassus’ description endows Roscius’ pursuits with respectability; it aligns acting with oratory, but subordinates the former to the latter.

Quintilian’s concern, by contrast, is that pantomime imperils rather than supports the orator’s self-definition. Both his text and Tacitus’ *Dialogus* present any possible similarities between dancers and orators as reasons for anxiety and discomfort. In fact, the scenario they depict is one in which pantomime threatens to usurp and subsume oratory, rather than vice versa.

Moreover, their worry is based on a very real correspondence between the two professions. Although pantomime’s gestural expertise certainly contrasted with the orator’s linguistic mastery, pleaders and dancers alike shared an interest in movement, especially hand movement, which both professions regarded as the most important of all physical techniques.³⁷ We have seen how Lucian and writers from the *Anthologia Graeca* focus on the pantomime’s hands. Mimetic manual gesture was, in fact, the dancer’s particular skill.³⁸ An anonymous

³⁶ See Chapter 1, 45 esp. n. 53.

³⁷ Garelli 1995, 34 and 43, notes this correspondence.

³⁸ Weinreich 1948, 140-45, and Wüst 1949, 853, provide thorough summaries of pantomime’s manual skill. Webb 2008, 75, makes the astute observation that in a large theatre “the mimetic part of their [the pantomimes’] art cannot have relied totally on small and intricate hand gestures, which would have been invisible to most of the audience.” She is right to emphasize that the dancers’ larger physical movement – leaps, twirls, figured poses (Lucian, *De Salt.*

epigram from the *Anthologia Latina* describes a pantomime performing *sollerti...manu* (“with clever hand”, *A.L.* 100). Lucian notes that Lesbonax of Mytilene called dancers χειρισόφους (*De Salt.* 69) and Libanius, writing centuries later, defines mimetic dance as φορὰν χειρῶν (*Or.* 64.57). Closer to Quintilian’s era, the younger Seneca observes, “we are accustomed to marvel at those skilled in dancing because their hand is ready for every expression of things and of feelings” (*mirari solemus saltandi peritos quod in omnem significationem rerum et adfectuum parata illorum est manus*, *Ep.* 121.6). Orators, too, concentrated on manual techniques, of which Quintilian describes approximately twenty at *I.O.* 11.3.85-124.³⁹ Because concern for propriety and seriousness prevented pleaders from fuller physical activity such as running, writhing, or leaping, *actio* was predominantly manual.⁴⁰ Without the hands, Quintilian remarks, delivery would be “mutilated and enfeebled” (*manus...sine quibus trunca esset actio et debilis*, *I.O.* 11.3.85). Seneca similarly regards hand movement as characteristic of advocates in particular: *etiam si disputarem...nec manum iactarem...sed ista oratoribus reliquissem* (“even if I were arguing...I would not wave my hand around...but I would have left such things to the orators”, *Ep.* 75.2).

In fact, orators of the late republic and early empire regarded manual dexterity as important enough to warrant its own course of training. Quintilian reports that young Roman men would spend time in the gymnasium learning *cheironomia*, hand movement, which he

77; Libanius, *Or.* 64.118) – must have been more effective and appropriate in this context. The fact remains, however, that most ancient sources focus on the pantomimes’ hands rather than their bodies.

³⁹ Maier-Eichhorn 1989 is the fullest analytical account of Quintilian’s catalogue. Graf 1992 and Wülfing 2003 are smaller, more focused studies.

⁴⁰ On concepts of physical propriety in Roman oratory, see: Gleason 1995, 103-30; Enders 1997; Richlin 1997, 99-105; Gunderson 2000, *passim* but esp. 59-86.

glosses more generally as “the law of gesture” (*lex gestus*, *I.O.* 1.11.17).⁴¹ He recommends such training as a means of ensuring correct and appropriate bodily movement (*I.O.* 1.11.16), but warns that it should not go too far because he does not want the orator’s gesture to be composed into the resemblance of dance (*neque enim gestum oratoris componi ad similitudinem saltationis volo*, *I.O.* 1.11.19). Since *saltatio* is a very general term, it is difficult to know whether Quintilian’s use of it implies ‘pantomime’ or simply ‘choreographed movement’.⁴² This latter meaning is given by Cicero’s Crassus when, in a passage similar to Quintilian’s, he denies that an orator would be able to gesture sufficiently well *nisi palaestram, nisi saltare didicisset* (“unless he had learnt to wrestle and to dance”, *De Or.* 3.83).⁴³ Here, Crassus is certainly *not* talking about pantomime; his *saltare* refers to *histriones* (*mihi de histrione dicendum*, *De Or.* 3.83), a term Cicero overwhelmingly uses to signify actors, especially of comedy.⁴⁴ Could Quintilian be referring to the same thing?

The contrast between Quintilian’s attitude and Cicero’s indicates otherwise. Crassus’ comparison is positive – orators should learn to ‘dance’ – while Quintilian’s is negative: oratory should not resemble ‘dance’. Since both authors want the orator to move in a culturally appropriate, socially acceptable manner, their difference in opinion probably depends on cultural change. With pantomime’s official introduction, *saltatio* came to designate a specific genre, one

⁴¹ Slater 1994, 132-36, analyzes connections between chironomy and gymnasia in late republican and early imperial Rome. Dickie 1993, 150-51, likewise examines how Greco-Roman gymnasium exercise could involve ‘callisthenics’ and ‘choreographed movement’.

⁴² For instance, Pliny *Ep.* 9.34 uses *saltare* to mean no more than ‘choreographed hand movement’ (*sed puto me non minus male saltare quam legere*). In contrast, *saltator* always implies one who dances for a living.

⁴³ I disagree with Slater 1994, 135 n.86, who cites this passage as evidence for connecting the gymnasia with pantomime. When Cicero wrote these lines, pantomime had not yet been introduced as an official dramatic genre, and although choreographed movement or calisthenics were probably part of gymnastic exercise, they cannot have had the same connotations as they did in Quintilian’s day.

⁴⁴ On Cicero’s use of *histrion*, see Zucchelli 1963, 41-42.

that, via its reputation for gestural eloquence, represented an odd yet persistent parallel to forensic pleading. This may account for Quintilian viewing *saltatio* as a threat while Cicero's Crassus is happy to recommend it.

If we read *I.O.* 1.11.19 as referring to pantomime, we may infer that manual gesture was a point of potential contact and similarity between orators and dancers.⁴⁵ *Actio* had, of course, always presented orators with an opportunity for theatrical behavior, but the ideal orator's performance was meant to respect the bounds of elite identity; it could not resemble stage movement too closely. Pantomime, however, relied on – was defined by – almost exactly the same kind of physical expression as oratory. Consequently, it affected the hermeneutics of oratorical movement. With the emergence of pantomime came the increased risk that a pleader's hand movement might appear theatrical even if he intended otherwise.

Monitoring oratorical hand gestures must have acquired greater urgency and importance under such circumstances, and may in fact account for Quintilian's exceptionally long and thorough treatment of the topic.⁴⁶ *Institutio Oratoria* 11.3.1-184 is a comprehensive catalogue of delivery techniques, encompassing voice and gesture, the latter quite literally from head to foot. Admittedly, Quintilian's was not the only ancient work on delivery: Theophrastus is known to have written a *Περὶ ὑποκρίσεως* and various Latin sources attest to studies by Roscius, Plotius

⁴⁵ Quintilian *I.O.* 1.11.15-19 *may* imply that pantomimes are the ones training young men in *cheironomia*. Morel 1969 demonstrates that Roman elite youths shared other forms of training with pantomime artists, notably for theatricalized military displays like the *lusus Troiae*. Slater 1993, 208-11, examines the evidence for pantomimes and elite Romans training together.

⁴⁶ Graf 1992, 38, attributes the length and detail of Quintilian's catalogue to the Roman audience's lack of familiarity with the orator's gestural vocabulary. I find this unlikely, and am more inclined to agree with Hall 2004, 148-51, who argues that Romans would have known these gestures from their frequent use in official *and* unofficial contexts.

Gallus, Nigidius Figulus, and Pliny the Elder.⁴⁷ While the loss of all these works makes it impossible for us to judge the extent of Quintilian's innovation, *I.O.* 11.3 remains noteworthy for its scope and detail.⁴⁸ Significantly, Quintilian devotes the longest section to hand movement (11.3.85-124), a fact that indicates just how crucial manual dexterity was for the Roman orator. Further, his introductory statement about the hands suggests that he is writing in order to differentiate the pleader's style from that of the pantomime. Let us examine it closely.

At *I.O.* 11.3.85, Quintilian commences his account of hand gesture by asserting that it comes in virtually as many forms as there are words (*manus...vix dici potest quot motus habeant, cum paene ipsam verborum copiam persequantur*; "it is barely possible to say how many movements the hands possess, since they almost match the abundance of words"). He then proceeds to illustrate his statement with a list of verbs and nouns designed to classify hand movements in what Dorota Dutsch terms "a grammar of gesture".⁴⁹ Each movement corresponds to a specific word: by means of hands, we ask, promise, summon, dismiss, threaten, and so forth (*his poscimus, pollicemur, vocamus, dimittimus, minamur, I.O.* 11.3.86).⁵⁰ Like Cicero before him, Quintilian transforms gesture into an act that is fundamentally linguistic and so, appropriate for the orator. Nor is his doing so any coincidence: Quintilian cites both *De Or.* 3.222 (*actio est...quasi sermo corporis*) and *Or.* 55 (*est...actio quasi corporis quaedam eloquentia*) at the

⁴⁷ Quintilian himself mentions works on gesture by Plotius Gallus, Nigidius Figulus, and the elder Pliny (*I.O.* 11.3.143); we know from Macrobius *Sat.* 3.14.11 that Roscius wrote a work comparing rhetorical and theatrical delivery techniques. Again, Roscius is the exception that proves the Roman rule: his social standing enables him to compare oratory and theatre without diminishing the former's respectability. As for Theophrastus' lost work, it is a mystery. We do not know whether it dealt with delivery for orators or actors. On Theophrastus, see Fortenbaugh 1985, 269-88.

⁴⁸ Wöhrle 1990, 43, attempts to show where Quintilian's text draws on Theophrastus' lost work.

⁴⁹ Dutsch 2002, 259.

⁵⁰ I owe this neat idea to Dutsch 2002, 262-68, who classifies Quintilian's gestures as deictic (equivalent to adverbs and pronouns), predicative (equivalent to verbs), and gestures that "show things" (equivalent to nouns).

outset of his section on gesture (*I.O.* 11.3.1), demonstrating that he is aware and approves of his predecessor's definition. In order to avoid theatrical connotations, Quintilian's rhetorical discourse changes movement into speech.

But, as Lucian's *De Saltatione* demonstrates, physical eloquence was a cliché applied to pantomime dance as well. So when Quintilian attempts to portray the body in terms of language, his description sounds remarkably similar to extant accounts of the pantomime's art. For instance, he uses a phrase almost identical to Lucian's (*De Salt.* 63, above) when he observes that the hands *ipsae locuntur* ("speak on their own", *I.O.* 11.3.86). As early as 1948, Otto Weinreich noted that this expression could just as easily denote pantomime as oratory.⁵¹ And when Quintilian concludes his introduction by declaring manual gesture a form of speech common to all people amid the great linguistic diversity of tribes and nations (*in tanta per omnis gentes nationesque linguae diversitate...omnium hominum communis sermo*, *I.O.* 11.3.87), his idea likewise finds its counterpart in Lucian. At *De Saltatione* 64, Lucian portrays pantomime as a *sermo communis* by recounting the story of a Pontic king who, after visiting Nero and attending a pantomime performance, asked to take the dancer back with him as an interpreter. To the extent that it resembles this story, Quintilian's claim sounds more like a description of pantomime than of oratorical movement; consciously or not, his attempt to classify gesture as language ends up evoking the most gestural and least verbal of all contemporary art forms.⁵²

⁵¹ Weinreich 1948, 141: "Er hat den Redner im Auge, aber in wie viel höherem Maße mögen Quintilians Worte Geltung beanspruchen dürfen für den Pantomimen dem das Wort fehlt oder nur in dem bescheidenen Ausmaße eines gesungenen Begleitchores oder Solos hilft." Weinreich, it appears, made this connection at least five decades before any other classical scholar.

⁵² Weinreich 1948, 141, notes this correspondence as well.

As if acknowledging pantomime's rival claim to eloquence, Quintilian follows up his introductory statements with a warning that orators should avoid mimetic gestures such as a doctor taking someone's pulse or a lyre-player plucking some strings (*I.O.* 11.3.88). His depictions are unfortunately too vague for us to ascertain which performance genre, if any, they belong to, but his main point is perfectly clear: the discourse of gestural eloquence is one that orators now share with the stage, so further definition is needed to show exactly how oratorical delivery differs from theatrical display.⁵³ Any movement the orator makes must remain abstract rather than imitative: the advocate should not, like a dancer, fit his gesture to individual words, but use it to evoke the general sense of his speech (*abesse enim plurimum a saltatore debet orator, ut sit gestus ad sensus magis quam ad verba accommodatus, I.O.* 11.3.89).⁵⁴ The same advice appears in Cicero's *De Oratore*, where Crassus recommends a style "disclosing the entire matter and meaning through indication instead of imitation" (*universam rem et sententiam non demonstratione sed significatione declarans, De Or.* 3.220) and counsels pleaders to follow but not to evoke words with their fingers, since the latter practice was considered theatrical (*gestus, non hic verba exprimens scaenicus...digitis subsequens verba, non exprimens, De Or.* 3.220).⁵⁵ The idea in both writers is that an orator's movement should support his meaning without taking the place of speech. Words were the most important aspect of an orator's profession; if he were to employ imitative gestures, movement would usurp the signifiatory power of his language. Little wonder, then, that Quintilian differs from Cicero by mentioning pantomime dance. A

⁵³ Boissier 1861, 338, associates Quintilian's descriptions with pantomime movements. Lada-Richards 2007, 46, interprets both as tableaux from a mime.

⁵⁴ Dutsch 2002, 269-73, analyzes the meanings of *ad sensus* and *ad verba*, which she defines respectively as "imitative" and "symbolic" gestures.

⁵⁵ Dutsch 2002, 269-71, and Fantham 2002, 369 and 373 note this connection.

physical genre credited with eloquence, pantomime must have imbued Cicero's old advice with new urgency.

Quintilian, moreover, is not the only early imperial writer to connect pantomime and oratory. Tacitus' Messalla also links the two pursuits when he inveighs against contemporary pleaders:⁵⁶

quodque vix auditu fas esse debeat, laudis et gloriae et ingenii loco plerique iactant cantari saltarique commentarios suos. under oritur illa foeda et praepostera, sed tamen frequens †sicut his clam et† exclamatio, ut oratores nostri tenere dicere, histriones diserte saltare dicantur.

and most of them boast what ought not even be said, that in place of praise and glory and talent, their writings are danced and sung. From this there arises that exclamation, repulsive and preposterous but also common, that our orators speak delicately and pantomimes dance eloquently.

(*Dial.* 26.3)

Messalla's complaint is not as straightforward as Quintilian's: he does not associate pantomime with gesture specifically, but mentions it in relation to orators' rhetorical styles and general delivery (*forma dicendi*, *Dial.* 26.1). His overall idea, though, follows the trend of portraying dance as an eloquent activity: pantomime appropriates oratorical texts and performs them *diserte*. Further, he implies that pantomime artists are intruding upon the advocate's professional domain rather than vice versa: Messalla may reprimand pleaders for writing dissolute compositions (*licentia compositionis*, *Dial.* 26.2), but dancers are the ones responsible for turning these works into performances. Though such an extreme claim is probably an exaggeration for invective purposes, it also bears intriguing resemblance to what Lucian

⁵⁶ The link is not immediately obvious because Tacitus uses *histrion* rather than *saltator*. In Tacitus' work, however, *histrion* invariably refers to pantomime: see in particular *Ann.* 1.54, 1.77, 4.14, 11.13, 11.28, 14.15, and 14.21. Mayer 2001, *ad loc.* is thus wrong in claiming that *Dial.* 26.3 means mimes; Tacitus clearly has *dancers* in mind. In fact, Csapo and Slater 1994, 371, observe that by the early empire *histrion* came to designate pantomime almost exclusively.

expresses in his *De Saltatione*, namely that pantomime is capable of appropriating and resembling oratory.⁵⁷ That orators could even provide them with an opportunity to do so is, in Messalla's view, shameful.

So, taken altogether, Lucian, Quintilian, and Tacitus imply that pantomime's very existence had the potential to alter what oratory represented. The fact that aspects of rhetorical discourse could pertain to pantomime as well made an orator's professional identity less secure; the genre's rival claim to eloquence encroached on the orator's territory.

Whether Quintilian's and Tacitus' anxiety reflects an actual change in pleaders' movements is harder to ascertain. Concluding his section on gesture, Quintilian remarks in a regretful tone that a more animated delivery style was accepted and even demanded in his day (*sed iam recepta est actio paulo agitator et exigitur*, *I.O.* 11.3.184). In his study of ancient gestures and acclamations, Gregory Aldrete cites this comment as evidence for early imperial oratory adopting increasingly theatrical forms of physical expression.⁵⁸ Situating Quintilian's remark within the rapidly developing performance culture of first-century C.E. Rome, Aldrete surmises that oratorical delivery after Cicero grew in "complexity and versatility".⁵⁹ Given the manifest changes that happened in the theatre, Aldrete's is an inviting hypothesis. It is, however, highly speculative and pays insufficient attention to the numerous instances where Quintilian's advice about movement coincides with Cicero's.⁶⁰ Although, as we have seen, Quintilian often cites different examples from the theatre, his final recommendations are roughly the same as

⁵⁷ Especially since 'dance' was a common term of derogation for an overly physical delivery style – for instance, Gellius *NA* 1.5, and Cic. *Brut.* 225 – and a common invective term in general, as in Cic. *In Pisonem* 18.

⁵⁸ Aldrete 1999, 72.

⁵⁹ Aldrete 1999, 72.

⁶⁰ Hall 2004, 144-60, refutes Aldrete's hypothesis by detailing the instances where Quintilian and Cicero prescribe roughly the same gestures.

those made by his republican predecessor: both writers eschew imitative gesture (*De Or.* 3.220; *I.O.* 11.3.89), both caution against appearing theatrical (*De Or.* 3.220, *Brut.* 303; *I.O.* 11.3.103 and 123). Moreover, since some of the hand gestures Quintilian describes can be matched with the figures depicted in the third-century Terence manuscripts, we can assume a fair degree of continuity in how orators and perhaps even actors were moving.⁶¹ What seems likely, then, is not that pantomime changed oratory's actual physical techniques, but that it altered their associations. Because it likewise specialized in manual movement, because it too professed an *eloquentia corporis* and writers found it easy to link dance with rhetorical discourse: these were the reasons why pantomime troubled conservative orators like Quintilian. This new theatrical genre may not have affected the real practice of *actio*, but it did something far more dangerous: it threatened to destabilize an orator's professional identity as someone whose verbal mastery permeated even his nonverbal presentation.

Conclusion

At the outset of this chapter, I cited Cato the Elder's definition of an orator as "a good man skilled in speaking": *orator est...vir bonus dicendi peritus* (*Rhet.* fr. 14 Jordan). The dictum dates from the second century B.C.E., but it was preserved and valued long enough for Quintilian to make it the central tenet of his educational program (*I.O.* 1 *praef.* 9 and 12.1.1).⁶² Nor is it any surprise that Cato's definition came to boast such longevity: in one simple phrase it expresses an

⁶¹ Maier-Eichhorn 1989, 145-53, and Dodwell 2000, 35-7, list the gestures they regard as corresponding to those in the Terence manuscripts. Exactly how many parallels can and should be drawn is a matter of scholarly debate, which Dodwell 2000, 25-6, summarizes. Demetriou 2011, 17-20, is also a useful overview of the major problems involved in relating the Terence illustrations to Quintilian's descriptions of gesture. Austin 1960, 141, argues for continuity in gesture, asserting that Quintilian's remarks on delivery "represent the tradition of an earlier age".

⁶² Winterbottom 1964, 90-7, is a sensitive study of why Quintilian chose to foreground Cato's dictum in this way.

entire matrix of assumptions regarding oratory's status. According to Cato, oratory is first and foremost a masculine activity, performed by a *vir* and passed on to his sons.⁶³ It is also an activity practised by morally good men (*bonus*) and men of prominent social standing (*bonus*).⁶⁴ Besides these characteristics, which Amy Richlin and Erik Gunderson have already analyzed in detail, I would add that oratory is concerned predominantly with speech (*dicendi*). It may seem a very obvious point, but speaking was not simply the orator's main task; it, like his masculinity and his social standing, was a fundamental aspect of his self-presentation and self-definition. An orator's identity derived from his public performance, that is, from his delivery of a speech in court or in the Senate. Moreover, his words possessed a performative quality inasmuch as they represented and reinforced legal and social codes.⁶⁵ By speaking, the orator not only defined himself, he also defined what Roman society could regard as right, proper, and permissible.

Stage artists, in contrast, were *infamis*. This term not only classed them as people of 'ill repute', but also limited their opportunities to speak offstage, in real social and civic contexts.⁶⁶ Significantly, *infamia* represented a loss of legal rights, consigning performers to a status that was simultaneously outside the community and unprotected by law. When and where the actor could speak reflected the extent to which he belonged within Roman society. The actor's relationship to the orator, then, parallels his relationship to the law. However much his speech is a literal performance, it is never performative; it does not enact and effect changes in the 'real'

⁶³ A point noted and explored by Richlin 1997, 90, and Gunderson 2000, 7.

⁶⁴ Gunderson 2000, 7.

⁶⁵ I am using 'performative' to mean 'performative utterance' or 'speech act' in the sense first proposed by J. L. Austin in his 1962 monograph, *How To Do Things With Words*. Here Austin puts forward the idea that certain words or phrases can enact a deed at the same time as they are spoken, a concept that is especially pertinent in legal contexts, where pronouncements often have the force of actions.

⁶⁶ For more information on actors' legal status, see Introduction, 2, esp. n. 7-9.

world. A Roman actor is constrained by legal and social codes but cannot pronounce those codes the way a Roman orator can. Hence, the concept of speech defines stage artists negatively, orators positively.⁶⁷

Pantomime's arrival appears to have upset this definition. Via its claims to gestural eloquence, this new genre of narrative dance threatened to confuse theatrical activity with rhetorical. The discourse of pantomime as expressed in Lucian's *De Saltatione* transposes oratory's skills and terminology into the realm of theatre, and even though Lucian's tone and purpose are playful, independent evidence in Tacitus and Quintilian indicates that this transfer was at least a troubling possibility if not an actuality. That a form of theatre could masquerade as oratory was problematic enough – Roman orators, after all, had always defined themselves via a negative analogy with the stage. What made pantomime especially problematic was its reputation for speaking with the body, for distorting precisely the quality meant to separate ludic from civic space. So when Quintilian in particular cautions orators not to resemble dancers, he is concerned about more than simple matters of decorum. Quintilian separates the pleader from the pantomime because he wants to maintain the former's identity as a *vir bonus dicendi peritus*, and because he wants acting to remain outside the legal and social boundaries traditionally guarded by the Roman orator.

⁶⁷ Edwards 1993, 118, remarks that the actor is a kind of anti-orator: "Actors were known as dissemblers, speaking words that carried no legitimate weight. They were banned from standing for election to magistracies. Yet actors still had an opportunity to command the attention of the Roman people with the words they spoke, an opportunity otherwise denied to all but the governing class. It was perhaps in recognition of the peculiar power of actors that they were branded *infames* in Roman law...the actor's words were drained of legal weight...the parallels between the speech of an actor and the speech of a magistrate were potentially compromising for the latter. The *levitas* of the player often bore uncomfortable resemblance to the *gravitas* of the senator."

SCAENICA OSTENTATIO

Introduction: Declamation as Theatre

As much as Roman orators wished to distinguish themselves from actors, by the early first century C.E. some aspects of their occupation had grown at least quasi-dramatic. Declamation, the pedagogical practice of reciting mock judicial or deliberative speeches, was a staple element of Roman education throughout and perhaps even prior to Cicero's lifetime, but the early principate saw it develop into a variety of public performance as well.¹ In this era, professional adult declaimers would give regular public displays, occupying roles and animating fictive *personae* as they argued imaginary cases. Modern scholars have often remarked that the act of declaiming demanded at least minor theatrical skills. In his commentary on Seneca the Elder's *Suasoriae*, William Edward writes, "the declaimer...is partly an actor and he must speak as his assumed character would speak, that is, he is part dramatist as well."² Stanley Bonner repeats this idea two decades later: "the Roman student of rhetoric, who frequently had...to impersonate historical or mythological personages in his exercises...needed to be something of an actor."³ Despite such recognition, however, declamation's dramatic qualities have so far received only

¹ An evolution I discuss in more detail below, 90-95.

² Edward 1928, xxxii.

³ Bonner 1949, 21. Clarke (revised: Berry) 1996, 85, makes a similar claim: "the school has thrown open its doors and become something like a theatre. The stage is held by the rhetorician, no longer a pedantic theorist and now rather a star performer." Dupont, 1985, 401, combines declamation with other forms of recitation happening concurrently in Rome and declares, "à ce dernier stade de l'évolution, la lecture publique se distingue moins en moins des représentations théâtrales dans la mesure où elle emprunter leurs moyens de séduction." In contrast, Russell 1983, 1, refuses to accept the analogy: "pretending to be someone else, and composing speeches in character, is an essential part of most literary activity."

cursory scholarly treatment.⁴ This chapter rectifies that omission by examining how and why these essentially scholastic exercises could be considered theatre.

Interestingly, ancient writers also acknowledge declamation's propensity for drama. When Quintilian criticizes the activity, he likens its unrealistic scenarios to stage material, declaring that the real orator's business of interdicts and legal wagers does not involve "magicians, plagues, oracles, and stepmothers crueler than those in tragedies" (*nam magos et pestilentiam et responsa et saeviores tragicis novercas...frustra inter sponsiones et interdicta quaeremus, I.O. 2.10.5*).⁵ He raises the same objection at *I.O. 2.10.8*, where he cautions that unless declamation uses believable material and prepares young men for the forum, it resembles "either theatrical display or raging clamour" (*si foro non praeparat, aut scaenicae ostentioni aut furiosae vociferationi simillimum est*). Attempting to reform what he regards as declamation's excesses, Quintilian repeatedly emphasizes that rhetorical training must approximate reality as closely as possible (*I.O. 2.10.1-15 esp.*); if declaimers stray too far from 'real life', their practice risks appearing dramatic.⁶

⁴ Studying declamation as theatre is a very new trend. See Pianezzola 2003; Mal-Maeder 2004 and 2007, 10-18; Hömke 2009; Pasetti 2009.

⁵ Similar complaints are made by Tacitus' Messalla – *tyrannicidarum praemia aut vitiatarum electiones aut pestilentiae remedia aut incesta matrum...in schola cotidie agitur (Dial. 35.5)* – and Petronius' Encolpius: *piratas cum catenis in litore stantes...tyrannos edicta scribentes quibus imperent filiis ut patrum suorum capita praecidant...responsa in pestilentiam data ut virgines tres aut plures immolentur (Sat. 1.3)*. Neither, however, explicitly mentions theatre. And Petronius' criticism involves an added layer of irony: Encolpius' tirade is itself a declamation that Agamemnon cuts short (*non est passus Agamemnon me diutius declamare, Sat. 3.1*), suggesting that such critiques had become virtual *loci communes* by Petronius' time. Further discussion of the *Satyricon* scene can be found in Kennedy 1978, 171-78, and Gunderson 2000, 10.

⁶ Kennedy 1969, 51-53, suggests that Quintilian succeeded, to some extent, in reforming declamation. Regarding the *Declamationes Minores*, he remarks: "Four of these declamations involve pestilences and oracles, and there are a few cruel stepmothers, but there are no magicians at all. Most of the themes are rather practical." Winterbottom 1983, 226, agrees that the *Declamationes Minores* illustrate Quintilian's precepts.

Tacitus echoes Quintilian's complaint in the *Dialogus*, where he has Messalla declare that declamations frequently employ "subject matter inconsistent with reality" (*materiae abhorrenti a veritate declamatio frequenter adhibeatur*, *Dial.* 35.4).⁷ Opposed to scholastic training in any form, Tacitus' Messalla denigrates declaimers as people who fight with wooden swords while orators go into battle with iron (*Dial.* 34.5). Since military drills and the manumission of gladiators were the two most common moments at which Romans would have encountered wooden swords, Messalla's comparison presents declamation as both practice and performance.⁸ In this metaphor, declaimers are simultaneously raw recruits and men who display their skills for others' entertainment. Like Quintilian, Tacitus' Messalla draws a direct link between declamation's fictive qualities and its potential to become stagey.

Opinions such as these reflect the Ciceronian view that orators were *actores veritatis* (*De Or.* 3.214). As we have seen in Chapter 1, Roman advocates defined their profession by contrasting it with the pretence, illusion, and mimesis that characterized stage work. The trouble with declamation, however, was that it did not quite take place in 'reality': although it was an educational practice intended to prepare students for the courtroom, its main pedagogical method was imitation.⁹ Young men learning rhetoric would debate legal topics (*controversiae*) or political ones (*suasoriae*) that required them to *pretend* they were speaking in court or acting as advisors. When Quintilian complains that it does no good "to make ready a judge who does not exist" or "to narrate what everyone knows is false" (*quid enim attinet iudicem praeparare qui*

⁷ That Tacitus' Messalla echoes Quintilian may be due to his characterization as a 'Quintilianic' figure in the *Dialogus*. His role as a (partial) representative of Quintilian's view is discussed by Brink 1989, 484-88; Winterbottom 2001, 147-48; Mayer 2001, *ad loc.*

⁸ Mayer 2001, *ad loc.* remarks that the wooden sword or *rudis* was used in practice fights by gladiators and soldiers.

⁹ Reinhardt and Winterbottom 2006, 163-64, observes that Quintilian is fond of labeling declamation the *imago* of oratory.

nullus est, narrare quid omnes sciant falsum? I.O. 2.10.8), he captures declamation's fundamental ambiguity: if it loses its educational purpose, it will degenerate into play-acting, but such play-acting is already the unavoidable consequence of pleading mock trials rather than real ones.

And for those adults who made declaiming their profession, the activity was not even pedagogical. Rhetoricians and schoolmen did not deliver speeches primarily for the purpose of training, and they seldom worked as genuine advocates.¹⁰ Further, Seneca the Elder reveals that on the rare occasions when declaimers chose to represent a client in court, they had difficulty adjusting to the demands of real oratory. Albucius Silus, for instance, famously lost a case because he employed a rhetorical figure that his opposition chose to interpret literally (Sen. *Contr.* 7 *praef.* 6-9; Suet. *Gr. Rhet.* 30.5; Quint. *I.O.* 9.2.95). The orator Votienus Montanus likewise demonstrates rhetoricians' insularity when he ridicules them for relying too heavily on audience responses. When these men come to the forum, he sneers, and they fail to receive applause for their every gesture, they either grow weak or collapse (*cum ventum est in forum et desiit illos ad omnem gestum plausus excipere, aut deficiunt aut labant*, *Contr.* 9 *praef.* 2-3). With such characterization, Votienus defines declaimers as performers, if not officially so then at least in the sense that their occupation required spectators.¹¹

Neither properly an actor nor properly an orator, a declaimer thus occupied middle ground between two carefully circumscribed categories. And despite Quintilian's best efforts to

¹⁰ Though their activity did have some practical function as a means of attracting students. Kennedy 1972, 560-61, describes how rhetoricians of the Second Sophistic would use public declamation as a form of promotion for their schools.

¹¹ Bentley 1975, 150, defines theatre's essence: *A performs B for C*. Though definitely reductive, his formula is correct in emphasizing the presence of an audience (C): when a performance is not deliberately directed towards an onlooker / onlookers, it ceases, in some fundamental ways, to be a performance at all.

maintain schoolroom and forum in close relationship, declamation would remain theatrical to the extent that its public presentation was treated as entertainment. As long as it served ludic rather than strictly practical ends, declamation would inevitably borrow from the stage.

Development

Prior to discussing which specific aspects of declamation resembled theatre, it is necessary to situate the activity within the early first century C.E. In a much-cited and controversial passage, Seneca the Elder writes that *declamatio* – the *nomen* and the *studium* – developed during his lifetime, that no author used the term prior to Cicero and Calvus (*Contr.* 1 *praef* 12-13).¹² This is not strictly accurate: the word first appears in the *Rhetorica Ad Herennium*, some thirty years before Seneca's birth, where it describes a vocal exercise, probably recitation of passages learned by heart (*Rhet. Her.* 3.20).¹³ The issue for scholars, then, is not whether declamation existed during the late republic, but whether it existed in the same form in which Seneca knew it.

In the first comprehensive English-language study of declamation, Stanley Bonner argued for continuity between republican and early imperial practice, asserting that by the late 60s B.C.E. *declamatio* signified a speech delivered in private or before a small gathering for the

¹² General discussion of Seneca's assertion can be found in Bornecque 1902, 41; Bonner 1949, 1-50; Sussman 1978, 4-8; and most recently, Stroh 2003. Edward 1928, xv, dismisses as irrelevant much of the earlier scholarly discussion: "This statement of Seneca's has caused difficulty, but to me it seems perfectly clear. It is the peculiar subject matter that is new, and the fashion of delivering speeches of this nature in public." Though evidence contradicts the first half of Edwards' claim, the second half certainly has some truth in it.

¹³ Analyzing this passage, Bonner 1949, 20 n.3, associates *declamatio* with the Greek term, ἀναφώνησις, thereby stressing ideas of sound and pronunciation. But, as Stroh 2003, 8, points out, when Cicero uses the verb *declamare* at *S. Rosc.* 82, and *Verr.* 2.4.149, it denotes something akin to recitation of a prepared speech. Stroh's argument is more convincing: given its later development, *declamatio* probably signified recital rather than vocal warm-ups.

sake of exercise.¹⁴ Following Bonner's lead, Lewis Sussman similarly emphasizes that the practice topics listed in the *Ad Herennium* and Cicero's youthful *De Inventione* resemble those mentioned by Seneca and Quintilian, thus indicating that declamation's content had remained relatively unchanged.¹⁵ Recent work by Wilfried Stroh has refined this research to suggest that prior to its appearance in Cicero's *De Oratore* (55 B.C.E.), *declamatio* was mainly a derogatory term signifying the poor delivery of a pre-prepared speech.¹⁶ The cumulative effect of all of these studies, and Stroh's in particular, is to demonstrate that Seneca the Elder's claim, while perhaps ambitious, contains some element of truth: declamation as he knew it developed in the latter half of the first century B.C.E.

But, if *declamatio* as training was well established by the early principate, the trend of aristocrats declaiming in front of audiences represented a more recent development.¹⁷ Prior to Augustus' reign, orators and rhetoricians, if they declaimed at all, declaimed in private or in the company of a few friends, and any rhetoricians who did put on public displays were people of low social status and foreign extraction. For instance, Suetonius records that the grammarian M. Antonius Gnipho declaimed once a week (*declamaret...nundinis*, *Gram.* 7.3) in the presence of many distinguished men, Cicero included (*Gram.* 7.4-5). Since Suetonius mentions Cicero's praetorship, Gnipho's declamatory performances can be dated to 66 B.C.E.¹⁸ But this

¹⁴ Bonner 1949, 28-30, with a full list of relevant passages, most of which come from Cicero.

¹⁵ Sussman 1978, 7-8. Bonner 1949, 22-26, also puts forward this argument, but with some reservations.

¹⁶ Stroh 2003, 8-33.

¹⁷ Edward 1928, xv, and Sussman 1978, 8-10, both suggest that public declamation is what Seneca has in mind when he labels *declamatio* a "thing born after me" (*rem post me natam*, *Contr.* 1 *praef.* 12). Kennedy 1972, 316, likewise asserts that declamation became a public activity during the Augustan period. Extant evidence does not support this blanket assertion, which has led me to modify it in favor of claiming that the Roman *elite*, not just all rhetoricians, began practising public declamation around the beginning of the principate.

¹⁸ Kaster 1995, *ad loc.*

grammarian was a freedman from Gaul, not a member of the elite.¹⁹ It is not until the Augustan period that we hear of upper class Romans engaging in public declamation. Once again, our evidence begins with Seneca the Elder, who remarks that Titus Labienus, a patrician and controversial historian, “did not declaim publicly...both because this custom had not yet been introduced and because he thought it disgraceful and indicative of boastful frivolity” (*declamavit non populo...et quia nondum haec consuetudo erat inducta et quia putabat turpe ac frivola iactionis*, *Contr.* 10 *praef.* 4). Seneca’s statement seems contradictory at first: for Labienus to regard public declamation as frivolous, the practice must have been introduced already. It is possible, however, that when Seneca says *consuetudo*, he means declamatory performances given by *upper class Romans*, people who were in most instances professional orators rather than schoolmen.

Further remarks in Seneca’s text seem to confirm this suspicion. Apparently, Asinius Pollio never declaimed *admissa multitudine* (“with a crowd admitted”, *Contr.* 4 *praef.* 2) and the orator Votienus Montanus “never declaimed for the sake of show, and not even for the sake of exercise” (*adeo numquam ostentationis declamavit causa et ne exercitationis quidem declamaverit*, *Contr.* 9 *praef.* 1). In the second example, Seneca is clearly distinguishing between two kinds of *declamatio*, for training and for display: Asinius Pollio and Labienus engaged in the former while disapproving of the latter. Edward surmises that they therefore belonged to a more traditional group of speakers who were resisting a new trend.²⁰ I would further add that this trend pertained to aristocratic involvement, and not public declaiming *per se*: as early as the 60s B.C.E. it was acceptable for professional rhetoricians like Gniphō to stage their rhetorical skills,

¹⁹ On Gniphō’s origins, see Kaster 1995, *ad loc.*

²⁰ Edward 1928, xv.

but by the time Labienus (died: 12 B.C.E.) and Pollio (died: 4 C.E.) were practising oratory, members of the Roman elite were gradually participating in public, declamatory performance. What distinguishes early imperial declamation from its republican counterpart is a ludic quality increasingly accepted and perpetuated by upper as well as lower class Romans.²¹

And if the Roman elite hesitated to participate in public declamation, there is a very good reason why: reciting a speech purely for show brought oratory closer to theatre. Typically, Roman orators defined their occupation via analogies with the stage at the same time as they differentiated it from acting, which they classed as a fundamentally mimetic pursuit. Unlike actors, orators dealt with real life, engaging in mimesis only momentarily and then only for the purposes of persuasion. Work in the courtroom, in the Curia, at a *contio*, was public rhetoric directed towards particular ends; declamation *ostentationis causa* (Sen. *Contr.* 9 *praef.* 1, above) was an end in itself. As such, it was imitation oratory and therefore an ambiguous activity. In Roman society, anyone who specialized in imitation and performed expressly for others' entertainment belonged to the disenfranchised and socially inferior; if members of the elite appeared on stage, they instantly lost their status.²² Though declaiming in front of an audience was evidently less reprehensible than acting, conservative Romans continued to express their misgivings for more than a century. It is no coincidence that when Quintilian criticizes declamation's 'showiness' he chooses the adjective *scaenica* (*I.O.* 2.10.8).

So, in the early Augustan period, well-born Romans were practising public declamation. Most scholars attribute this development to Rome's new political structure: they assert that the

²¹ On the social status of declaimers, Bloomer 1997b, 199-215, stresses the significance of rhetoricians' provincial origins in the Seneca the Elder's collection.

²² See Introduction, 2, n. 9.

principate stifled senatorial debate and robbed the elite of any real political power, leaving nobles no other option but to retreat to the declamation schools where they could play at being persuasive (*suasoriae*) and plead pretend cases (*controversiae*).²³ Such reasoning is partially correct: orators of the early empire received few opportunities to plead high profile cases, they could no longer address the public in popular assemblies, and a successful legal career had ceased to guarantee a consulship.²⁴ As Tacitus' Maternus notes darkly, Augustus "pacified eloquence just as he pacified everything else" (*eloquentiam sicut omnia alia pacaverat, Dial. 38.2*).

All the same, the argument does not properly acknowledge that imperial orators enjoyed a lot of prestige, as the careers of Quintilian, Tacitus, and Pliny prove. In Tacitus' *Dialogus*, the character of Marcus Aper makes precisely this point when he asserts that contemporary orators were not prevented from reaping significant rewards (*Dial. 7.2-8.4*). His suggestions may be tendentious, but his evidence is genuine: the elite did have opportunities for public speech under

²³ Parks 1945, 16-18 n.14, lists an astounding collection of scholars who attribute declamation's rise to the elite's waning political power. From the time of Parks' publication to the present, Clarke (revised: Berry) 1996, 85; Kennedy 1972, 307 and 336; and Sussman 1978, 13, can be added. Due to this argument's influence, scholars also tend to treat declamation as a subcategory of epideictic oratory, assuming that imperial rule meant an increase in panegyric speeches and hence, an increase in declamatory activity. Hesk 2009, 158-59, and Cavarzere 2000, 208, both call declamation epideictic. Montiglio 1999, 269, n.23, observes of early imperial declamation, "l'éloquence, à cette époque, est surtout exercice d'illustration, *epideixis*." Yet Kennedy 1972, 21, and Steel 2006, 22, rightly assert that epideictic rhetoric was neither that common nor that popular in first-century C.E. Rome, especially not in comparison to the popularity it would have later, in the Hellenic world of the Second Sophistic. Declamation, moreover, could only be counted 'display oratory' in the most basic sense: it certainly did not follow the Aristotelian definition of epideictic as praise or blame of people, cities, or objects (*Rhet. 1358b*). Though Quintilian admits that declamation *aliquid in se habet epideiktikon* (*I.O. 2.10.12*), he is emphasizing its 'showiness' not its genre. For further discussion of Quintilian's views on epideictic, refer to Adameitz's commentary (1966), and Morgan 1998b, 254-59.

²⁴ Kennedy 1972, 428-42, and Edward 1928, xvi-xvii.

the empire and those opportunities rarely went unrecognized.²⁵ It is also indisputable that legal activity increased during this time. Rising numbers of *praetores* reflects an equivalent growth in legal cases, as does the building of new *fora* to accommodate more courts.²⁶ Clearly, those trained in rhetoric did not have to spend all their time pleading *controversiae*; there were plenty of real legal issues to solve.

Current scholarly theories do not, therefore, fully succeed in explaining why declamation became so popular during the early empire. The answer, I feel, centers not on free speech but on elite self-representation. The issue is not how (or even if) the principate curtailed Roman nobles' opportunities for public speech, but how it altered their former practice of self-display. If imperial orators were in general pleading lower-profile cases, then they were less able to articulate their *persona* via public performance. The emperor, not the orator, was now the focus of attention; he had in some sense stolen the pleader's audience. In this context, it is easy to see why declamation flourished: besides its standard function of providing rhetorical training, it enabled orators to reassert their identity and perform in a theatrical manner that nonetheless lay within the bounds of socially acceptable behavior.

²⁵ A point stressed by Winterbottom 2001, 140 and 150. Goldberg 1999, 227-29, discusses the same when he puts into historical context the claims Tacitus's Aper makes regarding Epirus Marcellus and Vibius Crispus (*Dial.* 8.1-4).

²⁶ Based on evidence assembled and analyzed by Bablitz 2007, 14-16.

Oratorical Selves

We have seen in Chapter 1 how oratorical activity involves performance at both a literal and figurative level: as the pleader acts in court on his client's behalf, he also enacts his own elite identity. The orator expresses and confirms his *persona* chiefly via his public performance. And the more important the trial, the greater his exposure. Since all self-fashioning presupposes an audience, and elite self-fashioning assumes a large one, it is not surprising that Roman nobles of the early principate underwent what may be termed a 'crisis of identity'. When Augustus assumed power, he steadily and methodically closed off the traditional avenues of elite self-display: triumphs could no longer be celebrated; the construction and dedication of monuments was limited; participation in the court and the senate was restricted.²⁷ Deprived of their audience and unable to perform their social roles in a familiar and time-honoured manner, upper class Romans began to treat identity as a performance substantially divorced from everyday life. Whereas Cicero could reify his *persona* by pleading a case in the forum, orators of the early empire were more likely to use declamation and recitation as their primary means of self-display.

At *Dialogus* 39, Tacitus' Maternus grumbles that contemporary orators perform in a much more restricted space than their republican predecessors:

²⁷ On elite participation in court and senate, see above, 94. On the Roman nobility's construction and dedication of monuments during the Augustan period, see Eck 1984. Beard 2007, 295-305 examines how and why Augustus changed the practice of granting triumphs. The last Roman aristocrat to celebrate a triumph was Cornelius Balbus in 19 B.C.E; after this, the ceremony was restricted to members of the imperial family (with the sole exception of Claudius granting Aulus Plautius an *ovatio* in 47 C.E. See Suet. *Claud.* 24).

quantum virium detraxisse orationi auditoria et tabularia credimus in quibus iam fere plurimae causae explicantur? nam quo modo nobiles equos cursus et spatia probant, sic est aliquis oratorum campus per quem nisi liberi et soluti ferantur debilitatur ac frangitur eloquentia...oratori...clamore plausuque opus est et velut quodam theatro

How much strength do we suppose they have stripped from oratory, those lecture-halls and public registries in which almost all cases are conducted these days? For just as thoroughbreds prove themselves on a broad track, so orators have a field of sorts and unless they move through it freely and unrestrained, eloquence is crippled and broken...the orator...needs shouts and applause and a kind of theatre

(*Dial.* 39.1-4)

Even though he apologizes for it and uses tentative language, Maternus' analogy is hardly new: Cicero also compares oratory to theatre on more than one occasion (*De Or.* 2.338; *Brut.* 6), and Quintilian reprises the notion (*I.O.* 6.1.52).²⁸ What is striking about Maternus' comment is the idea that orators under the principate no longer play to an audience (*oratori...clamore plausuque opus est*), that contemporary forensic practice affords less opportunity for literal performance. Though a little tendentious when he claims that oratory is confined to *auditoria* and *tabularia*, Maternus describes a situation in broad agreement with what we know of imperial restrictions on oratory.²⁹ It is a situation, moreover, that placed the orator's *persona* in jeopardy. Since identity was realized via public display, orators under the principate had to find new ways of asserting and enacting their social roles. Interestingly, the *auditoria* Tacitus mentions were less likely to host trials than recitations and declamations: it was these two activities that, in the early empire, inherited some of oratory's most important functions.³⁰

²⁸ Mayer 2001, *ad loc.* remarks that Maternus sounds hesitant in this passage.

²⁹ Private cases were often tried in small spaces – see Quint. *I.O.* 11.3.127 and Bablitz 2007, 33 and 61. Since orators of the early empire dealt with private cases more often than public ones, we may assume that they were working in *auditoria* more often than their republican counterparts.

³⁰ Pliny *Ep.* 7.17.3 associates *auditoria* with recitation; Suetonius *Tib.* 11 links them with scholastic exercises such as declamation.

Though declamation is the focus of this chapter, I wish to explore briefly the practice of *recitatio*. Declaiming and reciting were similar activities: they took place in the same locations and both involved one person speaking in front of an audience for the combined purpose of entertainment and critical feedback.³¹ Like *declamatio*, *recitatio* evolved in new ways under the principate: Seneca the Elder credits Asinius Pollio with its invention (*Contr.* 4 *praef.* 2), but since literary recitations had been common for centuries, it is more likely that Pollio just formalized the activity.³² Whatever the precise nature of Pollio's contribution, a wide variety of Latin sources indicate that Roman writers were quick to engage in *recitatio* and that such literary presentations enjoyed substantial popularity among the upper classes.³³ Notably, oratory was one of the genres recited at these gatherings. Suetonius records that the emperor Augustus *recitantes benigne et patienter audiit nec tantum carmina et historias, sed et orationes et dialogos* ("listened courteously and patiently to those reciting not only poetry and history, but also oratory and dialogues", *Aug.* 89). Pliny likewise mentions that he gave recitations of previous speeches (*Ep.* 2.19; 4.5; 5.12; 7.17), and even recited an enlarged version of his *Panegyricus* to a group of friends (*Ep.* 3.18). Though the primary, conscious aim of these performances was to help authors edit and prepare their work for official publication, the very fact of reciting a speech one had

³¹ Feedback / audience response was important because recitation was a writer's preliminary step in preparing his work for publication. On this topic, see Mayor 1886 *ad Juv. Sat.* 3.9; Dupont 1997, 48; Gurd 2012, 105-26.

³² Seneca *Contr.* 4 *praef.* 2, claims that Asinius Pollio *primus...omnium Romanorum advocatis hominibus scripta sua recitavit*. Dalzell 1955 examines the extant literary evidence and concludes that public recitation existed prior to Pollio, and what the orator/historian really did was formalize the practice.

³³ Funaioli 1914 is a comprehensive list of Greco-Roman references to recitation. Pliny's letters are a good, general source of information on recitations, how they proceeded and who attended them. See, in particular, *Ep.* 1.13; 2.19; 3.15; 5.12; 5.17; 6.17; 7.17; 8.12; 9.34. As Pliny describes them, most of these affairs were elite gatherings; at *Ep.* 1.13.3, he even mentions the emperor Claudius, who arrived at one of Nonianus' recitals *inopinatus*. Juvenal, according no doubt to the dictates of his genre, records a livelier scene at *Sat.* 7.85-86. Dupont 1997 analyzes literary recitation as the Roman elite's attempt to reclaim some of their lost *libertas*.

already given elsewhere – in court, in the senate – made recitation into a somewhat ludic activity.³⁴ Whereas orators typically spoke to achieve a result, reciters spoke to display their works and themselves. *Recitatio* was both self-advertisement and self-fashioning, two actions that, prior to the principate, orators had pursued mainly in the process of actual pleading.

Epistle 1.5 in Pliny's corpus describes a curious event: the centumviral advocate and former *delator*, M. Aquilius Regulus celebrates the death of a legal opponent by restaging his original prosecution speech in the form of a public reading (*Ep.* 1.5.2-3).³⁵ As Pliny describes it, Regulus gives a *recitatio* to express his delight at Arulenus Rusticus' death (*Ep.* 1.5.2-3). Since Regulus had formerly participated in prosecuting Arulenus and therefore in removing him from elite social and political spheres, his *recitatio* confirms the success of this earlier activity by marking the moment when Arulenus has been removed from life altogether.³⁶ With his reading, moreover, Regulus does not just commemorate his role as prosecutor; he re-enacts it. Unlike those who recited poetry, history, or biography, orators who read their speeches aloud before an audience were reiterating words they themselves had already spoken in another context: the first-

³⁴ Desbordes 1994, 56, regards the fundamental difference between acting and oratory as the difference between a ludic pursuit and a serious one: theatre aims to please while forensic oratory works to achieve practical ends. On the ludic qualities of *recitatio*, see Dupont 1997, 50-52. Pliny *Ep.* 7.17.5 raises the imagined objection that re-performing a courtroom speech as a *recitatio* is somewhat superfluous: *supervacuum tamen est recitare quae dixeris*. Though Pliny proceeds to argue that neither the speech nor the audience is quite the same in each case, we are left with the feeling that the orator as reciter is re-enacting a role he has formerly played 'for real'.

³⁵ Regulus is a frequent character in Pliny's letters, where he mostly features as the narrator's archrival. For more information on Regulus, and on this particular prosecution, see Sherwin-White 1966, 95 and 739. Orentzel 1978b, 1, defines the activity of *delatores* under the early empire, providing a concise summary of a complex topic. Pliny's text at *Ep.* 1.5.2-3 actually says that Regulus *librum recitaret publicaretque* and Sherwin-White 1966, 96, assumes that Pliny means a hostile biography in the tradition of Caesar's *Anticato*. I, on the other hand, believe *liber* refers to a written version of Regulus' prosecution speech, a fair conclusion given that in *Ep.* 3.18.4, Pliny uses the word *liber* to designate the written version of his *Panegyricus*, which he then recited before a group of friends.

³⁶ Arulenus was a member of the group that followed Helvidius Priscus. He was accused and condemned c. 93 C.E. for praising Thrasea Paetus and Helvidius Priscus in a biographical work and for his interest in political philosophy (Suet. *Dom.* 10.3; Tac. *Agric.* 2.1; Dio 67.13.2). For more details, see Sherwin-White 1966, *ad loc.*

person narrator and the author were one and the same. Further, unlike poets, historians, and biographers, orators were, first and foremost, public speakers. In giving a public reading of a courtroom speech, Regulus therefore re-instantiates himself *in his own role*, as an orator.

The parallel public presentation of courtroom oratory and *recitatio* is what makes the latter phenomenon more literally theatrical than, for instance, Cicero using his published speeches to refine his *persona*. Though Cicero, like Regulus or Pliny, certainly engages in a degree of self-fashioning, he does not restage his role as orator directly before an audience. Rather, his careful self-presentation is directed toward a less immediate audience of readers, intended as a record of his oratory, not a ludic display.

Pliny recognizes *recitatio*'s theatrical aspect when he assimilates his listeners to a theatre audience: *hac severitate laetor, ac sicut olim theatra male musicos docuerunt, ita nunc in spem adducor posse fieri, ut eadem theatra bene canere musicos doceant* ("I am delighted in their strict attentiveness, and just as they once taught musicians in the theatre to sing badly, so now I am drawn to hope that they may teach musicians in the same theatre to sing well", *Ep.* 3.18.9-10). By extension, this simile portrays Pliny as a performer who must tailor his act to the expectations and tastes of those watching. The act is, moreover, one worthy of Pliny's *persona* as an orator and member of the Roman elite; reciting enables Pliny to display himself in his public role as a *vir bonus dicendi peritus*. There is no social stigma attached to this form of acting, and for early imperial pleaders who faced fewer traditional opportunities for self-display, *recitatio* offered the chance to enact and therefore confirm one's public identity.

This is not to say, however, that first-century C.E. orators had *no* opportunity to plead in actual trials. Far from it: we know from Pliny's own admission that he frequently conducted

cases at the centumviral court, an area that was almost certainly crowded and noisy even though the cases tried there were generally low-profile.³⁷ Here Pliny could shape and display his public *persona* as an orator, but he could not exercise the same measure of control that he did in the *auditorium*.³⁸ In fact, one of Pliny's anecdotes suggests that orators in public trials were behaving or being treated more and more like professional actors, a situation as detrimental to the pleader's elite status as it may have been crowd-pleasing. *Ep.* 2.14 describes the presence in court of *laudiceni* – 'dinner clappers' – claquees hired and coordinated to produce rhythmic applause in favor of particular speakers. Pliny avers that this practice is a recent phenomenon in Roman courts, first appearing in the early 50s C.E. (*Ep.* 2.14.9-12).³⁹ The most common place to find such claquees in the first and early second centuries C.E. was the theatre, where they supported individual performers – most often pantomime dancers – and guided the general audience response.⁴⁰ It makes sense, moreover, that claquees attended agonistic performances,

³⁷ Bablitz 2007, 61-70 does a masterful job of evoking the atmosphere of the centumviral courts and reconstructing their layout.

³⁸ Parker 1999, 168, remarks that Roman aristocrats has less control over their public image when they attended the theatre than when they received clients in their *atria*. The same issues of control and public identity can easily apply to recitation vs. forensic practice.

³⁹ Pliny names one Larcus Licinus as guilty of introducing *laudiceni* in the period when Domitius Afer was still active in the courts (*Ep.* 1.5.9). Since Pliny acknowledges Quintilian as the source of this information, and since Quintilian was working as Afer's apprentice by the early 50s C.E., we can date Licinus' innovation quite easily. Whether Pliny's information is correct is a different matter entirely, and in the absence of corroborating evidence, it is impossible to know. Pliny does proffer the name σοφοκλεῖς as an alternative to *laudiceni*, which suggests but does not prove that there was a Greek equivalent to this Roman practice. If Greeks were indeed doing something similar, it must have been happening in roughly the same time period, since the earliest evidence of theatre claquees comes from the reign of Augustus (*Tac. Ann.* 1.54). Despite a paucity of evidence, it looks as if theatre claquees became prominent at the same time as pantomime gained popularity in Rome: this makes sense, since pantomime, unlike tragedy or comedy, was a competitive performance.

⁴⁰ Cameron 1976, 234.

since the level of audience enthusiasm mattered far more when competitions were taking place.⁴¹ Courtroom *laudiceni* therefore indicate that oratory was likewise an *agon*, a competitive display of eloquence from which one speaker would emerge victorious. At the same time, the presence of claquers in courtrooms shows how the orators of Pliny's era were regarded as, and perhaps were even behaving like performers. Orators who hired *laudiceni* clearly assimilated themselves to actors, and even if rhythmic applause aimed to some extent at affecting the case's outcome, its fundamental purpose, according to Pliny, was to increase individual speaker's reputations.⁴² Disgruntled at the practice, Pliny sneers, *tanti constat ut sis disertissimus* ("it costs only so much to be thought eloquent", *Ep.* 2.14.6). We may recall that Tacitus' Messalla likewise combines learned eloquence with performance when he complains that pantomimes *diserte saltare* ("dance eloquently", *Dial.* 26.3). In sum, Pliny implies that the role play practised by contemporary pleaders had exceeded the bounds of social decency and brought the orator perilously close to his analogous opposite, the actor.

One of the main attractions of recitation and declamation, then, was that they allowed elite public speakers to exercise a measure of control over their identity. Prior to the principate, Roman nobles had performed their identity as an expression of their political and social power. Under the emperors, elite Romans performed because they were fundamentally *powerless*, because many of their traditional pursuits, like forensic oratory, had been rendered mere performances. As their former means of self-presentation were either reduced or blocked off

⁴¹ Rousing the audience appears to have been the claquers' original function. In the later empire and Byzantine period, clagues take on political associations as well: see Cameron, 1976, 230-96.

⁴² Asconius 40-41 records that a group of supporters interrupted Milo's trial repeatedly, with a view to affecting its outcome. Though Asconius calls this mob of supporters *Clodiani*, they are not claquers *per se*, they are Clodius' followers, a gang or retinue that extended its allegiance to attending Milo's trial. *Laudiceni*, on the other hand, were hired to provide organized support *for orators* and their association was restricted to a courtroom context.

entirely, upper class Romans unsurprisingly turned their attention inwards and began to perform for small coteries of their peers. Increased interest and participation in *recitatio* and *declamatio* was therefore a symptom of Rome's new governmental structure. At the same time, these practices merely perpetuated the Roman elite's patent lack of power. Since reciting one's *orationes* or arguing fictive court cases were activities removed from the real business of forensic oratory, there was an ever-present risk that they would become too theatrical. Thus, although reciting and declaiming presented early imperial orators with an opportunity to confirm their public *personae*, these pursuits also ensured that practical, political impact did not accompany the performance of elite identity. Not quite oratory and not quite theatre, *declamatio* and *recitatio* provided an important outlet for elite self-display only to emphasize the hollowness of such social *personae* under the new regime.

Dramatis Personae

In the introduction to this chapter, I examine how Romans used negative definitions to conclude that declamation was quasi-theatrical: oratory concerned itself with real life; declamation was divorced from reality; declamation was imitation oratory; declaiming thus belonged, broadly, to the category of ludic performance. This is a basic but fair sketch of the prejudices found in Quintilian, Tacitus, and Seneca the Elder. Yet declamation could also be classed as drama in the positive sense that it borrowed standard material from the stage and presented it in a manner reminiscent of official theatre performances. In other words, there were ways in which declamation actively resembled drama rather than simply being drama by default.

Impersonation was the most significant and widely recognized of declamation's quasi-theatrical techniques: just as actors embodied roles, so declaimers delivered their arguments by speaking in *persona*, and the *personae* they chose more often than not derived from the stage.⁴³ The most skillful rhetoricians perfected ways of endowing their characters with a convincing ethos and so rendering their cases more persuasive. Lucian acknowledges as much in his playful treatise on pantomime dance:

οὐδὲν γοῦν καὶ ἐν ἐκείνοις μᾶλλον ἐπαινοῦμεν ἢ τὸ εἰκέναι τοῖς ὑποκειμένοις προσώποις καὶ μὴ ἀπῶδὰ εἶναι τὰ λεγόμενα τῶν εἰσαγομένων ἀριστέων ἢ τυραννοκτόνων ἢ πενήτων ἢ γεωργῶν, ἀλλ' ἐν ἐκάστῳ τούτων τὸ ἴδιον καὶ τὸ ἐξάριετον δείκνυσθαι.

For in these people [i.e. declaimers] we praise nothing so much as their likeness to the characters in their speeches, that their words are not unsuited to the heroes or tyrannicides or poor men or farmers they have brought forward, but that in each persona they display what is individual and distinctive.

(*De Salt.* 65)

Here, Lucian's speaker emphasizes declamation's theatrical aspects in order to support his assertion that pantomime shares traits with rhetoric.⁴⁴ We may expect Lucian to exaggerate given such a context, but Quintilian voices an almost identical idea when he recommends Menander as a source of dramatic material especially pertinent to declaimers:⁴⁵

⁴³ Hardly a coincidence, given that play texts, especially those of Menander and Terence, were used regularly in Roman education. For the use of these texts in the Roman school curriculum, see: Bonner 1977, 215-18.

⁴⁴ Lada-Richards 2007, 98-103, analyzes Lucian's attempt to present pantomime dance as a form of sophistic *paideia*.

⁴⁵ Quintilian makes similar observations elsewhere in his work. See *I.O.* 1.8.7: *comoedia...plurimum conferre ad eloquentiam potest, cum per omnis et personas et adfectus eat*. Also, *I.O.* 3.8.51: *enimvero praecipue declamatoribus considerandum est quid cuique personae conveniat, qui paucissimas controversias ita dicunt ut advocati; plerumque filii patres divites senes asperi lenes avari, denique superstitiosi timidi derisores fiunt, ut vix comoediarum actoribus plures habitus in pronuntiando concipiendi sint quam his in dicendo*. Although he does not

Ego tamen plus adhuc quiddam conlaturum eum declamatoribus puto, quoniam his necesse est secundum condicionem controversiarum plures subire personas, patrum filiorum, caelibum maritorum, militum rusticorum, divitum pauperum, irascentium deprecantium, mitium asperorum.

Still, I think he contributes something more to the declaimers, since they must, according to what the *controversiae* stipulate, undertake numerous roles, of fathers and sons, bachelors and husbands, soldiers and peasants, rich men and poor, angry men and suppliants, men gentle and harsh.

(*I.O.* 10.1.71)

Quintilian's claim is serious and validates Lucian's as a result: the two passages can be read together as evidence for standard declamatory practice, of which impersonation appears to have been the most defining aspect. It is after all the activity Quintilian singles out when he wishes to define Menander's relevance (*secundum condicionem controversiarum plures subire personas*).

Lucian's speaker likewise stresses that role play, although practised by all orators, was the particular domain of those who recited declamatory exercises (ὑπόκρισις...τοῖς ῥήτορσιν ἐπιτηδευομένη, καὶ μάλιστα τοῖς τὰς καλουμένας ταύτας μελέτας διεξιούσιν, *De Salt.* 65).⁴⁶

As much as it was an essential theatrical technique, putting on a *persona* was also intrinsic to declamation.

It may, however, seem odd that Quintilian acknowledges declamatory impersonation when he is generally so opposed to theatre infiltrating rhetorical exercises. Closer inspection

state it outright, Quintilian probably wrote these observations with Menander in mind. At *I.O.* 10.1.99-100, he assesses Roman comedy in rather disparaging terms and it is unlikely that he would have recommended its study so strongly at other points in his work. On Quintilian's reasons for preferring Menander, see Goldberg 1987.

⁴⁶ Ὑπόκρισις more commonly means 'delivery', but the term must designate 'impersonation/role play' in this particular context, for Lucian goes on to describe the characters that declaimers embody in the course of their presentations (*De Salt.* 65, above).

reveals that he manages this potential contradiction by recourse to his usual reality/mimesis dichotomy: Menander approximates real life better than anyone else, hence his works are suitable for both orators and declaimers to use. At *I.O.* 10.1.69, Quintilian follows Aristophanes of Byzantium in praising Menander as a playwright who “depicted the entire image of life” (*omnem vitae imaginem expressit*). Elsewhere he contrasts the comic plot (*vero simile*; “similar to truth”) with the tragic storyline, which he concludes is “not only remote from real life but even from the form of real life” (*non a veritate modo sed etiam a forma veritatis remota*, *I.O.* 2.4.2). So, in Quintilian’s opinion theatre exerts a baleful influence over declamation only when it comes in the form of *saeviores tragicis novercas* (*I.O.* 2.10.5, above), while Menander’s New Comedy represents a positive, profitable source.⁴⁷

Further, since Quintilian treats Menandrian drama as an authentic representation of everyday life, he recommends it to professional orators as well; these plays, he declares, furnish pleaders with “a great abundance and supply of *inventio* and eloquence” (*tanta in eo inveniendi copia et eloquendi facultas*, *I.O.* 10.1.69).⁴⁸ It follows that orators too must have been open to employing *personae* in their speeches, albeit not always in the same ways or to the same ends as declaimers. In this regard, Cicero’s work provides an instructive parallel: recent studies show that the great republican orator often referenced drama for the sake of characterizing – or

⁴⁷ Fantham 1984 examines Romans’ knowledge of Menander, the contexts and forms in which they encountered his drama.

⁴⁸ New Comedy in general often contained mock-legal scenes and played with legal conventions. When Quintilian praises Menander, he recommends three plays – *Epitrepontes*, *Epicleros*, and *Locroe* – on the basis of their *iudicia* (*I.O.* 10.1.69-71). Of these, only the *Epitrepontes* scene survives, and as Goldberg 1987, 361, points out, it definitely exhibits the *inveniendi copia* that Quintilian so admired. Though Menander’s arbitration scenes owe a lot to Athenian tragedy, and to Euripides in particular, his innovations transformed them into a standard element of New Comedy. Two monographs, Scafuro 1997 and Gaertner 2011 (vols. 1 and 2), investigate Greco-Roman New Comedy’s relationship to, and interaction with legal material.

caricaturing – the individuals involved in particular lawsuits.⁴⁹ To understand how early imperial declaimers contributed to this tradition and where their purpose differed from a professional orator's, I wish to evaluate, briefly, the dramatic elements of Cicero's speeches.

A survey of the extant material shows that Cicero referenced the theatre in four main ways: in direct citation; through *prosopopoeia* and *ethopoeia*; through vivid description (*enargeia*); and, more broadly, for characterization.⁵⁰ In his insightful article on the topic, Jerzy Axer groups the first three of these methods together and labels them "the paratheatrical aspects of oratory".⁵¹ He argues that scholars' enthusiasm for and occasionally indiscriminate use of the term 'theatrical' has led them to overstate how closely a speech may be compared to a dramatic script or an orator to an actor.⁵² Advising against such blanket expressions, Axer notes that quotations, *prosopopoeia* and *enargeia* are, to some extent, "a property that probably appears in all of the arts of spoken language and that arises not from the orator's intention but from the character of his craft (that is, from the very similarity between the conditions that apply both to oratorical performances and theatrical productions)."⁵³ These are astute observations. It is only really the fourth of Cicero's methods that we can justifiably call 'theatricalization'. That is,

⁴⁹ Geffcken 1973, esp. 14-47; Dumont 1975, 425-26; Vasaly 1985; Axer 1989, 305-306; Sussman 1994b and 1998; Klodt 2003.

⁵⁰ For a list of Cicero's quotations from drama, see Wright 1931, 31-93. On the distinctions between *ethopoeia* and *prosopopoeia*, see Hömke 2009, 245. Good examples of how Cicero uses these techniques can be found at *Pro Caelio* 33-36 and *In Catilinam* 1.18. On Cicero's use of *enargeia*, see Pöschl 1975. Webb 1997 is an interesting discussion of how *enargeia* may have affected an audience's emotional response. The theatricalized characters in Cicero's speeches are examined by all of the scholars listed in n. 49, above.

⁵¹ Axer 1989, 302.

⁵² Axer 1989, throughout, but especially 303-304. Examples of such overstatement can be found in Geffcken 1973, 10: "the speaker has transformed the court of law into a comic theatre"; Dumont 1975, 430: "il change son discours en comédie et mène ses auditeurs au théâtre"; Vasaly 1985, 2: "the tribunal is a stage, the speaker an actor"; Pöschl 1975, 206: "Aber der Redner ist nicht nur Dramaturg und Rigisseur. Nach der ausdrücklichen Forderung der antiken Theorie muß er auch Schauspieler sein."

⁵³ Axer 1989, 303-304.

presenting plaintiffs and defendants as stock characters from the Roman stage enables Cicero to frame an entire case in dramatic terms. More than any other Ciceronian quality, this one approaches the declaimers' styles.

Researching this kind of Ciceronian theatricalization is, moreover, a relatively recent phenomenon. Though scholars have long documented Cicero's interactions with the theatre, it was not until Katherine Geffcken published her analysis of the *Pro Caelio* (1973) that classicists began to address the topic in more sophisticated ways.⁵⁴ Later studies by Jean-Claude Dumont (1975), Anne Vasaly (1985), and Jerzy Axer (1989) among others,⁵⁵ created a body of scholarship analyzing how and where Cicero argues a case by relying on dramatic character types. His *Pro Caelio* provides the most comprehensive examples: the defendant Caelius is cast in the role of the *adulescens* from *comoedia palliata*; he lives just a little too loosely and falls for a courtesan (Clodia).⁵⁶ At *Pro Caelio* 37-38, Cicero even deliberates whether a stern Caecilian father ought to rebuke Caelius or an indulgent Terentian one speak up on the young man's behalf. The references are more than mere decoration. Since this part of Caelius' trial took place on a public holiday when many of the jury's fellow citizens were indeed at the theatre, Cicero's dramatization makes perfect sense: not only does he give a spectacular show for those stuck in

⁵⁴ Wright 1931, Winniczuk 1961, 213-22, and Laidlaw 1962, 139-42, document where Cicero alludes to the theatre and/or employs quotations from drama, but they do not pursue the idea any further. Hostile and/or dismissive reviews of Geffcken's book (notably by Douglas 1975 and Nörenberg 1976) showed many scholars refusing to accept that Cicero engaged with dramatic material in a more sophisticated and playful manner than had previously been supposed.

⁵⁵ Sussman has written two excellent articles on how Cicero characterizes Antony as *miles gloriosus* (1994b) and a *meretrix* (1998) in the *Philippics*. Klodt 2003 also deals with the topic of *dramatis personae* in Cicero, though her analysis is more wide-ranging and addresses generic characterization (such as harsh behavior, gentle behavior, scandalous behavior, e.g. 37-40) as well as stock characters from New Comedy and tragedy.

⁵⁶ Geffcken 1973, 17-27, and Dumont 1975, 425-26.

court, but he also plays on their allegiance to particular comic characters.⁵⁷ Whenever Cicero modeled a case's *personae* on the *personae* of the stage, he did so in the hope that it would sway his audience's judgement. As Vasaly points out, the basic moral principles enshrined in stock characters, especially those from New Comedy and *palliata*, provided juries and judges with a means of evaluating the issues at hand.⁵⁸

The kind of dramatic characterization that Cicero used to such great effect in his defence of Caelius also permeates many of his other speeches. The *Pro Roscio Amerino* casts the defendant as a well-meaning *rusticus*;⁵⁹ Antony appears in the *Philippics* as a *miles gloriosus* at one point, a *meretrix* at another;⁶⁰ the accuser of Q. Roscius Gallus is portrayed as a *leno*, precisely the role Roscius was known for.⁶¹ In his *In Pisonem*, Cicero describes Piso speaking at a public assembly *altero ad frontem sublato, altero ad mentum depresso supercilio* ("with one eyebrow raised to his forehead, the other lowered toward his chin", *In Pisonem* 14). In other words, Cicero gives Piso a comic mask that we know from Quintilian's description (*I.O.* 11.3.74).⁶² Axer has also pointed out that Cicero need not – and does not – always use the theatre as his model: the *Pro Milone* characterizes Milo as a heroic gladiator, stimulating the Roman crowd's enthusiasm and respect for the ethos of arena contests.⁶³

⁵⁷ Geffcken 1973, 10, explains that because the action was brought against Caelius under the *lex de vi* it could proceed even during the *Ludi Megalenses*.

⁵⁸ Vasaly 1985, 4-20, but especially 19.

⁵⁹ Vasaly 1985, 4-13.

⁶⁰ Sussman 1994b and 1998. See also Klodt 2003, 53, who adds a scene in which Antony appears to play the *servus currens*.

⁶¹ Axer 1989, 306. For a reconstruction of how Roscius may have acted Plautus' Ballio (his favorite role), see Garton 1972, 169-88.

⁶² Dumont 1975, 427, notes this connection. Quintilian describes the mask at *I.O.* 11.3.74: *pater ille, cuius praecipue partes sunt, quia interim concitatus interim lenis est, altero erecto altero composito est supercilio, atque id ostendere maxime latus actoribus moris est quod cum iis quas agunt partibus congruat.*

⁶³ Axer 1989, 308-309.

Such a panoply of characterization depends upon several basic principles of composition.

Summarizing Cicero's techniques, Axer writes:

Apparently any situation could perform this function, provided that it satisfied the following conditions to a sufficient degree: (1) it was an important and stable element in the "common world" shared by the speaker and the audience; (2) it corresponded, at least to a certain extent, with the realities of the trial (i.e., the persons and facts involved); and (3) it stimulated the emotional response of the audience in the direction desired and induced the audience to accept certain moral judgments about the case.⁶⁴

With slight modifications, Axer's scheme can be applied to the declaimers as well. Granted those in the schoolrooms did not have to bother with the "realities" of a trial (category 2), but they did use characterization to help them reify a *controversia* or *suasoria* topic. In fact, the surviving paratexts for *controversiae* encourage or even assume such characterization because they furnish the background and parameters for each case in typecast terms: pirates, grumpy old men, dissolute sons, prostitutes, war heroes, farmers, and tyrants. Matching Axer's scheme, the characters and situations in these scenarios were "an important and stable element in the 'common world' shared by speaker and audience" (category 1), while their behavior, familiar from the stage, stimulated the emotional response of the declaimer's real ('external') audience and was intended to sway the judgement of those imaginary ('internal') jurymen and judges presiding over the debate (category 3).

Besides, working with a set of typical stage *personae* had an educational purpose: standard scenarios ensured that everyone, masters and students alike, was dealing with the same material and could be assessed at something approaching a standard level. Further, it gave declaimers the opportunity to work freely on their *colores*, those artful excuses for a litigant's

⁶⁴ Axer 1989, 307.

motivation and conduct.⁶⁵ Impersonation and dramatic characterization were therefore integral and necessary parts of declamation, whereas Cicero used them occasionally and always voluntarily. Although advocates and schoolmen could employ theatrical material in the same basic way – framing arguments and pre-determining audience responses – the latter group did so to purely ludic ends. That a declaimer was not actually trying to convince a real judge and jury is a crucial distinction between his work and the orator's. After all, Quintilian and Lucian do not depict role play as the defining quality of courtroom rhetoric; they save it for the schoolroom.

Let us, then, examine some specific examples from extant declamation texts.⁶⁶ The roles Quintilian lists at *I.O.* 10.1.71 derive from *comoedia palliata* above all, a fact documented by the exercises preserved in Seneca the Elder, Pseudo-Quintilian, and Calpurnius Flaccus: the *controversiae* are peopled by pirates, parasites, prostitutes, orphans, angry brothers, strict fathers, and dissolute sons, all standard *personae* in Menander, Plautus, and Terence. The father-son conflict, a fundamental element of the New Comic plot, surfaces repeatedly in the *Controversiae*, as does the theme of unsuitable marriage. One character around whom these issues revolve is the *meretrix*. The love object of either a son or a father, she is a catalyst for litigation, albeit rarely the primary focus of the case. Calpurnius Flaccus *Decl.* 37 provides an illustrative example in which a father, in love with one *meretrix*, gives his son money to buy the girl's freedom, but the son pays for the release of his own *meretrix* instead, and is disinherited as a result.⁶⁷ A son

⁶⁵ Mal-Maeder 2007, 10, remarks that standard material did not just allow declaimers to invent *colores*, it actively encouraged them to do so.

⁶⁶ Given the limitations of space and time, I have chosen just a few specific examples. Declamatory literature contains numerous other stock characters, such as the tyrant, the hero, and the stepmother. Tabacco 1985 studies the figure of the tyrant, but the others still await adequate analysis.

⁶⁷ *Filius Meretricis Suae Redemptor: diversas meretrices amabant pater et filius. pater filio pecuniam dedit ut amatam patris redimeret. ille suam redemit. abdicatur (Decl. 37).*

conducting an affair with a prostitute is a standard motif in *palliata* and Greek New Comedy, as is his desperate need for cash to liberate her from her pimp: versions of the story can be found in Plautus' *Pseudolus*, *Asinaria*, *Mercator*, and *Miles Gloriosus*; and in the *Eunuchus* and the *Andria* of Terence. Old men in love with courtesans are also typical of comedy, appearing in Plautus' *Asinaria* and *Mercator*, and in Menander's *Samia* and his *Perikeiromene*.

Declaimers were not unaware of their debt to *palliata* and on many occasions in Seneca's the Elder's text, they are only too ready to capitalize on character stereotypes. The advantage in doing so was simple: by casting litigants as stock *personae*, declaimers depicted them according to recognizable moral typologies. This in turn provided the audience with an easy means of evaluating the issues at hand. The technique could also be used in a more sophisticated way, to measure the litigant's behavior against that of his or her stage counterpart. In *Controversia* 2.1, for instance, Cornelius Hispanus speaks in the *persona* of a disinherited son attempting to distinguish his own conduct from the vices typical of *comeodia palliata*'s *adulescens luxuriosus*. Wondering how he has offended his father, the son says, "For what does he reproach me? Do I love prostitutes? Did I get into debt?" (*Quid mihi obicit? meretricis amo? aes alienum feci? Contr.* 2.1.14). Hispanus acknowledges the stereotype even as he refuses to let his particular *persona* conform to it. By this act, he allows his audience to make an instant moral judgement about the young man. Constructing speeches around stock characters enabled declaimers to portray their case as pre-determined: if a *meretrix* or a dissolute son was involved, everybody already knew how the plot would play out.

Controversia 2.4 provides another example of declaimers exploiting a scenario's theatrical elements. In this case, a young man takes up with a prostitute after having been

disinherited. He has a son by her and dies, leaving his boy to his estranged father's care. The old man's other son, unhappy that his father has agreed to the arrangement, brings a charge of madness against him.⁶⁸ Pleading in the father's persona, Porcius Latro argues that his decision is reasonable because, among other things, the prostitute his son loved did not conform to her stage stereotype.⁶⁹ Recounting his visit to his son's sickbed, Latro's *persona* expresses surprise at seeing not a stock character, but an attentive woman caring for his son: *ubi est, inquam, meretrix?* ("where, I ask, is the prostitute?" *Contr.* 2.4.1). Pleading for the opposite side, another declaimer, Romanus Hispo, belittles the son's affair: "a real mime marriage, in which the lover enters the bedroom before he enters it as a husband" (*vere mimicae nuptiae <in> quibus ante in cubiculum rivalis venit quam maritus, Contr.* 2.4.5).⁷⁰ Though Hispo likens the plot to mime rather than *palliata*, the characters and the effect of their stereotypes are pretty much the same in this instance: by portraying the affair in such terms, Hispo reduces his opposition to predictable caricatures and so presents the case as a foregone conclusion.

Besides comic characters, declamations must have used the occasional comic scenario.

One example survives in Suetonius' *De Rhetoribus*:

⁶⁸ *Nepos Ex Meretrice Susceptus: abdicavit quidam filium; abdicatus se contulit ad meretricem; ex illa sustulit filium. aeger ad patrem misit; cum venisset, commendavit ei filium suum et decessit. pater post mortem illius adoptavit puerum; ab altero filio accusatur dementiae* (Sen. *Contr.* 2.4). Calpurnius Flaccus *Decl.* 30 presents almost exactly the same case, but it resembles a New Comedy / *palliata* plot even more closely inasmuch as it specifically labels the son *luxuriosus* and has him conducting the love affair *prior* to disinheritance: *qui habet filios frugi et luxuriosum, <luxuriosum> ob amore<m> meretricis abdicavit.*

⁶⁹ A point made by Mal-Maeder 2007, 13.

⁷⁰ Once again, I owe this parallel to Mal-Maeder 2007, 13-14, who has done much to assemble basic evidence on the topic of declamation and theatre.

Aestivo tempore adulescentes urbani cum Ostiam venissent, litus ingressi, piscatores trahentes rete adierunt et pepigerunt, bolum quanti emerent; nummos solverunt; diu exspectaverunt, dum retia extraherentur; aliquando extractis, piscis nullus affuit, sed sporta auri obsuta. Tum emptores bolum suum aiunt, piscatores suum.

Some city youths went down to Ostia during the summertime and when they stepped onto the shore, they encountered some fishermen hauling nets and arranged that they would buy the catch for a certain amount; they paid the money; they waited for a long time until the nets were drawn back in; when they were pulled out, there was no fish in them, but a sewn-up basket of gold. Next the buyers claim the catch is theirs, the fishermen, theirs.

(*Rhet.* 25.5)

The entire episode recalls the scene in Plautus' *Rudens* (906-1044), where Gripus fishes a trunk from the sea and Trachalio tries to take it from him. Appropriately enough, the Plautine scene is rife with legalistic language and argument.⁷¹ Since *Rudens* predates declamation's establishment as the cornerstone of Roman education, it is unlikely that Plautus' scene alludes to schoolroom exercises.⁷² On the contrary, the exchange between Gripus and Trachalio probably mocks contemporary oratory (too little survives for us to know with any certainty), and may also derive from a parallel scene in Greek New Comedy.⁷³ The declamation scenario Suetonius describes therefore seems to draw on theatre, rather than vice versa.⁷⁴ And its appearance in both comic

⁷¹ Batstone 2009, 213-15, analyzes *Rudens* 906-1044 as a mocking take on forensic reasoning. For full discussion of the scene's legal overtones, see Scafuro 1997, 154-68.

⁷² Secure dates for Plautus' plays are few and far between: we know that *Pseudolus* premiered in 191 B.C.E.; *Stichus* in 200; and *Casina* c. 185. On dating Plautus' plays, see Duckworth 1962, 52-56. It is equally difficult to pinpoint a precise period in which Roman education became fully Hellenized and the prototypes of *declamatio* introduced, but this does appear to have happened after Plautus' lifetime. Bonner 1949, 5-16, asserts that Roman forms of declamation developed from the theories of Hermagoras (*floruit* 140-130 B.C.E.) and the first Latin school of rhetoric is supposed to have been established by L. Plotius Gallus in the 90s B.C.E. (Cic. *De Or.* 3.93; Sen. *Contr.* 2 *praef.* 5; Suet. *Rhet.* 26.1; Quint. *I.O.* 2.4.42).

⁷³ *Rudens* 906-1128 is similar to Menander *Epitrepontes* 218-370, though we know that Plautus used Diphilus as a model for this particular play. Scafuro 1997, 161-68, asserts that the Plautine scene reveals a distinctly Athenian style of arbitration which probably derives from Diphilus' original.

⁷⁴ Suetonius groups this scenario among the *veteres controversiae*, by which he seems to mean that it was being practised during the late republic. He adds, however, that similar scenarios were still being used in his day (*sicut sane nonnullae usque adhuc*, *Rhet.* 25.5), an admission that justifies the passage's inclusion in my study. On the

and declamatory literature indicates that it was a standard motif, one a declaimer's audience would have recognized. Reproducing it in the schoolroom, moreover, had several advantages: not only would it have entertained listeners, but would also have given them a chance to judge the scene according to its typical treatment in the theatre.

That a scenario *had* already been treated in the theatre may, in fact, be the main reason for its replication in a declamatory exercise. Since a lot of ancient drama incorporated mock-legal scenes and rhetorical debates, its material was in a sense ready-made for the schoolroom. Both Cicero (*Inv.* 1.11) and the *Rhetorica ad Herennium* (1.18) mention hypothetical trials that investigated whether or not Ulysses murdered Ajax, and Quintilian likewise speaks of Orestes' revenge as if it were a textbook case (*I.O.* 3.11.4-13).⁷⁵ There is no surviving evidence that professional rhetoricians ever argued these particular scenarios in front of an audience, but if they had done so, they would have virtually transformed themselves into actors, speaking in the *persona* of a famous tragic character and debating the issues of his or her case, which had previously been debated on stage.

In this regard, *Suasoria* 3 provides a valuable parallel. Its topic sentence states: "Agamemnon deliberates whether to sacrifice Iphigenia with Calchas claiming that it is not permissible to sail otherwise" (*deliberat Agamemnon, an Iphigeniam immolet negante Calchante*

development of declamation, Seneca the Elder declares *controversia* a recent word: Cicero called the exercises *causas* and prior to Cicero's day they were *theses* (*Contr.* 1 *praef.* 1). Sussman 1978, 6-10, evaluates Seneca's claims. It may be that Suetonius is using *controversiae* anachronistically.

⁷⁵ The *iudicium armorum*, a ready-made debate, is also the subject of a pair of extant speeches by Antisthenes. There is clearly Greek rhetorical precedent for using fictitious scenarios as practice topics, but this does not invalidate my argument about declamation's role in the early empire. As I state above (90-94), large-scale public presentation is what makes first-century C.E. declamation distinctive. The point, therefore, is not that declamatory subject matter was *more* theatrical in the early empire, but that its *manner of presentation* brought it closer to actual drama than it had ever been before.

aliter navigari fas esse, Suas. 3). The text that follows shows most declaimers arguing the scenario in the first person, that is, speaking as Agamemnon rather than as an adviser. Unfortunately little survives of this *Suasoria* and none of the extant excerpts reveal any declaimers adopting a self-consciously dramatic tone, but the topic's theatrical potential is confirmed by a scene in Seneca's *Troades*, where Agamemnon and Pyrrhus debate another sacrifice, Polyxena's (*Troades* 203-359). Some Seneca scholars have criticized this exchange as superfluous: Agamemnon and Pyrrhus appear to argue simply for the sake of it, resolving nothing and stalling the play's action until Calchas' peremptory pronouncement renders their entire discussion void.⁷⁶ In fact, the debate is highly rhetorical and, like most of Seneca's deliberation scenes, resembles a declamation.⁷⁷ That Seneca could compose a set-piece debate between Agamemnon and Pyrrhus in a declamatory style suggests a pre-existing, reciprocatory relationship between declamation and the stage. A declaimer reciting a public speech in the role of Agamemnon is already half-way to performing as an actor; Seneca's scene just completes the transition.

So, while dramatic characterization was employed by orators and rhetoricians alike, it belonged fundamentally to declamatory activity. Comparison with Cicero demonstrates that advocates and declaimers could use *personae* to similar ends: to create or subvert moral typologies; to pre-dispose an audience; to persuade and entertain. The crucial distinction is that

⁷⁶ Fantham 1992, *ad loc.* comments: "Despite its complex argumentation and verbal ingenuity...the quarrel between Agamemnon and Pyrrhus, and its peremptory resolution, when Calchas is summoned to indicate the will of the gods, is the weakest dramatic unit of the play. Detached from the action at beginning and end, it also lacks the sense of dramatic direction that we would expect from a good adaptation of any scene by Euripides or...Sophocles' *Polyxena*." Wilson 1983, 38, cautions against such a view: "that the debate seems to get nowhere and decide nothing should neither disturb us nor lead us to the conclusion that the scene is a gratuitous exercise in rhetoric meant for independent recitation."

⁷⁷ I discuss Seneca's debate scenes in Chapter 4, 153-66.

scholastic exercises were a form of play. They were not real court cases involving actual individuals, but display speeches performed for largely solipsistic reasons. In such a context, dramatic characterization appeared more theatrical: declaimers, like actors, worked in a purely fictive world, and their skill was measured by how completely an audience accepted their illusions. Even when it dealt with very realistic cases, declamation remained the *imago* of oratory.

Pleading in *Persona*

I mention in the preceding section that declaimers often argued a topic by speaking in the person of a litigant. Known as *ethopoeia*, the practice is another of declamation's defining and typically theatrical aspects.⁷⁸ Courtroom pleaders could and did adopt the voices of other people and even granted speech to inanimate objects on occasions, but they spoke most frequently as themselves. The exact opposite applied to schoolmen who, like actors, always performed in character, presenting the litigant's case in the litigant's voice. In the few instances that the imagined defendants were women or other disenfranchised individuals prohibited by law from representing themselves in court, rhetoricians took on the role of an advocate.⁷⁹ But, even then, they were not pleading *in propria persona*: no declaimer ever spoke simply as a declaimer; he was constantly occupying a role.

Interestingly, this method did not correspond at all to contemporary legal conditions: the Roman judicial system did not allow defendants to represent themselves; that was a Greek

⁷⁸ Hömke 2009, 240-55, examines role play in the Pseudo-Quintilianic *Declamationes Maiores*.

⁷⁹ A point made by Hömke 2009, 249.

practice.⁸⁰ When Roman declaimers spoke in a litigant's *persona*, they were therefore following the classical Greek tradition of λογογραφία, speech writing designed for individuals to memorize and recite in court.⁸¹ Since the most effective speechwriters were those who could match their words to their clients' behavior and status, characterization became a skill crucial to the λογογράφος.⁸² As we have seen, such characterization was by no means irrelevant or useless in the Roman courtroom, but declaimers certainly appear to have employed it to an excessive degree. Lacking direct, practical application, declamatory *ethopoeia* became an essentially dramatic exercise.

Pleading in *persona* is a mimetic activity. When an actor on stage occupies a role, he creates the momentary illusion that he *is* his character, and it is a condition of theatre that the audience accepts this illusion on a superficial level at least.⁸³ Similarly, when a rhetorician animates a *persona* other than his own, his listeners must participate in his illusion for the duration of his speech. Granted that declamation does not require a very high level of mimesis – the speaker does not engage in dialogue with others and need not portray his character physically – it is still more fundamentally mimetic than real courtroom oratory.

And declaimers went further than simply adopting their litigant's *personae*; they also inserted imaginary interjections into their speeches. Even a casual glance at Seneca's

⁸⁰ Clarke (revised: Berry) 1996, 93, mentions this discrepancy. Russell 1983, 15, observes that only in classical Athens were litigants allowed to represent themselves. So declamation's practices are also inappropriate for the Hellenistic legal system. For further discussion, see Chapter 1, 20, and n. 8.

⁸¹ An observation I owe to Russell 1983, 15.

⁸² See Quintilian *I.O.* 11.1.38: *Maior in personis observatio est apud tragicos et comicosque: multis enim utuntur et variis. Eadem et eorum qui orationes aliis scribebant fuit ratio et declamantium est: non enim semper ut advocati, sed plerumque ut litigatores dicimus.*

⁸³ Garton 1972, 21-40, examines the extent to which audiences accept and participate in theatrical illusion. The ideal is, of course, a happy medium: onlookers should not be so convinced by the illusion that they mistake it for reality, nor should they be so unconvinced that they fail entirely to engage with the performance.

Controversiae reveals the frequency of *inquit*, which appears each time a declaimer acknowledges that his (imaginary) opposition disagrees. Although this technique is by no means unique to declamation – orators used something similar, as did writers of philosophical diatribe – it takes on a more theatrical quality inside the schoolroom. Notably, declaimers always portray these interjections as actual rather than merely plausible; there is a significant difference between *inquit* and *dicet*. Equally important is the declaimers’ habit of citing what their ‘opponents’ say; these are often brief lines, but their presence pushes declamatory speech a little closer to dialogue.⁸⁴ *Controversia* 7.3 is especially replete with examples.⁸⁵ Pleading as a thrice-disinherited son accused of attempted poisoning, Varius Geminus declares: “*ter*” *inquit* “*abdicatus es.*” *Videris mihi, pater, obicere quod tamdiu vivam* (“ ‘You,’ he says, ‘have been disinherited three times.’ You seem, father, to charge me with living too long.” *Contr.* 7.3.2). Citation requires Geminus to switch *persona*, if only momentarily, before replying to the objection he has constructed. Later in the same speech, he addresses the audience: *Quod venio, quod pro me loquor, nolite mirari* (“Don’t marvel that I come to court, that I speak on my own behalf” *Contr.* 7.3.2). By alternating addressees – the son, the father, the audience – Geminus creates a quasi-dramatic situation that requires his audience to participate in the illusion of real courtroom debate. Declamation’s multiple voices may make for difficult reading on paper, but in

⁸⁴ Pianezzola 2003, 94-95, proposes this very new and – I think – exciting idea when he analyzes the sequence of imaginary exchanges in *Contr.* 1.4.1. I do not, however, accept his argument that the scenario in question is reminiscent of Orestes and Clytemnestra: the parallels are not strong enough, and no one declaiming this *Controversia* alludes to the story.

⁸⁵ *Contr.* 7.3.2 (Varius Geminus); 7.3.4 (Pompeius Silo and Musa); 7.3.5 (Porcius Latro, Arellius Fuscus, Junius Otho).

actual performance, they enhance the speaker's mimetic effect and contribute to the audience's entertainment.⁸⁶

This audience perspective is, moreover, crucial to assessing declamation's theatrical quality. On paper, *Controversiae* might not look particularly dramatic, but many of their key elements – stock characters, scenarios, personifications, invented interlocutors and multiple addressees – must have engaged listeners in ways similar to the theatre. Admittedly, declamation involved no visuals, no spectacle. It did, however, assume that its audience possessed extensive awareness of dramatic material, and it framed its presentation in theatrical terms.

Hence: the close parallel between declamation and recitation. I have already examined how Roman orators recycled their courtroom speeches as *recitationes*; public readings of literature likewise resembled declamatory performances during the early empire. Notably, tragedy was one of the more common recitation genres: Pliny the Younger declares tragic drama a standard feature of public *recitatio* (*Ep.* 7.17.3-5), while Juvenal's first Satire lists two dramatic works – a *Telephus* and an *Orestes* – in its scathing catalogue of second-rate recitals (*Sat.* 1.5-6).⁸⁷ The turbulent reception that greeted Maternus when he recited his play, *Cato*, is what prompts discussion in Tacitus' *Dialogus* (*postero die...Catonem recitaverat, Dial.* 2.1) and, unruffled by the controversy he has caused, the same character avers that he will give another reading (*sequenti recitatione, Dial.* 3.3), this time of a *Thyestes*.

Because reciting tragedies was such a widespread and popular pursuit in first-century C.E. Rome, Sander Goldberg proposes that playwrights of this era gradually ceased from

⁸⁶ Interestingly, this kind of "speech within speech" is a defining trait of Menander's comic style, and Terence's after him: see Handley 2002, 178-87.

⁸⁷ Mayor 1886, *ad loc.* identifies both of Juvenal's titles as tragedies.

presenting their material in the theatre: he stresses that there is little evidence for the staging of new dramatic works and argues that tragedy's increasingly verbal, rhetorical quality was what preserved it as a genre.⁸⁸ There are, however, some indications that performances were still occurring under the principate: Tacitus mentions the first-century C.E. playwright, Pomponius Secundus, "presenting plays on stage" (*is carmina scaenae dabat*, *Ann.* 11.13), and when Quintilian praises Pomponius' work, he calls him *eorum quos viderim longe princeps* ("by far the foremost of those I have seen", *I.O.* 10.1.98), thereby suggesting that he has witnessed not only Pomponius' drama, but also the plays of other writers in his list.⁸⁹ Besides, archaeological remains indicate that Romans continued to build theatres in this period, so they must have been holding shows of some kind.⁹⁰ The evidence may be slim, but what there is of it points towards tragic drama occupying both stage and recital hall throughout the early imperial period.

In any case, to polarize recitation and performance is to create a false antithesis; the difference between these two practices is not as great as scholars generally assume. John Herington flagged this issue in his 1966 article on Senecan tragedy when he remarked that Seneca's tight, stichomythic exchanges must have been confusing to listen to, especially if presented by only one *recitator*.⁹¹ It is a good point: unlike other kinds of poetry, drama has no

⁸⁸ Goldberg 1996. Beacham 1991, 154, makes a similar assertion: "by the end of the first century BC, the composition of new plays for the theatre had virtually ceased, as alternative forms of scenic entertainment gradually displaced scripted tragedy and comedy." The last recorded staging of a newly composed tragedy was Varius' *Thyestes*, performed in 29 or 28 B.C.E: the information derives from the *Codex Montecassinus* 1086, fol. 64, and can be found, in extract form, in Csapo and Slater 1994, 215. Despite this evidence, Tacitus *Ann.* 11.13 (cited above) implies that Pomponius Secundus had written and staged a new play, though it does not appear to have been well received.

⁸⁹ The other writers in Quintilian's list are Accius, Pacuvius, Varius, and Ovid.

⁹⁰ Jory 1986, 143-52, makes the astute point that literary evidence can be misleading: non-literary evidence from the imperial period indicates that theatre was thriving.

⁹¹ Herington 1966, 444-45.

contextualizing narrative to indicate which character is speaking at any given moment. On stage, this arrangement presents no problems, but it creates a lot of difficulty in the recital hall. Herington's solution was to suggest multiple speakers, a neat theory unfortunately not supported by extant use of the verb *recitare*, which always occurs in the singular when it designates a literary recital.⁹² So, whichever means the Roman reciter employed to signify a change in character, it appears he was doing it solo. Perhaps he imitated voices, or adopted certain postures, or gestured in a set manner: all imaginable possibilities are quasi-theatrical. And to the extent that he must have impersonated his *dramatis personae*, a reciter begins to resemble a declaimer. Both spoke in character, in front of an audience, and if we recall that the rhetoricians of *Suasoria* 3 even spoke as Agamemnon, the resemblance grows nearer still. *Recitatio* and *declamatio* appear to have been closely related practices.

Declamation, then, was mimetic in much the same way as public recitation of drama. Like *recitatio*, declaiming was an intermediate pursuit, not a full theatrical performance with props and sets and costumes, but also not the strictly textual experience of private reading. Given their manifest similarity, it is probably no coincidence that *declamatio* and *recitatio* came to prominence in the same era and were attended by the same crowd of aristocratic literati. Together, the two activities represent a new kind of public speech, one that allowed members of the relatively disenfranchised Roman elite to perform their public identity as masters of *eloquentia*. Rather than necessarily indicating a decline in stage performances, recitation's development, like declamation's, demonstrates just how ludic public speech became in early imperial Rome.

⁹² Herington 1966, 444-45. For forms of the verb, see *OLD* s.v. *recitare*. Herington's suggestion is also adopted by Boyle 1997, 12.

Thyestes

Controversia 1.1 is the most complete example of declaimers alluding to drama. It also illustrates all of the pseudo-theatrical techniques I have discussed so far, making it perfect material for the final section of this chapter.

The case in this *Controversia* deals with the most popular of all declamatory themes: disinheritance. Its outline goes as follows: two brothers, one with a son, one childless, have a long-standing disagreement; when the uncle falls into need, the youth supports him, although his father orders him not to; he is disinherited and adopted by the uncle; when the uncle grows rich and the father falls into need, the son supports his father against his uncle's wishes; a second disinheritance ensues, this time from the uncle.⁹³ Though the scenario has obvious comic potential, the declaimers in this instance prefer to emphasize its tragic aspects. Because adopting the uncle's character and arguing in defence of his conduct presented greater difficulties than pleading for and as the son, Porcius Latro advises his fellow declaimers to introduce the *color* of "unremitting and blazing anger...in the manner of Thyestes" (*inexorabilia et ardentia odia...Thyesteo more, Contr. 1.1.21*).⁹⁴ He then proceeds to implement his own advice, arguing the uncle's case via Thyestes' moral typology. He even inserts a tragic verse into his speech: *cur fugis fratrem? Scit ipse* ("Why do you flee your brother? He knows", *Contr. 1.1.21*). No one has determined this fragment's source, but the casual manner with which Seneca cites it (*illo versu*

⁹³ *Patruus abdicans: duo fratres inter se dissidebant; alteri filius erat. patruus in egestatem incidit; patre vetante adulescens illum aluit; ob hoc abdicatus tacuit. Adoptatus a patruo est. Patruus accepta hereditate locuples factus est. Egere coepit pater: vetante patruo alit illum. Abdicatur. (Contr. 1).*

⁹⁴ Goldberg 1996, 277-78, and Mal-Maeder 2007, 15-16, both note this pertinent example.

tragico; “that tragic line”, *Contr.* 1.1.21) implies that it was famous enough not to require an introduction.⁹⁵

What Latro does, then, is speak in character (the uncle’s), direct his argument according to a recognizable typology derived from the stage (Thyestes), and engage in a secondary level of impersonation by quoting an actual line from an *Atreus* / *Thyestes* tragedy. His first action is a standard declamatory requirement. His second renders his case more persuasive by calling upon the audience’s emotional allegiance: if the uncle in this scenario is Thyestes, then the father must be Atreus, along with all the bloodthirsty criminality that *persona* entails. Latro’s third action transforms his impersonation into entertainment: it is greeted with shouts of approval (*summī clamoribus*, *Contr.* 1.1.21) and it places Latro momentarily in the stage role of Thyestes. When Latro says this line, he is simultaneously declaimer and actor; altogether, his various techniques invite his audience to treat his declamation like theatre.

Thyestes’ story, moreover, enjoyed remarkable popularity during the early empire: Varius staged a version in 29/28 B.C.E.; Gracchus wrote one under Augustus (Ovid *Pont.* 4.16.31); Scaurus composed an *Atreus* that displeased Tiberius (Dio 58.24.3-4); Pomponius Secundus added another *Atreus* to this collection in Claudius’ reign (Non. 144.24); we have the full text of Seneca’s *Thyestes*; and Tacitus’ Messalla declares his intentions to write a drama on this very theme (*Dial* 3.3).⁹⁶ Latro’s tragic allusion therefore engages with a contemporary topic, and it seems likely that many of his audience members would have heard or witnessed one or

⁹⁵ Ribbeck 1898 lists it under the *incerta* (no. 115).

⁹⁶ Tarrant 1985, 40-43, discusses pre-Senecan dramatic versions of the Thyestes myth.

more versions of the play.⁹⁷ Latro's mimetic activity is topical; he animates his litigant's *persona* in the entertaining fashion of contemporary theatre and aligns his profession with that of people who recite drama, and perhaps even with people who perform it.

Following Latro's lead, the precocious young student Alfius Flavus maintains the theatrical atmosphere of this *Controversia*. Contrary to the older rhetorician, Flavus chooses to characterize the uncle as an Atreus figure. Seneca reports his performance as follows:

Hic cum declamaret partem abdicantis, hanc summis clamoribus dixit sententiam: Quis es tu qui de facto patrum sententiam feras? ille tunc peccavit, tu nunc peccas. Ad te arbitrum odia nostra non mittimus: iudices habemus deos. Et illam sententiam: Audimus fratrum fabulosa certamina et incredibilia, nisi nos fuissetis: impias epulas, detestabili parricidio fugatum diem: hoc uno modo iste frater a fratre ali meruit. Quam innocenter me contra parricidium vindico! filium illi suum reddo.

When he [Flavus] was declaiming the disinheritor's role, he spoke this epigram amid great applause: Who are you to pass judgement on the action of your fathers? He committed a fault back then, you do now. We don't submit our hatred to you for sentencing: we have gods as our judges. And this epigram: We hear of brothers' mythical conflict, things that would be unbelievable if we had not existed: ungodly banquets, the day forced to flee from abominable murders: that's the only way this brother deserved to be fed by his brother. How blamelessly I take my revenge for parricide! I give him back his son.

(*Contr.* 1.1.23)

In this speech, Flavus seems more intent on entertaining his audience than winning over the trial's imaginary judges. The uncle he depicts is not at all sympathetic; when his listeners applaud (*hanc summis clamoribus dixit sententiam*), they are interested not in moral typology, but in how cleverly Flavus has dramatized the uncle's character. As Flavus presents him, this man is less a litigant than he is a role.

⁹⁷ Since Latro died in 4/3 B.C.E., his allusions cannot pertain to any version later than Varius' and, possibly, Gracchus' (regarding which we know now more than that it was Augustan). Accius also wrote a famous *Atreus*, which Latro's audience would doubtless have known. Bornecque 1902, 188-92, provides a comprehensive biography of Porcius Latro.

Although we cannot be certain, it is also possible that Flavius models his final line on a quotation from tragedy. At the end of Flavius' speech, the plaintiff uncle contrasts his revenge with that of Atreus: whereas the latter murdered his nephews and fed them to their own father, the uncle in this case merely returns his brother's son. Into this highly allusive context, Flavius inserts the phrase *filium illi suum reddo* (*Contr.* 1.1.23). The words would seem completely generic, if not for a similar phrase that appears in Seneca's *Thyestes* at precisely the moment to which Flavius alludes. In Seneca's version, Thyestes, sated, uncertain, and as yet unaware of his own cannibalism, demands that Atreus return his sons: *redde iam natos mihi!* ("now give my sons back to me!" *Thy.* 997). In response, Atreus plays with the idea: "I shall 'return' them, and no day will ever snatch them from you" (*reddam, et tibi illos nullus eripiet dies, Thy.* 998). Flavius' *sententia* depends on exactly the same shift in meaning; it acquires its point by comparing two forms of revenge: the uncle's is innocent (*quam innocenter me contra parricidium vindico, Contr.* 1.1.23) because it involves a literal return; the implied parallel is Atreus' guilty act, which employed *reddo* in a gruesomely figurative manner.

While chronology makes it unlikely that Flavius' line alludes to Seneca,⁹⁸ similar diction points towards a mutual source. It may be that Flavius is referring to Accius' version, or Varius', or to some other that history has failed to record.⁹⁹ Whatever the answer, one thing is certain: Flavius' tragic allusion locates the mock-legal procedure in the realm of contemporary drama. The audience is encouraged to approach this case as if it were a show.

⁹⁸ I refrain from saying 'impossible' because Ahl 2008, 11-16 and 126-32, suggests dating at least one play from the Senecan corpus to the Augustan era. See Introduction, 13-14, for further discussion.

⁹⁹ From numerous textual correspondences, Accius' *Atreus* appears to have been the main source for Seneca's *Thyestes*. On this, see Tarrant 1985, 41-42. Since Flavius' text corresponds to Seneca's, there is a good chance that he too is referring to the prior Accian version. It is only a chance, though, and Roman poetry's highly allusive nature precludes any definite judgement.

Conclusion

Declamation's original purpose was to train students for the forms of public speech they would encounter as upper-class Romans: forensic and deliberative oratory. To this end, scholastic exercises imitated courtroom and political settings, and let students practise a small amount of role play. During the early empire, though, declaiming fictitious themes in front of an audience became an adult pursuit as well, and significantly, an activity in which Roman aristocrats took part. For professional rhetoricians and elite enthusiasts, declaiming did not fulfill any pedagogical function: it was display oratory that specialized in elaborate presentation for the sake of entertaining others. This kind of declamation was to oratory what theatre was to reality.

Operating at one remove from 'real' forms of public speech made declamation a kind of performance, a quality that schoolmen were more than ready to exploit via dramatic characterization and allusion. But even if they refrained from including *saeviores tragicis novercas* (Quint. *I.O.* 2.10.5, above) *declamatio* still involved quasi-theatrical activity inasmuch as it required speakers to deliver arguments in *persona* and articulate imaginary objections. The declaimer, as Lucian and Quintilian observe, was an expert in impersonation.

Any or all of these techniques could, of course, be used in actual oratory as well. The Roman advocate could adopt another's voice (*prosopopoeia* / *ethopoeia*), although not for the entire duration of his speech; he could put objections into his opponent's mouth; he could characterize litigants as dramatic *personae* and allude to whatever theatrical material he thought most appropriate. The important difference is purpose: a declaimer only ever *plays* at being an orator. Seneca the Elder illustrates this distinction very clearly when he tells us that the rhetorician Cestius Pius was in the habit of writing and performing replies to Cicero's speeches

(*Contr. 3 praef. 15*). Such an activity not only confirms declamation as the *imago* of oratory, but also transposes Cicero's work into *declamatio*'s illusory world. By composing and reciting an *In Milonem*, Cestius appropriates and recasts Cicero for the purpose of rhetorical display at the same time as he pretends to be a real advocate confronting Rome's greatest orator in an actual courtroom.

Seneca's story has one further episode: the professional orator Cassius Severus grows annoyed by Cestius' behavior and decides to prosecute him for the sake of avenging Cicero (*deinde libuit Ciceroni de Cestio in foro satisfacere, Contr. 3 praef. 17*). Although Cassius' action is not wholly serious – it is intended primarily to intimidate Cestius – it still indicates the gap that separated courtroom from schoolroom. More than anything else, the prosecution appears to have symbolic value: it reclaims and repositions Cicero in the domain of actual forensic oratory. Altogether, the anecdote demonstrates how the growing popularity of public declamation risked turning oratory into a performance; the particular circumstances of Cestius and Cassius' dispute are part of a larger conflict between real advocacy and its mimetic counterpart, with the former constantly defending itself.

SENECA DECLAMANS

Introduction: *Tragoedia Rhetorica*

In the first two chapters of this dissertation, I discussed how early imperial orators defined themselves and their profession in relation to prevailing theatrical trends. In the third, I analyzed declamation as a genre of public speaking that occupies middle ground between oratory and drama. This fourth and final chapter examines the relationship from the other side, and discusses how declamation's quasi-dramatic qualities influenced the style of Seneca's tragedies. The following analysis represents a combination and culmination of many of my previous arguments: whereas chapters 1-3 concentrated on the orator as a performed identity, this chapter looks at how actual dramatic *personae* are shaped by first-century C.E. rhetorical practices. Further, the prevalence of *controversia* and *suasoria* material in Seneca's plays confirms *declamatio* as an inherently theatrical activity, one that generated both the stock *personae* and the rhetoricized debates that to some extent define Seneca's dramatic oeuvre. In sum, I have until now treated oratory and declamation fundamentally as performances and more abstractly, as means of performing elite Roman identity; the discussion that follows situates both these topics in the realm of drama proper.

The idea that Seneca's plays borrow from or even resemble declamations is hardly new.¹ When Friedrich Leo published his *Observationes Criticae* in 1878, he proposed that Seneca's

¹ It is, in fact, something of a scholarly *locus communis*. Its proponents include (but are in no way limited to): Leo 1878, 147-59; Butler 1909, 48-58; Canter 1925, 9-185; Eliot 1927 (reprinted 1972), 66-70; Bonner 1949, 161-67; Costa 1973, 3-6; Fantham 1982, 25-29; Pratt 1983, 12-34 and 132-63; Goldberg 1996, 273-84; Boyle 1997, 15-31; Hook 2000.

tragedies constituted an entirely distinct genre, which he labeled ‘tragoedia rhetorica’.² By the early twentieth century, the idea was so well established that Harold Butler could summarize Senecan drama as consisting in “description, declamation, and philosophic aphorism” while two decades after Butler, T. S. Eliot could claim that the dramas Seneca wrote were “all in the word”.³ This trend of reading Seneca’s plays as if they were declamations in dramatic form has persisted even into recent scholarship, as demonstrated by the work of Norman Pratt (1983) and Sander Goldberg (1996 and 2000).⁴ Bernd Seidensticker is certainly right in his observation that Leo’s theory has enjoyed a long life, especially in English-language studies of Seneca.⁵

Recently, however, scholarly focus has shifted. Older views of Seneca often treated the plays’ rhetorical style as proof that they were composed for recitation rather than performance.⁶ Reacting against this theory, the majority of contemporary scholars have reclaimed Seneca for the theatre and proposed that these works be regarded as dramas before they are regarded as

² Leo 1878, 147-59.

³ Butler 1909, 48; Eliot 1927 (reprinted 1972), 68: “In the plays of Seneca, the drama is all in the word, and the word has no further reality behind it. His characters all seem to speak with the same voice, and at the top of it; they recite in turn.”

⁴ Pratt 1983, 12-34 and 132-63, analyzes Seneca’s declamatory qualities in a judicious and perceptive manner. Unfortunately, the ideas contained in this monograph were unfashionable even at the time of their publication, and have as a result rarely been acknowledged by contemporary Seneca scholars. Goldberg 1996, 273-84 and 2000, 221-27, links Seneca’s rhetorical style with arguments for recitation rather than performance. Hook 2000 represents a new approach to this old topic, combining declamation with discussion of dramatic characterization.

⁵ Seidensticker 1985, 116.

⁶ An argument espoused in various permutations by Leo 1878, 147-59; Butler 1909, 48-58; Eliot 1927 (reprinted 1972), 66-70; Pratt 1983, 12-34, and 132-63; and Goldberg 1996, 273-84, and 2000, 221-27, among many others. Canter 1925, 9-185, provides a full study of all those instances where Seneca’s work corresponds to declamatory material. Of course, not all pro-recitation arguments focus on declamation: Zwierlein 1966, examines pre-Senecan traditions of recitation drama and asserts that Seneca’s plays belong to this category because they contain numerous scenes that Zwierlein cannot imagine being performed on the ancient stage; Fantham 1982, 34-49, modifies Zwierlein’s conclusions by claiming that Seneca’s tragedies often defy basic dramatic conventions (entrances, exits, chorus use, continuity of time and place etc.), and argues for dramatized readings or publication *tout court*; Mayer 2002, 19-35, follows Fantham in asserting that aspects of Seneca’s style – in particular, long asides and descriptive monologues – defy the traditional conventions of the Greco-Roman stage. None of these positions is free from difficulty or groundless assumption in some form (but the same is true of pro-performance arguments).

anything else.⁷ However, since there is no conclusive proof that Seneca's tragedies were staged during his lifetime, this more recent critical approach tends to analyze 'theatre' as it features in the internal world of Seneca's texts: it concentrates on theatricality, metatheatre, and role play, all of which have become "well-rehearsed topics" in the study of Senecan drama.⁸ The approach has been valuable: not only has it demonstrated how Senecan tragedy engages with other forms of staged entertainment – especially gladiatorial games – but it has also enabled classicists to discuss Seneca's 'dramatic' qualities without addressing the insoluble problem of whether his plays were intended for performance.⁹ Such analysis also has its drawbacks, though, and one of its most significant omissions is the various ways in which declamation influenced Seneca's tragic style.¹⁰

Seneca scholarship therefore tends to separate declamation from dramatic effect; it treats the two topics in discreet categories.¹¹ However, as I hope to have shown in the previous chapter,

⁷ This is especially true of work by Ahl 1986, 18-27, and Boyle 1997, 3-12. The argument that Seneca intended his plays for total or partial performance was established much earlier in non-English scholarship: see, for instance, Hermann 1924. Zwierlein 1966, 10 n. 5 gives a full list of 'pro-performance' scholarship prior to the date of his monograph's publication. More recent work includes Braun 1982 and Sutton 1986, both of whom assert that Seneca's plays must be staged in order to achieve the full and true extent of their meaning.

⁸ On theatricality, metatheatre, and role play in Senecan tragedy, see: Braden 1970, 13-21; Traina 1979, 273-76; Segal 1982; D. and E. Henry 1985, 96-115; Gill 1987, 31-7; Boyle 1997; Fitch and McElduff 2002; Schiesaro 2003, 26-69; Erasmo 2004, 122-37; Littlewood 2006. The pun on rehearsal comes from Schiesaro's review of Littlewood (*BMCR* 2006). Schiesaro 2003, 26-69 is also a good example of scholarship that concentrates on the internal drama of Seneca's plays: his chapter, "Staging *Thyestes*" is not about staging *per se*, but about the metatheatrics of Atreus' revenge. More than Seneca's other characters, Atreus and Medea behave like playwrights, manipulating dramatic actions and bending others to their (megalomaniacal) will. Boyle 1997, 116-18, summarizes briefly how Atreus plots a 'play within a play'; at 122-33, he analyzes Medea's dual role as actor and director. Littlewood 2004, 180-94, compares Medea and Atreus as dramaturges.

⁹ Boyle 1997, 132-37, and Shelton 2000, 87-112, compare Seneca's tragic violence to gladiatorial combat and 'mythological' executions.

¹⁰ The main exception to this scholarly trend is Boyle 1997, 15-31, who summarizes Seneca's declamatory style and hints that the playwright's highly wrought rhetoric need not cancel out his equally potent sense of the dramatic.

¹¹ Pratt 1983 is a very accurate example of this tendency: it analyzes Senecan drama in terms of Stoic philosophy and declamatory rhetoric – and says much of value about both – but does not really talk about drama *per se*, except

there are many ways in which declamation can be regarded as quasi-dramatic, and this fact further implies that a rhetorical style need not preclude theatricality or a play's potential for performance. Though this argument does not resolve the question of staging versus recitation (without new evidence, conclusive answers will never be possible), it does enable us to see how theatricality is part of Seneca's declamatory style rather than antithetical to it.¹² To modify Eliot's phrase, the word *is* the drama in Seneca's tragedies.

Stock Characters?

In order for us to understand fully how declamation influenced Seneca, it is necessary first of all to situate these tragedies within their broader cultural context. I state in chapter 1 that Roman orators could and often did regard their occupation as equivalent to a role, a public identity achieved via its public performance. Interestingly, Seneca's characters display a commensurate level of self-awareness: they treat themselves as dramatic roles and fashion their identities accordingly. In part, these parallels point to a common source, the broadly Stoic notion of *persona* that defined identity via analogies to the theatre (e.g. Cic. *De Off.* 1.114; Sen. *Ep.* 80.6-8).¹³ Yet they also point towards a more diffuse elite preoccupation with social typologies, one which affected not just orators and declaimers, but emperors as well. The idea that one must behave in a manner befitting (*quid deceat*) circumstances, social standing, and audience expectations is something that motivates a ruler like Nero just as much as it motivates Seneca's

for a brief introduction on the question of staging vs. recitation. Hook 2000, 54, remarks that Leo, who initiated the concept of 'tragoedia rhetorica', assumed that rhetoric and tragic drama were fundamentally incompatible.

¹² On the topic of staging versus recitation, I find Herington 1966, 444-45, both a sensitive and sensible line of reasoning.

¹³ See Chapter 1, 41-43.

dramatis personae. Further, this typological approach to defining the self represents a fundamental link between Senecan tragedy and extant declamation texts: both focus on external markers of identity, constructing characters according to their social position and public behavior. In other words, both treat characters as pre-determined roles, and in so doing, these two genres draw upon and reflect contemporary notions of *persona*.

When scholars of previous decades criticized Senecan tragedy, one of their more frequent complaints was that the characters in these works neither acted nor spoke as individuals. Butler writes: “Seneca’s *dramatis personae*...give the impression of being no more than mechanical puppets”; Eliot remarks that Seneca’s characters appear to have no private lives; Mendell describes Seneca’s Oedipus as merely “a device for arousing horror” and devotes an entire chapter of his monograph to the topic of “stock characters”.¹⁴ Behind the negative opinions of these scholars lurks the assumption that dramatic characters should, ideally, be portrayed as individuals whose lives and personalities extend beyond the drama they are enacting.¹⁵ In contrast, the term ‘stock character’ implies a recognizable type – like the young man or clever slave in Greco-Roman New Comedy – a figure of superficial personality and transparently literary purpose; the opposite of a realistically depicted individual.¹⁶

¹⁴ Butler 1909, 49; Eliot 1927 (reprinted 1972), 70; Mendell, 1941, 10 and 169-88 (“Stock Characters”). To Mendell’s credit, his chapter on ‘stock characters’ concludes that Seneca’s stage *personae* are not entirely lacking in depth or originality.

¹⁵ An assumption especially common in early-twentieth century interpretations of Greek tragedy: see Garton 1972, 190-91.

¹⁶ For a general, literary definition of ‘stock characters’, see Holman and Harmon 1992, 455-56. By ‘transparently literary purpose’, I mean that stock characters are created expressly to perform particular functions. In Greco-Roman New Comedy, for instance, the slave’s cleverness is used primarily to solve his young master’s problems; it is a purely *functional* element of his character. As regards New Comedy/ *palliata*, playwrights in these genres frequently acknowledged stock characters and stock situations by modifying or subverting them: see, for instance, Zagagi 1995, 15-45, on Menander’s adaptation of comic conventions. It is, moreover, quite possible that the standard character-types of Greco-Roman New Comedy ended up influencing Senecan tragedy. Tarrant 1978 analyzes a

Yet, to evaluate Senecan tragedy in such terms is to employ anachronistic concepts, both literary and philosophical. Questions of artificiality or authenticity simply do not help us understand why Seneca's *dramatis personae* behave the way they do. Pratt comes nearer the mark when he observes: "the reason that they [Seneca's characters] do not speak as living personages is that they are not constructed as individuals."¹⁷ More precisely, the popular notion of personal identity in Seneca's era held that people were essentially roles; there was little if any difference between person and *persona*.¹⁸ For Seneca's characters, then, expressing their personal identity is equivalent to assuming and successfully executing the roles they were meant to play. If they do not seem to behave like 'real people', that is less a result of Seneca's style than the inevitable consequence of a worldview that treats real people like characters. Seneca's *dramatis personae* may be all surface, but their very superficiality is evidence of their self-realization.

Moreover, Seneca's characters recognize and evaluate themselves as types, speaking and acting in full awareness of their own *personae*. They do this most obviously and most frequently by using their own names.¹⁹ Seneca's Medea refers to herself in the third person no fewer than eight times during the course of her eponymous tragedy (8; 166; 171; 517; 524; 567; 910; 934). Hercules outdoes her, speaking his own name on twelve separate occasions (631; 635; 957; 960; 991; 1152; 1155; 1163; 1168; 1218; 1295; 1316). In Seneca's *Oedipus*, the name 'Oedipus'

variety of ways in which Senecan tragedy developed from New Comedy. The topic of characterization would be a plausible addition to his argument.

¹⁷ Pratt 1983, 150.

¹⁸ As I state above, this popular notion is broadly Stoic in origin and formulation. Further, Stoic theories of identity do not "envision a purely private or introspective selfhood divorced from determinate roles" (Long 2009, 27). On *persona* theory in Stoic philosophy, see De Lacy 1977; Gill 1988; Bartsch 2006, 208-29.

¹⁹ An observation made by Fitch and McElduff 2002, 24.

appears four times, two of them uttered by the protagonist himself (216 and 1003; compare: 916 and 943). In the *Troades*, Ulysses first tells Andromache, “it is not easy for you to deceive Ulysses” (*nec facile est tibi / decipere Ulixem, Troades* 568-69) and later employs his own name in self-exhortation: *quid agis, Ulixē?* (“what are you doing, Ulysses?” *Troades* 607); *nunc advoca astus...nunc fraudes, dolos / nunc totum Ulixem* (“now summon cunning...now deception, trickery / now summon Ulysses entirely”, *Troades* 613-14). Atreus likewise names and exhorts himself (*Thyestes* 180), as does Aegisthus, albeit in very different circumstances (*Ag.* 223).

One way to interpret such self-naming is to call it ‘metatheatre’. For instance, Anthony Boyle defines Seneca’s characters as theatricalized because they recognize their status as *dramatis personae* and behave in accordance with dramatic precedent.²⁰ Many of them also use other on-stage characters as spectators who must (often unwillingly) confirm that the character in question has achieved his or her role.²¹ Medea is the most fitting and famous example of this theory.²² She acknowledges her expected role from the play’s outset, invoking gods “to whom it is right for Medea to pray” (*quos...Medeae.../fas est precari, Medea* 8-9). Later, when the Nurse addresses her by name, Medea turns the woman’s plea into a promise of self-fulfillment:

²⁰ Boyle 1997, 112-37.

²¹ For example, Medea complains that Jason did not witness her crime (*derat hoc unum mihi, / spectator iste, Medea* 992-93). Atreus surpasses her need for attention: he wishes he could have held back the fleeing gods, and dragged them in to watch the banquet (*utinam quidem tenere fugientes deos / possem, et coactos trahere, ut ultricem dapem / omnes viderent – quod satis est, videat pater. Thyestes* 893-95). On spectatorship in Senecan tragedy, see Boyle 1997, 132, and Shelton 2000.

²² Boyle 1997, 122-33, and Littlewood 2004, 180-94, address the major elements of Medea’s self-dramatization; Edwards 2002, 386, treats Medea as a paradigmatic case of ‘self-actualization’; Gill 1987, 31-34, emphasizes the self-awareness that typifies Medea’s final monologue (*Medea* 893-977); Henry and Walker 1967, 176-77, speak of Medea’s “desperate affirmation of identity existing or to come”.

Nutrix: Medea—
Medea: Fiam.
Nutrix: Mater es.
Medea: Cui sim vides.

Nurse: Medea—
Medea: I shall become her.
Nurse: You are a mother.
Medea: You see who made me so.

(*Medea* 171)

Here Medea emphasizes the *process* involved in achieving her identity: she implies that there exists a prototype Medea, one known to Seneca's audience, to the other characters within the play, even to Medea herself. Moreover, she will attain this identity only through performing the actions that traditionally define it: only when she proves capable of killing her children and avenging her marriage will Seneca's Medea confirm herself in the role whose name she bears. *Medea nunc sum* ("now I am Medea") she proclaims just prior to the first of her two infanticides (910). Then, in the play's final moments, she responds to Jason's rage by affirming her own *persona*: *ingrate Iason, coniugem agnoscis tuam? / sic fugere soleo* ("Thankless Jason, do you recognize your wife? / This is how I usually escape" *Medea* 1021-22). By the tragedy's end, Medea has achieved precisely what she set out to do: not just avenge Jason's infidelity, but use that vengeance to assert her own characterization. She assumes her ideal identity only after she has behaved in the manner expected of her. A sense of precedent therefore pervades the entire play, as if each dramatic event existed solely for the purpose of Medea's self-fashioning.²³

²³ Garton 1959, 8 (repeated in 1972, 200-201), observes that Seneca's characters use rhetorical/declamatory precedent to construct their own identities. The remark is a fruitful one, though Garton himself does not dwell on it. Braden 1970, 15, mentions a similar idea in passing. Finally, Fitch and McElduff 2002, 27-30, grant Garton's suggestion the attention it deserves.

With the phrase *sic fugere soleo*, Medea implies that not just her ‘self’, but her escape also has a prototype. She treats the event as something that has happened before, taunting Jason for his ignorance of how the scene concludes.²⁴ Wilamowitz-Moellendorff famously remarked that Seneca’s Medea had read Euripides, and it is tempting to see in this heroine’s self-consciousness a signal of her literary belatedness.²⁵ Seneca’s Medea comes at the end of a long literary tradition that she strives to live up to, and even to outdo; she is aware of her role in advance because this is not the first time she has appeared on stage.²⁶ Her attitude is hardly unique among Seneca’s characters: Atreus acknowledges Tereus’ fate as the literary precedent for his crime (*Thyestes* 272-76), and Oedipus assumes his own guilt from the tragedy’s opening scene (*Oedipus* 35-6) though he does not yet know all the details.²⁷ In each case, it is as if Atreus and Oedipus already know other, prior versions of their own stories. According to the metatheatrical theory, awareness of literary pedigree typifies Senecan tragedy and defines the actions of its characters.²⁸

²⁴ Boyle 1997, 132-33.

²⁵ Wilamowitz-Moellendorf 1919, III, 162: “Diese Medea hat Euripides gelesen”.

²⁶ Boyle 1997, 122 and 132.

²⁷ Hook 2000, 61 compares Sophocles’ and Seneca’s *Oedipus* plays in this regard. Herington 1966, 456, remarks that Seneca’s Oedipus assumes his own guilt almost immediately, long before he knows whether he has committed any crime. Schiesaro 2003, 70-83, explores the thematic connections between Ovid’s Tereus story and Seneca’s *Thyestes*. Seidensticker 1985, 119-25, studies Seneca’s Atreus as a figure determined to perform something greater than all previous acts of vengeance (*maius aliquid solito*). On *Thyestes* 272-77, Tarrant 1985, *ad loc.* comments more generally that it is “not unusual for mythical characters in ancient literature to be aware of stories other than their own.”

²⁸ In addition to the sources listed above in n. 27, Boyle 1997, 86-90, analyzes the self-conscious intertextuality found in Seneca’s *Phaedra* and *Troades*, and Segal 1986, 202-14, discusses the deliberate ‘literariness’ of Seneca’s *Phaedra*. As much as Seneca’s characters are aware of literary precedent, they are also conscious of a more general mythic background dictating their actions. Hence the tragedies’ atmosphere of repetition and inevitability as examined by Boyle 1983, 200-202 and 220-222. Of course, to say that awareness of literary pedigree typifies Senecan tragedy does not mean such self-consciousness is limited to or defines dramatic genres more generally. In fact, ‘secondariness’ – a work’s express awareness of its predecessors – characterizes by far the majority of post-Augustan literature, especially epic: see Hinds 1998, 91-98.

But allusion is not the only or even the most important effect of Medea's self-dramatization. She also uses her own name to evoke her *potential* self. A declaration such as *Medea nunc sum* (910) means, "now I am the person I wanted to be" just as much as it means, "now I am the Medea the audience knows from Euripides".²⁹ In each instance, Medea analyzes her own conduct as if she were a spectator, and this detachment from herself paradoxically enables her to realize her identity.³⁰ Summarizing the behavior of Seneca's characters, Thomas Rosenmeyer writes: "Medea wishes to become Medea, and Hercules Hercules, to conform both to their own expectations and to those of their enemies and friends."³¹ As in Stoic philosophy, Medea's *persona* is a projected role that she must work towards; it is the part she was designed to play in her (dramatic) life, and Seneca's version of her tragedy concentrates on the process rather than the product of her identity.³² Further, working towards one's identity requires that the individual in question has full understanding of his or her innate disposition. Cicero's version of *persona* theory exhorts, *suum quisque...noscat ingenium* ("let each person...know his natural disposition", *De Off.* 1.114). In what appears a perverse parody of Stoic principles, Medea acknowledges that evil is her greatest talent, the activity that best fits her character: *Medea nunc*

²⁹ Gill 1987, 32, notes the former of these two meanings, as does Bartsch 2006, 261.

³⁰ Behaving as a *persona* necessarily entails a degree of detachment: see the description offered by De Lacy 1977, 163-64. Bartsch 2006, 216-29, offers similar insight.

³¹ Rosenmeyer 1989, 52. Fitch and McElduff 2002, 25, come to the same conclusion: "self-naming is often a way of defining who one *should* be, an index of the gap between one's present performance and one's ideal role."

³² Bartsch 2006, 259, summarizes: "Medea's metatheatricality...has been the subject of much commentary, yet not all of its Stoic implications have been explored in earlier readings of the play. The mythological Medea may stand in her mind's eye as the model to which she must aspire, but both the presence of this model and the means by which the Senecan Medea manages to live up to it echo many of the themes and processes of Seneca's instructions on the self-observation and the self-command of the Stoic *proficiens*. We might say that the very metatheatricality of her procedure makes possible the parallel between two kinds of identity: the 'true nature' of a literary character as shown by the extant writings and mythology about that character, and the 'true nature' of a philosophical character as that which is fulfilled once he (or she) becomes the fulfilled Stoic instantiation of him- or herself."

sum: crevit ingenium malis (“now I am Medea: my nature has grown through evils”, *Medea* 910).

Similarly, Medea’s need for a spectator can be read in terms of Stoic self-actualization. As I explain in chapter 1, the notion of *persona* is inherently theatrical and requires an audience for its instantiation. Medea likewise longs to be watched. Not only does she analyze her own performance throughout the play, but also seeks out others, most of all Jason, to be her audience. As the object of her vengeance, Jason is the man who must recognize most fully who Medea is and what she is capable of. It is no coincidence that Medea names herself twice in Jason’s presence (517 and 524), and that Jason too speaks of her in the third person (496: *Medea amores obicit?* “Medea opposes love?”). Jason is, in effect, the ideal audience for Medea’s ideal self. Hence, near the play’s end, she complains that he is not present: *derat hoc unum mihi, / spectator iste. nil adhuc facti reor: / quidquid sine isto fecimus sceleris perit* (“I lacked this one thing, / that man as a spectator. I believe nothing has yet been done: / whatever crime I committed is lost without him”, *Medea* 992-94). Like the tree that falls in a deserted forest, Medea’s actions and by extension her selfhood, cannot fully exist unless they are *seen* to do so. In this moment, Medea is conscious of her performance at both a literal and a figurative level: as a *dramatis persona*, she needs an audience; as a *persona*, she needs one too.

One consequence of Medea’s behavior is that the tragedy ends not with a traditional recognition scene, but with a self-recognition of self-affirmation scene. Before Medea departs, she demands that Jason acknowledge who she is: *coniugem agnoscis tuam?* (“do you recognize your wife?” *Medea* 1021). That Seneca uses the verb *agnoscere* indicates his playful reinterpretation of Aristotelian precepts: the end of his *Medea* is a new kind of ἀναγνώρισις

scene, in which the reversal of Jason's fortune coincides with his realization of *what Medea can do*.³³ When Medea asks Jason to recognize her, she does not unveil a hidden identity, but rather confirms her pre-existing potential. Brian Hook remarks, "Senecan self-presentation does not operate as self-revelation as much as self-confirmation".³⁴ Since the notion of *persona* defines identity as a pre-determined and fundamentally public role, it necessarily follows that individuals achieve their *persona* via actions and appearances, not through revelation of attributes that are internal or uniquely personal. Medea is a type, and must be recognized as such.

The closing scene of Seneca's *Thyestes* likewise manipulates dramatic convention. When Atreus unveils what remains of Thyestes' sons and asks, *natos ecquid agnoscis tuos?* ("do you recognize your sons at all?" *Thyestes* 1005), he implies that Thyestes must literally identify the body parts and, at a more abstract level, comprehend the crime that Atreus has committed. In effect, he creates the opportunity for a traditional ἀναγνώρισις scene, where recognition and reversal will happen together. Thyestes ignores the opportunity and replies instead: *agnosco fratrem* ("I recognize my brother" *Thyestes* 1006). With these words, Thyestes implies that Atreus has now achieved his *persona*. What Thyestes recognizes is that Atreus' villainous behavior confirms him in the category of 'Thyestes' brother'. As much as Atreus creates his deeds, there is a sense that his deeds also create him: in the play's last moments, Atreus' conduct finally becomes a reliable index of his character. Gordon Braden remarks: "Atreus needs Thyestes, not simply as material on which to exercise vengeance, but more deeply as a spectator

³³ For Aristotle's definition, see *Poetics* 1452a. Bartsch 2006, 260-61, notes that for both Medea and Atreus, the act of self-realization perverts traditional tragic 'recognition'.

³⁴ Hook 2000, 58, who argues against Segal 1986, and Boyle 1997, 23-31, on this particular point.

whose response validates the avenger's achievement."³⁵ And, I would add, the avenger's *persona*.

The self-reflexivity that scholars have long regarded as typical of Senecan tragedy can therefore be as much a philosophic quality as a literary one. In Seneca the Younger's Stoicism, self-realization is a process requiring the individual to be both actor and judge, to exhibit continuous self-awareness.³⁶ Seneca begins his twentieth letter to Lucilius with the salutation, *vales et te dignum putas qui aliquando fias tuus, gaudeo* ("if you are well, and if you consider yourself worthy of finally becoming your own, I am happy", *Ep.* 20.1). A similar idea recurs throughout the plays. Atreus describes his crime as being *dignum...Thyeste...et dignum Atreo* ("worthy of Thyestes...worthy of Atreus", *Thyestes* 271), and Hercules speaks of assaulting heaven as *dignus Alcide labor* ("work worthy of Alcides", *HF* 957).³⁷ In each instance, the protagonist regards his self-fulfillment as the correct performance of a pre-established role. In order to claim that they are worthy of themselves, Atreus and Hercules must first have an idea of what that self entails. They then proceed to reify it, in this case literally performing the deeds that will make them who they are.³⁸

³⁵ Braden 1985, 61.

³⁶ On the role of the self as witness, judge, and spectator in Seneca's stoic writings, see Bartsch 2006, 191-208 and 244-55. On Stoic spectatorship more generally, see Rosenmeyer 1989, 47-56, and Edwards 2002, 382-84.

³⁷ Being worthy is a pervasive theme in Senecan tragedy: in addition to the examples above, see *HF* 926-27 (*ipse concipiam preces / Iove meque dignas*), and 1295 (*vox est digna genitore Herculis*); *Troades* 863 (*est auspice Helena dignus*); *Ag.* 34 (*me patre dignum*); *Oedipus* 879 (*sceleribus dignum tuis*). Note also that Seneca's salutation to Lucilius stresses the *process* of becoming oneself (*qui aliquando fias tuus*) just like Medea claims she will become herself (*Fiam*, *Medea* 171).

³⁸ If this idea sounds circular, it is because the very nature of 'types' or 'pre-established roles' demands that they have been performed before. Seneca's Atreus is therefore both the role of 'Atreus', and a particular instantiation of that role.

So, the two major and interrelated consequences of *persona* theory are that people regard themselves and others as types, and that identity is achieved via external markers, via what other people can see and assess. Because these assumptions in turn foster self-display and self-conscious role play, it is not surprising that they should permeate the domain of actual drama. Rosenmeyer observes that extant Stoic writings “are full of this elementary conviction that men are either actors on stage or witnesses in the orchestra”.³⁹ Senecan drama pursues this standard Stoic analogy in a double sense: men and women are actors on stage, acting out the theory that they are actors in life. If Senecan tragedy seems non-illusory, that is because it works from the premise that life is like drama, rather than vice versa.

Moreover, although Stoic in origin, the idea that people are roles was so widespread among the early imperial Roman elite that its strictly philosophical connotations often dissolved into a more generic concept of identity. For instance, the Nero of Suetonius’ biography characterizes himself very much in the style of Seneca’s *dramatis personae*, but can hardly be called an adherent or practitioner of Stoic values.⁴⁰ When the emperor’s freedman, Helius, reminds his master that state affairs in Rome are more pressing than musical competitions in Greece, Nero replies: *suadere et optare potius debes, ut dingus Nerone revertar* (“you ought instead to persuade and desire that I return worthy of Nero”, *Nero* 23). Like Atreus and Hercules in Seneca’s plays, Nero divides his current self from its model, delineates his identity as a recognizable type, and implies that some form of critical judgement accompanies the entire event

³⁹ Rosenmeyer 1989, 50.

⁴⁰ The main question being whether Nero’s characterization in this work reflects more of Suetonius himself than of the emperor: on Suetonius’ sources, see the brief summary in Griffin 1984, 235-37. If the Nero of this biography occasionally speaks in a quasi-Stoic manner, it could simply be a result of his tutelage under Seneca. In all other respects, the historical Nero was uninterested if not overtly hostile in the face of Stoic values. As Griffin 1984, 172, observes: “it cannot be denied that under Nero the doctrines of the Porch themselves were brought under suspicion.”

of his self-fashioning.⁴¹ Though such expressions of self-worth need not be theatrical *per se*, this statement of Nero's does in fact pertain to the theatre. The 'real' Nero, the Nero who will be worthy of himself is not a statesman but a performer. Like Seneca's characters, then, Nero is an actor in both the literal and figurative sense.

Nor is this the only occasion on which Nero names himself. Hiding from his would-be assassins, he calls upon himself in an attempt to build up courage for suicide:

ac modo Sporum hortabatur ut lamentari ac plangere inciperet, modo orabat ut se aliquis ad mortem capessendam exemplo iuaret; interdum segnitiem suam his verbis increpabat: vivo deformiter, turpiter – οὐ πρόπτει, Νέρωνι, οὐ πρόπτει – νήφειν δεῖ ἐν τοῖς τοιούτοις - ἄγε ἔγειρε σεαυτόν.

Now he would urge Sporus to begin wailing and lamenting, now he would entreat someone to help him take his own life by setting an example; occasionally he would reprove his own slowness with the following words: "I am living disgracefully, shamefully – it is not right for Nero, not right at all – self-control is necessary in such circumstances – go on, rouse yourself."

(*Nero* 49)

As in the previous example, so here: Nero is not making any obviously Stoic statement, but his syntax and terminology betray the philosophical origins of his self-exhortation. Using his own name generates a self-reflexivity that is particularly characteristic of Seneca's work, while the phrase οὐ πρόπτει implies the existence of an ideal 'Nero' whose position the current Nero must fill.⁴² Overall, the expression casts Nero as a spectator and evaluator of himself, and demonstrates that the broadly Stoic theory of identity, along with its necessarily theatrical

⁴¹ D. and E. Henry 1985, 108, connect Nero's expression to those in Seneca's tragedies.

⁴² Edwards 2002, 394, remarks: "Nero must live up to his own well-known character".

associations, has by this point in the first century C.E. moved beyond strictly philosophical circles.

In fact, regarding one's life as a performance was not just the domain of notoriously theatrical emperors like Nero.⁴³ Suetonius' Augustus uses the dramatic simile of life when, on his deathbed, he asks those gathered "whether they think he has performed life's mime suitably" (*ecquid iis videretur mimum vitae commode transegisse, Aug. 98*).⁴⁴ With this expression, Augustus depicts himself as an actor. In a related manner, Caligula approaches his identity as a pre-determined public role. Preparing to poison his own brother whom he suspects of taking antidotes, Caligula declares: "is there an antidote against Caesar?" (*antidotum, inquit, contra Caesarem? Cal. 29*). While not as overtly theatrical as Nero's words or Augustus', Caligula's third-person reference resembles the self-awareness of Seneca's characters. Caligula here evokes his public, political identity as emperor; he wants to demonstrate control over life and death because that power is a traditional attribute of 'Caesar'. In the same vein, Seneca's Medea strives to become Medea because she knows that the role involves successful revenge.

The self-awareness that typifies Seneca's *dramatis personae* therefore fits within broader contemporary notions of performed identity. Although predominantly Stoic, ideas of *persona* appear to have permeated Roman elite thought to the extent that they lost any strictly

⁴³ Analyzing the theatricality of Nero's reign and the ways in which historical accounts dramatize this emperor's life is a dominant trend in recent scholarship: see Dupont 1985, 422-37; Woodman 1993; Bartsch 1994, 1-62; and L'Hoir 2006, 241-50.

⁴⁴ Kokolakis 1960, 34, notes that Augustus once studied with the Stoic philosopher Areios (Suet. *Aug.* 89) and uses this information to suggest that the emperor's simile is of Stoic origin. Yet, as Kessissoglu 1988, 385-88 argues, the simile could just as easily be literary, especially since Augustus follows it up by citing some Greek verse that may have been used to conclude actual mime performances (ἐπεὶ δὲ πάνυ καλῶς, τῷ παιγνίῳ / ὁότε κρότον καὶ πάντες ἡμᾶς μετὰ χαρᾶς προπέμψατε, "since we have performed well, applaud the play and give us a favorable send-off" Suet. *Aug.* 98).

philosophical connotations and became instead the main way of describing an individual's public conduct. Preoccupation with social typologies unites work as diverse as Senecan tragedy, Stoic philosophy, and the anecdotal tradition of imperial biography. It also explains why the characters in Senecan drama sometimes feel 'superficial' or 'stock': they are obsessed with performing true to type, and it is due to modern, post-Cartesian concepts of personal identity that we misinterpret their self-affirmation as inauthentic or insincere. In Seneca's plays, as in the society that produced them, a *persona* is a person; there is no difference between the two.

Color and Type

When Caligula speaks about himself in the third person, he refers to a standard role – Caesar – which, like Medea or Atreus, has been performed by numerous people.⁴⁵ Essentially, Caligula's role is not just a type; it is also a social position. Seneca's characters display similar concern for defining themselves in what they perceive as appropriate societal or familial roles: ruler, servant, wife, son, mother, or stepmother.⁴⁶ In this most of all they resemble characters from *controversiae*, who are not individuals but social typologies.⁴⁷ I argue above that contemporary (and more specifically, Stoic) notions of personal identity led Seneca to create *dramatis personae* whose selfhood is pre-determined, fundamentally public, achieved only if witnessed, and measured primarily by external attributes. Characters in declamation function the same way: their roles are stereotyped and their conduct assessed according to external circumstances rather

⁴⁵ It could be said that Caligula is not just playing a generic, political role, but also alluding to that role's creator, Julius Caesar, who famously wrote about himself in the third person. In transforming his name into a title and position, Julius Caesar likewise engaged in self-fashioning: see Suet. *Jul.* 79.2.

⁴⁶ Fitch and McElduff 2002, 30-31.

⁴⁷ Fantham 1982, 25, notes this correspondence between declamation and Senecan tragedy.

than internal motivation.⁴⁸ In sum, as much as Senecan characterization is a result of philosophical theory, it is also a result of widespread declamatory practice.

Seneca's *Phaedra* is a clear example of declamation's influence. More than any other Senecan protagonist, she struggles to assert a unified identity.⁴⁹ Her desire for Hippolytus makes her painfully aware of familial roles and social decorum, so much so that she concentrates overwhelmingly on negotiating the various social *personae* she has been compelled to play.⁵⁰ When she confronts her stepson in person, the various roles at her disposal are telescoped into one very tense exchange. The process begins when Hippolytus casts *Phaedra* as a maternal figure. Distressed at his stepmother's obvious unease, Hippolytus encourages her to tell him what is wrong: *committe curas auribus, mater, meis* ("speak your worries to my ears, mother" *Phaedra* 608). From *Phaedra*'s perspective, the word *mater* is far more significant (and affective) than Hippolytus' promise to be a kind and careful listener: with one simple term, Hippolytus defines his relationship to *Phaedra* and, ignorant of her passion, he portrays their interaction as strictly familial. Further, in choosing to say *mater* instead of *noverca*, Hippolytus assumes that *Phaedra*'s feelings for him are benevolent.⁵¹ He has, in effect, placed *Phaedra* in a pre-determined role – one she knows she cannot play.

⁴⁸ Hook 2000 argues that declamation characters resemble Seneca's tragic ones mainly because both lack psychological interiority. For contrasting views on the psychology of Seneca's *dramatis personae*, see Segal 1986, whose Freudian/Lacanian reading of Seneca's *Phaedra* has also influenced Boyle 1997, 24-31.

⁴⁹ Fitch and McElduff 2002, 32-35.

⁵⁰ In her study of Seneca's *Oedipus* and *Phoenissae*, Frank 1995, 123-29, shows that family terms are rarely neutral in Senecan drama, and the playwright often uses them to ironic effect (as when Hippolytus speaks the word *mater* at *Phaedra* 608).

⁵¹ He also hints that his feelings for her are benevolent, especially since he does not hesitate to condemn *novercae* at *Phaedra* 558.

The secret Hippolytus wants to hear is one that contravenes all of the familial categories he has established. Phaedra knows this and begins her reply with the plea that Hippolytus cast her differently:⁵²

Phaedra: *Matris superbum est nomen et nimium potens:
nostros humilium nomen affectus decet;
me vel sororem, Hippolyte, vel famulam voca,
famulamque potius: omne servitium feram.*

Phaedra: Mother: that title is too proud, too powerful:
a humbler name fits my affection;
call me your sister, Hippolytus, or your slave,
slave would be better: I'll perform any service.

(*Phaedra* 609-12)

Phaedra suggests a role – slave – that abjures her of any familial connection or responsibility toward Hippolytus. It also hints at her feelings by evoking the elegiac genre's *servitium amoris*.⁵³ Having refused to take on the maternal *persona*, Phaedra stresses her availability instead; she concludes her speech by suggesting yet another role that would validate her passion: the widow (623). She defers to Hippolytus in every instance, not just by preferring subordinate *personae*, but by allowing him to make the final decision: whatever label Hippolytus chooses to grant her – and she has given him several options – this will circumscribe Phaedra's demeanour. Hippolytus thus plays the audience to Phaedra's indecisive self-fashioning. Though he cannot alter her affection, he can alter the typology to which it belongs, designating her accordingly as 'good', 'bad', 'right', or 'wrong'.

⁵² Fitch and McElduff 2002, 32: "since Phaedra is about to confess her passion to the young man, 'mother' is not at all the image she wants him to have of her."

⁵³ Fitch and McElduff 2002, 32.

Hippolytus chooses to focus on widowhood. Still ignorant of his stepmother's unlawful love, he promises not to let her feel abandoned while Theseus is away: *et te merebor esse ne viduam putes / ac tibi parentis ipse supplebo locum* ("I'll behave so that you won't notice you're a widow / and I myself shall fill my father's place for you" *Phaedra* 632-33). Ironically, Hippolytus and Phaedra privilege different aspects of his proposed role, and Phaedra's hope – or willful misinterpretation – presses her into telling Hippolytus everything (634-37). Before she does so, she refers to one final *persona*, her own: *quod in novercam cadere vix credas malum* ("an evil you would scarcely believe to have befallen a stepmother" *Phaedra* 638). It is no coincidence that Phaedra decides on the role of *noverca* at the exact moment when she is about to confess her love for Hippolytus, for now her behavior truly conforms to this type. Since Phaedra's desire is inherently transgressive, she must play a familial part; since her love is immoral and exists to Hippolytus' detriment, Phaedra must play the young man's stepmother. Hostility toward stepchildren is a fundamental character trait for the *noverca*, one to which Seneca adds a layer of irony: Phaedra will destroy Hippolytus out of love.⁵⁴

During her brief exchange with Hippolytus, Seneca's Phaedra exhibits the kind of self-fashioning that resembles a declamatory *color*. As a plea employed by declaimers to explain a litigant's conduct in any given circumstance, *color* functioned like characterization.⁵⁵ Brian Hook defines it as "the external correlative of the internal character" and remarks that in Senecan

⁵⁴ Mayer 2002, 42, comments that Phaedra's status as *noverca* makes her love for Hippolytus unnatural on a secondary level, "since as his stepmother she should dislike him".

⁵⁵ An observation I owe to Hook 2000, 60. Bloomer 1997a, 59, calls *color* a technique by which a declaimer may imagine his client's *animus*. More general discussions of the term, its meaning, and its application in declamatory texts can be found in Fairweather 1981, 166-78; Sussman 1971, 41-43; and Bonner 1949, 55-56. Roller 1997, 114, observes that "ethical evaluation" (in other words, discussion of character) is pervasive in declamation texts.

tragedy, *color* indicates character just as surely and stereotypically as a mask.⁵⁶ Phaedra's *color*, therefore, is that she must end up behaving as a typically destructive stepmother because only this *persona* can accommodate and explain her actions. But before she arrives at this role, Phaedra tries out several others, engaging in a process of self-fashioning that is simultaneously declamatory and theatrical: while Phaedra struggles to find a *color* for herself, she behaves almost as if she were playing with a range of different masks. For Phaedra, the process of self-realization is choosing between several pre-determined roles, each of which will provide her conduct with a different hue.

Because they are mock court cases, *controversiae* do not provide litigants with names, but define them instead according to social, familial, and legal position. The scenario for each disputation necessarily speaks of its *personae* in generic terms and the text that follows it further interrogates these categories by analyzing how an individual's identity is constructed via his or her actions.⁵⁷ The scenario for *Controversia* 7.1, for instance, involves two sons whose biological mother has died. After their father remarries, one of the sons is convicted privately for attempted parricide and handed over to the other son for punishment. This son sets his brother adrift in a boat with no rigging, a fate that the convicted son somehow survives: he ends up encountering pirates and becoming their chieftain. Years later, the pirates capture the father, and the convicted son lets him go home free, at which point the old man – naturally! – disinherits the

⁵⁶ Hook 2000, 60-61.

⁵⁷ An exercise that also had practical applications outside the schoolroom: a major function of declamatory speeches was to school young Romans in social *mores* and hierarchy, on which, see Bloomer 1997a; Kaster 2001; Corbeill 2007.

other son for failing to administer the original punishment for parricide.⁵⁸ In this disputation, the convicted son has two possible roles: ‘parricide’ or ‘son’. They are mutually exclusive, and proving him innocent of the former requires arguing that he exhibits traits typical of the latter. So, Cornelius Hispanus declares: *magnum pietatis argumentum filio carus pater etiam post supplicium* (“that a son holds his father dear even after punishment is a great proof of filial respect”, *Contr.* 7.1.7). According to this reasoning, the young man’s behavior as a son, his *pietas*, invalidates any possibility of his being a parricide, a role that would involve no *pietas* whatsoever. Hispanus’ explanation generates the *persona* he wants his imaginary litigant to display: the son asserts his familial identity (son) and his legal identity (innocent) by treating his father with the dutiful respect that ought, ideally, to define familial relationships. Cestius Pius adopts the same idea when he remarks, *sic patrem parricida dimisit?* (“is this how a parricide let a father go?” *Contr.* 7.1.11). Here the very act of allowing his father to leave unharmed precludes the son from the category of ‘parricide’. Declamation texts not only approach character as a set of barely negotiable typologies, but also regard it as the result of one’s actions: in the declamations as in Senecan tragedy, one is what one does. Medea is truly Medea when she kills her children just as surely as the son of *Controversia* 7.1 is truly a son when he treats his father with due respect.

The logical result of this thought process is that any external condition could be used to reflect character: declaimers even treat natural phenomena as an index of *persona*. Having described a violent and stormy sea that awaited the convicted son, Quintus Haterius concludes,

⁵⁸ *Mortua quidam uxore, ex qua duos filios habebat, duxit aliam. alterum ex adolescentibus domi parricidi damnavit, tradidit fratri puniendum: ille exarmato navigio imposuit. delatus est adolescens ad piratas, archipirata factus est. postea pater peregre profectus captus est ab eo et remissus in patriam. abdicat filium. Contr.* 7.1.

expectat...parricidam mare (“the sea is waiting for a parricide”, *Contr.* 7.1.4), the idea being that nature’s hostility is proof of the young man’s crime: the sea will surely drown him, only a parricide deserves such a death, therefore the son is a parricide.⁵⁹ Careful logic is not the point here. Haterius just wants to demonstrate that internal and external conditions coincide, that the young man’s fate confirms his criminal intent.⁶⁰

The declaimers’ use of *color* complements such methods of characterization by further explaining an individual litigant’s actions. In effect, *color* represents the ‘spin’ a speaker chooses to put on his case.⁶¹ Declaimers devoted a lot of attention to each other’s *colores*, evaluating and discussing which were the most successful and why. In Seneca the Elder’s collection, groups of *sententiae* generally conclude with an exposition of the principal *colores* and *Controversia* 7.1 appears to have stimulated even more discussion than most: for this case, Seneca reports, *de colore inter maximos et oratores et declamatores disputatum est, utrumne aliquid deberet dici in novercam an nihil* (“concerning the *color*, the greatest orators and declaimers disputed among themselves whether or not something ought to be said against the stepmother”, *Contr.* 7.1.20). The reason for their debate is that if the charge of parricide could be blamed on the father’s second wife, then both sons could easily be exonerated as mere victims of the *noverca*’s cunning plan to remove her stepchildren. In this instance, the stepmother’s hostile character is pretty

⁵⁹ A fate befitting a parricide, who, under the republic at least, would have been punished by being tied up in a sack with a dog, a rooster, an ape, and a viper, and subsequently drowned.

⁶⁰ Mastronarde 1970, 293, makes a similar point regarding Seneca’s Oedipus: when Oedipus speaks of *Titan dubius* in the play’s opening line, he is actually projecting his own doubtful state onto the natural world. The phrase is a means of marking, by external phenomena, Oedipus’ internal condition.

⁶¹ Hook 2000, 60 suggests ‘spin’ as an apt translation of *color*. For a similar account, see Roller 1997, 113-14.

much fixed; her standard behavior, however, changes the scenario's complexion (*color*).⁶² Without recourse to the *noverca*, a declaimer had to concentrate on defending the sons' previous conduct; by introducing her, a declaimer could alter what the scenario meant without changing any of its actual details. When Seneca's Phaedra tries out different roles, she exhibits similar intent: her love for Hippolytus is unalterable (it is, in effect, her scenario), but it will be guiltless if she expresses it as a slave (*Phaedra* 611-12, above), or as a widow (*Phaedra* 623). These *personae* represent the 'complexion' or 'spin' with which Phaedra wishes to endow her feelings. Like declamation texts, Phaedra's search for the appropriate identity aims to match individual character with its external correlatives, to make the latter prove and justify the former.

Overall, then, the *personae* of Senecan tragedy represent a more complex version of the social typologies we find in declamation texts. In declamatory literature, *persona* is generic, based in stereotyped behavior and defined according to social or familial status. Further, being generic is a precondition necessary to a *persona*'s perpetuation, and this perpetuation, this capacity for repetition, confirms its status as a role.⁶³ Thus the sons in *Controversia* 7.1 can be classed as such only as long as they display the traits expected of sons, and when they behave according to type, they reinforce their identity as a part to be played: 'son'. When we turn to Senecan tragedy, however, we encounter characters that necessarily lay claim to both a generic

⁶² Bonner 1949, 55; Fairweather 1981, 166; and Hook 2000, 60, all remark on the use of *color* to mean 'complexion'. The discussions in Bonner and Fairweather further note that *color* in Seneca the Elder has a substantially different meaning from the same word in Cicero: in the latter case, *color* designates the distinctiveness of one's personal writing style.

⁶³ In fact, repetition not only confirms a role as being such, but also confirms the content of that role, that is, the kind of behavior that constitutes a particular social, political, gendered etc. identity. The idea that a stylized repetition of acts both generates and confirms certain identities is the focus of an entire branch of phenomenological theory. For instance, Butler 1988 analyzes the self as the object rather than subject of constitutive acts, an idea that has influenced my notion of *persona* outlined above.

role – as mother, son, father, wife – and a specific one – as Atreus, Medea, Oedipus. Here the literal and figurative notions of *persona* coincide, for as much as Atreus and Medea are particular characters, they are also roles that depend on repetition. In this regard, they are just as constricted and pre-determined as the roles of ‘brother’ or ‘wife’: Atreus is both himself and ‘Atreus’ in any given version. Such double identity applies to all drama, in greater or lesser degrees; what distinguishes Seneca’s characters is their tendency to go one step further and self-identify as *personae*. Where declamation contains typologies, Senecan tragedy contains characters that know they are typologies and regard their ‘type’ as the fullest realization of their personal identity.

Debate

Scenes of debate and deliberation are another aspect of Senecan tragedy that, logically enough, reveals declamation’s influence. To some degree, Seneca has adopted and adapted the style of his *agon* scenes from his classical Greek and republican Roman predecessors, many of whom incorporate into their work quasi-legal material and mock oratorical contests.⁶⁴ Still, declamatory exercises represent the most immediate source of Seneca’s rhetoric, and when his characters enter into a debate, they imitate the declaimer’s propensity for controlling an exchange in the

⁶⁴ The *agon* scene is characteristic of Euripides’ work in particular, but court cases and pseudo-legal debates also appear in: Aeschylus’ *Eumenides*; Aristophanes’ *Wasps*; Menander’s *Epitrepontes*. Among the Roman writers, Accius was known for composing powerful debates: *Aiunt Accium interrogatum cur causas non ageret cum apud eum in tragoediis tanta vis esset hanc reddidisse rationem, quod illic ea dicerentur quae ipse vellet, in foro dicturi adversarii essent quae minime vellet* (Quint. *I.O.* 5.13.43).

manner of a playwright.⁶⁵ The debates in Senecan drama are, on the whole, structured more like declamations than like oratory proper.

Monologic or internal deliberation is the most obvious way in which Senecan characters appropriate declamatory material. Lycus in *Hercules Furens* is a prime example. When Megara accuses him of violently usurping the Theban throne, Lycus responds in distinctly legalistic terms: *pauca pro causa loquar / nostra* (“I shall speak a few words in my defence” *H.F.* 401-402).⁶⁶ He sounds like an orator opening a case for the defence. The text that follows, however, owes less to courtroom oratory than it does to declamation. Let us examine the passage in full:

pauca pro causa loquar
nostra. cruento cecidit in bello pater?
cecidere fratres? arma non servant modum;
nec temperari facile nec reprimi potest
stricti ensis ira; bella delectat cruor.
sed ille regno pro suo, nos improba
cupidine acti? quaeritur belli exitus,
non causa. sed nunc pereat omnis memoria:
cum victor arma posuit, et victum decet
deponere odia.

⁶⁵ Edward 1928, xxxii, remarks that the declaimer is “part dramatist”.

⁶⁶ Fitch 1987, *ad loc.*, compares Lycus’ words to Aeneas’ in *Aeneid* 4.337: *pro re pauca loquar*. On Vergil’s line, Ahl 2007, *ad loc.*, comments: “Aeneas answers as if charged in court with breach of contract (*foedus*). The Latin phrase *pro re*, which I render ‘in defence’, is the legal formula in Roman courts for addressing the charges brought. But Dido’s charge is breach of faith (*fides*); she concedes that no contract exists...[Aeneas’] rhetorical skill enables him to inflect language to his purposes without actually lying.”

I shall speak a few words in my defence
Did your father fall in bloody warfare?
Did your brothers? Weapons observe no limit;
The anger of a drawn sword is not easy to control,
Nor can it be repressed; wars enjoy blood.
But he fought for his kingdom, while I was goaded
By shameless greed? We're investigating the war's end
Not its cause. But now let every memory vanish:
When the conqueror has laid his weapons aside,
The conquered ought to lay aside their anger.

(*H.F.* 401-10)

Following his introductory statement, Lycus speaks in an alternating sequence of rhetorical questions and gnomic responses. Each question, moreover, summarizes a potential counter-argument: as John Fitch has noted, Seneca's Lycus employs the technique of *πρόληψις* or *occupatio*, a rhetorical figure that enabled speakers to anticipate objections and formulate their rebuttal accordingly.⁶⁷ Lycus' first two questions thus acknowledge his violent usurpation. At 372-73, Megara has protested that she will not touch Lycus' hand, which is spattered with her father's blood and with the double slaughter of her brothers (*parentis sanguine aspersam manum / fratrumque gemina caede*); Lycus appropriates and recasts the charge in a way that removes his agency entirely: *cruento cecidit in bello pater? / cecidere fratres?* ("Did your father fall in bloody warfare? / Did your brothers?" *H.F.* 402-403). Here, Lycus uses the technique of *occupatio* to manipulate and control Megara's real accusation. By rephrasing her charge as if it were an imagined objection, Lycus makes himself into Megara's dramatist, someone who can compel her, if only momentarily in this instance, to play whatever role he wishes.

⁶⁷ Fitch 1987, *ad loc.* Quintilian *I.O.* 4.1.49-50, describes the technique. Bonner 1949, 164, remarks more broadly that Lycus' speech "raises a series of imaginary interjections, to which he provides his own epigrammatic replies". Such use of rhetorical questions is strangely absent from Canter 1925, 140-43, who provides an otherwise exhaustive list.

His next rhetorical question achieves the same end. When Lycus speculates, *sed ille regno pro suo, nos improba / cupidine acti?* (“but he fought for his kingdom / while I was goaded by shameless greed?” *H.F.* 406-407), he presents a counter-argument that Megara has not actually voiced; nowhere in her previous speech (*H.F.* 372-96) has she accused Lycus of being motivated by avarice. It is, nonetheless, the sort of thing she *could* say, and Lycus’ ellipsis of the verb implies that he “need not complete the thought because Megara has already formulated it in her own mind.”⁶⁸ More precisely, it implies that Lycus *assumes* Megara has already formulated it: his speech overall is less a response to Megara herself than a response to her typology. When Lycus invents objections and attributes them to Megara, he casts her as an imaginary interlocutor rather than a real one. In effect, he makes her into his puppet.

Though useful in any kind of oratory, the *occupatio* exemplified by Lycus’ speech is a particularly common feature of declamation, where it allows speakers not only to anticipate counter-arguments, but also to create the illusion of courtroom debate. At a real trial, the presence of an opposing counsel renders *occupatio* far less necessary; for a declaimer, it is absolutely essential, since it is one of the few techniques that enable speakers to incorporate their imaginary opposition. Iunius Gallio in *Controversia* 2.3 provides a clear example. Impersonating a father whose rapist son has taken him to court on a charge of madness, Gallio uses *occupatio* to direct the terms of his argument:⁶⁹

⁶⁸ Fitch 1987, *ad loc.*

⁶⁹ *Raptor, nisi et suum et raptae patrem intra dies triginta exoraverit, pereat. Raptor raptae patrem exoravit, suum non exorat. accusat dementiae. Contr.* 2.3

‘Rogo’ inquit; nunc? hic? sic? si volebas rogare, admovisses propinquos, amicos, maiorum imagines, lacrimas, repetitos alter gemitus... ‘Quando’ inquit < ‘misereberis?’ cum > vultum in supplicis habitum summiseris... ‘Iam’ inquit ‘angustum tempus est’: et tibi vacat accusare?

‘I’m asking you,’ he says; now? Here? Thus? If you wanted to ask, you should have brought in relatives, friends, busts of our ancestors, tears, deep repeated groans... ‘When’ he says < ‘will you take pity? When> you put on the face that suits atonement... ‘Now’ he says, ‘time is pressing’: and you have the leisure to take me to court?

(*Contr.* 2.3.6-7)

In each of these *sententiae*, Gallio shapes his response around a key word or concept contained within his invented interjections: *rogo* (“I am asking”) is answered by *si volebas rogare* (“if you wanted to ask”); *quando* (“when”) becomes *cum* (“when”); *tibi vacat accusare* (“you have the leisure to take me to court?”) picks up on the claim, *angustum tempus est* (“time is pressing”).⁷⁰ Seneca’s Lycus arranges his material in precisely the same manner, so that the phrase *cruento cecidit in bello* (“he fell in bloody warfare” *H.F.* 403) leads to its rebuttal, *bella delectat cruor* (“wars enjoy blood” *H.F.* 405) and his second objection, that Megara’s father fought from noble motives (*H.F.* 406), gives him the opportunity to dismiss the war’s cause in favor of focusing on its outcome (*quaeritur belli exitus, / non causa, H.F.* 407-408, above). In both situations, *occupatio* endows the speaker with a power analogous to that of the dramatist, who can make characters converse exactly as he needs and wishes. When Seneca adopts a declamatory style, he therefore demonstrates, consciously or unconsciously, the drama inherent in declaiming. In this particular case, declamation’s quasi-dramatic use of *personae* comes full circle, since when Lycus speaks with *occupatio*, he inevitably emphasizes Megara’s status as a character within a play.

⁷⁰ I am aware that the second of these parallels depends on an emendation by Thomas 1886, 44, which Håkanson has retained in his 1989 Teubner edition of Seneca the Elder’s text. Since the emendation has been so well accepted for so long, I see no real reason to doubt its validity.

Nor is Megara the only character whose identity is affected by Lycus' declamatory rhetoric. *Occupatio* also recasts Lycus himself in the dual and interrelated role of playwright and declaimer. We have seen how Lycus uses the technique to define and circumscribe Megara's role as if he himself were composing it. That he does so in quasi-legal language (*pro causa loquar*, *H.F.* 401, above) makes him resemble a professional rhetorician. Given declamation's pervasive influence on first-century C.E. Latin literature, one could of course argue that Seneca had no intention of casting Lycus as a declaimer, that he merely composed his character's speech in the rhetorical style most favored by his era.⁷¹ But classical drama was accustomed to represent and replicate courtroom scenes on stage and Seneca could not have avoided the knowledge that he was writing within a long tradition where characters often 'played the sophist' or spoke like forensic pleaders. It therefore seems probable that Lycus evokes a declaimer deliberately, not incidentally. In fact, Seneca's use of declamation in some ways parallels Euripides' penchant for sophistic rhetoric; scenes of debate in these two playwrights resemble each other not because Seneca draws from Euripides directly, but because both authors treat rhetoric as an essentially theatrical phenomenon.⁷² Formalized debates in Euripidean tragedy dramatize the drama already inherent in Athenian court cases, and draw attention to the theatricality that characterized

⁷¹ An idea implied by older scholarship such as Bonner 1949, 160, who remarks that Seneca's style "owes much to the declaimers in its pointedness, condensation, and love of antithesis, parallelism, and word-play." Bonner's assertion is essentially correct: I would simply add that in the case of *H.F.* 401-10, Seneca employs declamatory material *deliberately*. For declamation's influence upon early imperial literature more generally, see Boyle 1997, 20-22, who admits that the change undergone by Latin literature in this era still "awaits adequate description".

⁷² Although Seneca composed many of his tragedies on Euripidean themes, his material is mediated by more than two centuries of Roman tragedy and cannot be said to replicate Greek models in any substantial way: see Tarrant 1995.

rhetorical display.⁷³ Like a Euripidean character imitating a sophist, Seneca's Lycus stands at two removes from actual oratory, not delivering a staged version of a courtroom speech, but imitating a declaimer, a man who in turn played at the business of pleading. In this regard, the scene between Lycus and Megara represents the *reductio ad absurdum* of staged debate, where the debate it replicates is already a "staged" event in some sense. When Seneca incorporates declamatory rhetoric, he creates not only metatheatre, but also meta-declamation.

Though Lycus' speech is the most complete example, several other Senecan characters use rhetorical questions to re-create and thus control what their opposition says. Agamemnon employs *occupatio* at *Troades* 264-65, putting words into Pyrrhus' mouth and refuting them before the young warrior has a chance to reply. Later in the same play, Helen delivers a self-defensive speech in which she imagines the various charges the Trojan women could bring against her (*Troades* 904-26). In *Medea*, Medea stands in Creon's presence and repeats the Corinthian ruler's pronouncements to form a mini-dialogue in which she plays both parts:

Profugere cogis? redde fugienti ratem
vel redde comitem – fugere cur solam iubes?
non sola veni.

You are forcing me to flee? Then give back to the fugitive
Her ship, or her companion – why decree
That I alone depart? I didn't arrive alone.

(*Medea* 272-74)

⁷³ On Euripides' use of rhetoric and formalized *agon* scenes, see Collard 1975; Conacher 1981; and Lloyd 1992, 19-36. As a rule, the debates in Euripides' plays appear to have engaged with actual, forensic practice far more often than Seneca's do. For instance, Hecuba's speech (*Hec.* 1187-1237), and Helen and Hecuba's debate (*Troades* 914-1029) assume a courtroom setting, complete with presiding judge. Aristophanes (*Peace* 534) also refers to Euripides as ποιητῆ ῥημάτων δίκαικῶν ("a poet of judicial words/speeches").

Here Medea's questions do not anticipate counter-arguments so much as summarize Creon's preceding assertions, but this hardly alters the effect of her speech.⁷⁴ Medea follows the standard declamatory pattern of building her answers from the keywords and concepts embedded in her questions – *profugere* leading to *fugienti*; *fugere...solam* to *sola veni* – and the standard sequence of question-statement, question-statement fosters the illusion of dialogue, even of stichomythia.⁷⁵ Like Lycus, Medea is both declaimer and playwright at this moment, giving Creon words only so far as they help construct her own argument. The entire process emphasizes Creon's status as a role: he is no more than a mouthpiece for the rhetoric Medea has composed. At the same time, Medea's declamatory style reveals the inherently staged nature of her debate with Creon: like a declaimer, Medea performs oratory rather than simply practising it.

In fact, Seneca's whole scene between Creon and Medea is a self-reflexive staging of declamation. Noticeably different from its Euripidean counterpart, this episode has puzzled many Seneca scholars, who have been inclined to dismiss it as "a scholastic exercise in barren verbalizing".⁷⁶ Countering these views, Raphael Dammer has recently argued that Seneca envisaged the scene as a form of public trial in which Medea appeals to an internal audience represented by Creon's attendants.⁷⁷ Dammer argues that Medea plays upon her immediate

⁷⁴ Costa 1973, *ad loc.*, regards *Medea* 236-51 as a parallel for Lycus' speech at *H.F.* 401-10: "a further rhetorical flavour is now given to the speech as M. puts the charge against herself, and answers it by dramatically recalling the moral dilemma she found herself in at Colchis, and pointing out the fate of the Argonauts if she had followed the call of *pudor* and her father." Though Costa is certainly right in seeing some resemblance between the two passages, Medea does not in this instance use any rhetorical questions, which is why 272-76 constitutes a better comparative example.

⁷⁵ Henry and Walker 1967, 172, map similar word patterns in the actual stichomythic exchange that occurs between Medea and Creon at 290-95.

⁷⁶ The quotation comes from Henry and Walker 1967, 172. Other dismissive reactions include Cleasby 1907, 50, who dubs the scene "a leaf from the rhetorician's exercise-book". On how and where the Senecan of this scene version differs from the Euripidean one, see Cleasby 1907, 48-50; Lefèvre 1997.

⁷⁷ Dammer 2004, 309-25, especially 313-24.

audience, using sophisticated oratory to cast Creon in a negative light and so indirectly influence his behavior.⁷⁸ My own view draws on Dammer but arrives at a different conclusion: Medea is not speaking as an orator, but as a declaimer; it is Creon, not his adversary, who employs forensic rhetoric. The debate therefore plays out as if it were a contest between oratory proper and oratory as declamatory performance. And Medea, as declaimer, wins.

The contest between Medea and Creon is realized as a performance from the start. When Creon arrives on stage, he delivers a third person account of his Colchian adversary, which simultaneously treats her as a spectatorial object and confirms her within a dramatic typology:

Medea, Colchi noxium Aeetae genus,
nondum meis exportat e regnis pedem?
molitur aliquid: nota fraus, nota est manus.

...

fert gradum contra ferox
minaxque nostros propius affatus petit.
Arcete, famuli, tactu et accessu procul
iubete sileat.

Medea, Colchian Aeetes' criminal offspring,
hasn't she left my kingdom yet?
She is plotting something: her deceit, her work,
are common knowledge.

...

she steps toward me, savage, threatening,
and seeks to converse up close.
Don't let her touch or approach me, men,
Order her to keep quiet.

(*Medea* 179-81; 186-89)

⁷⁸ Dammer 2004, 313-24.

Even a cursory reading demonstrates how greatly this passage differs from Euripides, whose Creon accosts Medea immediately and directly: σὲ τὴν σκυθρωπὸν καὶ πόσει θυμουμένην, / Μήδειαν, εἶπον τῆσδε γῆς ἔξω περᾶν / φυγάδα (“you, Medea, scowling and raging against your husband, / I order you to leave this land / as an exile” *Medea* 271-73). Seneca’s Creon, in contrast, resists interaction to the degree that he even describes his interlocutor’s movement. Some scholars would explain this difference as a convention of recitation drama in which characters must narrate what would otherwise be visible on stage.⁷⁹ There are, however, other ways of elucidating the unique qualities of Creon’s speech without recourse to the interminable and inconclusive debate over whether or not Seneca wrote for performance. First, as Dammer notes, Creon directs his speech not only to an external audience, but also to his internal audience of *famuli*, whom he addresses directly as 188-89.⁸⁰ These attendants form a silent yet crucial presence throughout the scene. Having a group of spectators on-hand not only prompts Creon to speak *about* Medea rather than *to* her, but also encourages the play’s external audience to approach this scene as a piece of self-conscious theatre. Further, Creon’s language situates Medea within her standard dramatic type. The epithet *ferox*, which Creon employs at 186, corresponds to Euripides’ σκυθρωπὸν and may in fact refer to the mask this character typically

⁷⁹ An old proposition that has appeared most recently in Zwierlein 1966, 56-63; Fantham 1982, 40-2; and Goldberg 2000, 224-25. Recent work by Zimmerman 1990 (reprinted 2008), and Zanobi 2008, 232-38, has reinterpreted Seneca’s narrative passages as evidence of possible pantomime performance, in which an actor/dancer would mime the actions described by the speaker.

⁸⁰ Dammer 2004, 315-24.

wore.⁸¹ Horace, too, describes Medea as *ferox* (*A.P.* 123: *Medea sit ferox*, “let Medea be savage”) in a context that suggests this was both her standard epithet and expected appearance.⁸² So, far from being stilted or odd, Creon’s initial address establishes Medea within a self-consciously dramatic framework and prepares us for the performance she is about to give.

Into this overtly theatricalized context, Seneca introduces a quasi-legal debate. Medea immediately casts herself as a defendant – *quod crimen aut quae culpa multatur fuga?* (“For what crime, what guilty deed is exile the penalty?” *Medea* 192) – and Creon joins her in this role play without hesitation: *quae causa pellat, innocens mulier rogat* (“an innocent woman asks the reason for her banishment”, *Medea* 193). The exchange is now located in the realm of forensic oratory, with Medea characterizing Creon as a judge (194), and accusing him of having decided her fate *parte inaudita altera* (“without hearing the plea for the other side”, *Medea* 199). Creon, for his part, iterates that his decision is immovable – *vox constituto sera decreto venit* (“the decree is fixed, your words come too late”, *Medea* 198) – but grants Medea a hearing anyway: *sed fare, causae detur egregiae locus* (“but speak, let occasion be given to your excellent case”, *Medea* 202). Under such circumstances, Medea’s speech ceases to be a real defence and becomes a performance instead: she presents her arguments purely for the sake of presenting them, while we, the audience, and Creon both know that she cannot alter the outcome.

As a performance, moreover, Medea’s speech has more in common with declamation than with actual courtroom oratory.⁸³ Seneca scholars are right to note that Medea’s oration

⁸¹ Costa 1973, *ad Medea* 186 notes that *ferox* corresponds to Euripides’ σκυθρωπὸν and further calls it Medea’s “characterizing epithet”.

⁸² Bonner 1949, 162, notes that Seneca’s Medea conforms to the type Horace advises playwrights to create.

⁸³ Here I argue against Dammer 2004, 315-16, who treats Medea’s speech as a practical application of precepts from rhetorical handbooks.

resembles a *suasoria*, complete with a minor geographic excursus (211-16) and a *locus communis* on the mutability of fortune (217-25).⁸⁴ With no complete *suasoria* preserved we cannot say for certain how the arrangement of Medea's argument compares, but the individual she is trying to persuade certainly fits the standard *suasoria* scenario, in which speakers directed their pleas to powerful, often tyrannical rulers. The declaimers of *Suasoria* 1, for instance, portray Alexander the Great as *superbissimus* (*Suas.* 1.5), a man prone to anger (*Suas.* 1.5-6), and insist that persuading him is a task to be handled with care (*Suas.* 1.5-8). Medea's opening characterizes Creon as just such a tyrant: his hands are *superbas* (*Medea* 205) and it is difficult to sway him from his angry course (*difficile...animum ab ira flectere / iam concitatum, Medea* 203-204).⁸⁵ Creon, in turn, responds to Medea's accusation by trying to disassociate himself from this role: he is not, he claims, someone who wields power violently (*non...qui sceptras violentus geram, Medea* 252) or tramples the wretched with his arrogant foot (*nec qui **superbo** miserias calcem pede, Medea* 253). With these words, Creon acknowledges the tyrant as a stock character that he categorically refuses to play. When he declares *non...sceptras violentus geram (Medea* 252), he means both that he does not behave like a tyrant and that he will not perform (*gerere*)

⁸⁴ As noted by Canter 1925, 66, and Costa 1973, *ad loc.* For comparison with the *locus communis* on fortune, see *Suas.* 1.9-10.

⁸⁵ Dammer 2004, 315-16, notes Medea's use of *superbus*, but relates it to advice from the *Rhet. Her.* 1.8: *in odium rapiemus si quid eorum [adversariorum]...superbe...factum proferemus*. I regard the *Suasoria* connection as more likely, since Seneca the Elder's text was a more recent source for anyone writing in the mid-first century C.E., and because declamation had a far stronger influence on early imperial Latin literature than the *Ad Herennium* did. On Creon's typology, Cleasby 1907, 68, remarks: "Creon...is merely the replica of the typical tyrant, who appears as Lycus in *Hercules Furens*, Eteocles in *Phoenissae*, and Aegisthus in *Agamemnon*. The one trait dominating them all is boundless arrogance". Costa 1973, *ad loc.* calls Seneca's Creon "the harsh *tyrannus* of the *controversiae*...a stock type of arrogance and the misuse of power". Pratt 1983, 83, reaches the same conclusion. Lawall 1979, 421, is one of the few dissenting voices, defining Seneca's Creon as "a responsible statesman, with genuine concern for humanity and justice."

the part of the tyrant.⁸⁶ In adopting the role of declaimer, Medea has subordinated Creon to the level of a *dramatis persona* that she can control at will. Medea's speech merges drama with declamation, and reveals just how much the two genres have in common.

Creon, on the other hand, refuses to align himself with declamation. When it comes his turn to speak, he cites an actual orator instead:

egredere, purga regna, letales simul
tecum aufer herbas, libera cives metu,
alia sedens tellure sollicita deos.

Get out, cleanse my kingdom, and take with you
Your deadly herbs, free my citizens from fear,
Live and trouble the gods elsewhere.

(*Medea* 269-71)

More than a century ago, Harold Cleasby observed that these lines allude to *Catilinarians* 1.5, where Cicero tells the erstwhile conspirator, *egredere aliquando ex urbe...purga urbem, magno me metu liberaveris* ("now at last leave the city...cleanse the city, you will free me from a great fear").⁸⁷ When Seneca's Creon pronounces Cicero's words he is attempting to separate his style of oratory from Medea's, to link it with a practical, real-world example rather than the quasi-drama of declamation. The difference suits the characters' respective positions and illustrates their mutual struggle for control. Throughout the scene, Creon has tried to confine Medea and her rhetoric within a purely theatrical realm while he refuses to be cast as the stock tyrant or speak as a declaimer.

Despite Creon's efforts, Medea does, of course, win in the end. Her final reply, which I analyzed above as an example of *occupatio*, uses declamatory techniques to appropriate and

⁸⁶ Seneca uses *gerere* in this sense at *Troades* 715: *gere captivum*.

⁸⁷ Cleasby 1907, 52.

manipulate Creon's words, thereby circumscribing him far more than he has succeeded in circumscribing her. Medea has, in effect, beaten Creon at his own game, leaving him only one option: to call an end to the mock trial and reassert his power as ruler of Corinth. This he does immediately: *iam exisse decuit. quid seris fando moras?* ("you should have departed already. Why contrive delays by talking?" *Medea* 281).

So, the trial scene between Medea and Creon functions simultaneously as a play within a play, and a contest that pits declamation against oratory. Given its quasi-dramatic qualities, declamation has a clear advantage in this theatrical context, and Medea makes sure to exploit her dual role as declaimer and dramatist. Further, though scholars have long recognized declamation's impact on Seneca's rhetoric, they have yet to study its contribution to Seneca's drama. Via techniques such as *occupatio*, declaimers practise both impersonation and proto-dramatic dialogue; when Seneca's characters adopt the same technique, they engage in role play and produce self-conscious performances. In sum, declamation was particularly suited for use in drama, and by the mid first century C.E., it appears to have replaced forensic oratory as the major source of rhetoric for the stage.

Conclusion

Declamation influenced Senecan tragedy in two main ways: first, at the level of genre, as a source of quasi-dramatic rhetorical material; second, at a more abstract, conceptual level, where its style of characterization coincided with Seneca's and reflected a standard view of personal identity that was prevalent in the early empire. In each instance, declamation contributed to the dramatic qualities of Seneca's work rather than cancelling them out. When Friedrich Leo

classified Seneca's plays as *tragoedia rhetorica*, he assumed that rhetoric and tragic drama were fundamentally incompatible.⁸⁸ That is, he assumed that declamation could in no way be considered a theatrical activity. Since new scholarly appreciation for *controversiae* and *suasoriae* has largely disproved this assumption, we are now able to analyze declamation as an important source of Seneca's theatre rather than a barrier to it.⁸⁹

Likewise, declamation is important for understanding the context and origins of what is distinctive about Seneca's dramatic style. Often classed negatively, as the source of Seneca's 'superficial' or 'inauthentic' characterization, declamatory material actually shares with Seneca a persistent interest in social typologies and performed identity.⁹⁰ Drawing on contemporary theories of *persona*, Seneca's characters treat themselves as pre-determined roles and define their identities as something constituted entirely from external circumstances: one is what one does, and what one is *seen* to do. The *personae* of declamation texts exhibit similar behavior, and a declaimer's use of *color* functions like Seneca's methods of characterization.⁹¹ Further, the fact that both of these genres construct character in matching ways demonstrates how essential Roman rhetorical training was for fashioning and maintaining elite identity. Not only is the practice of declamation itself a kind of role play, but its content, too, repeatedly classifies and analyzes people according to their 'roles', their social or familial positions and the expectations that accompany them. It is through the lens of Senecan drama most of all that we can see how

⁸⁸ An observation made by Hook 2000, 54.

⁸⁹ New scholarship on declamation, and on its quasi-dramatic qualities, includes: Pianezzola 2003; Mal-Maeder 2004 and 2007, 10-18; Hömke 2009; Pasetti 2009.

⁹⁰ For declamation's supposedly negative influence on Seneca's characters, see Butler 1909, 48-49; Eliot 1927 (reprinted 1972), 68; Bonner 1949, 161-67; Costa 1973, 3-6. Pratt 1983, 132-63, is a more sophisticated analysis of declamation's influence, but still treats declamatory material as fundamentally un-dramatic.

⁹¹ The main argument pursued by Hook 2000.

declamation operated as both a literal performance and a major means of articulating performed identity.

CONCLUSION

For Romans, the actor/orator dichotomy prompted a series of other dichotomies: the sexual deviant versus the elite male; the body versus speech; the stage versus the civic domain; the illusory/false performance versus one that was real and true. Concentrating on the last of these four binaries, my dissertation argues that cultural and governmental changes in early imperial Rome narrowed the gap intended to separate the orator from the actor and, in the process, challenged advocates' self-definition.

Ideally, the Roman orator performed strictly within the sphere of civic activity. The performance he gave, moreover, was assumed to be more 'true' than a theatrical one in the dual sense that it was more trustworthy and relied less on simulation. But the performance culture of the first century C.E. destabilized this division. As drama and spectacle began to minimize simulation in favor of staging real events, orators could no longer lay exclusive claim to being *actores veritatis* (Cic. *De Or.* 3.214).

At the same time, comparison between Cicero and Quintilian reveals that the latter is more actually aware of (and concerned about) the level of pretence that could be involved in an orator's performance. Quintilian attempts to avoid the dangers of theatrical delivery by advising orators to simulate their feelings as little as possible. An unintended result of his advice, however, is that it assimilates the orator's performance to contemporary dramatic ones: both aim at realistic representation or, in some cases, eschew representation entirely.

The performance culture of the first-century C.E. encroached upon territory that, in theory at least, belonged to the orator. Pantomime dance is another pertinent example. In its characterization as a form of 'gestural eloquence', pantomime blurred the dichotomy of body and

speech that was meant to divide the orator's professional activity from the actor's. Traditionally, the concept of speech had defined the actor negatively and the orator positively. Actors were *infames*; their speech carried no weight in a civic or legal context; in their professional capacity, they always spoke someone else's words, in someone else's voice, and as a consequence, what they said was fundamentally 'unreal'. An orator's words, on the contrary, had the potential to effect actual changes within society; orators were, in a sense, the voice of law. But when pantomime discourse employed rhetorical terminology, it threatened to usurp the orator's professional identity and make a mockery of his much prized *eloquentia*.

Besides these developments in the theatre, Rome's governmental changes also affected the orator's self-definition. The aristocratic ethos of self-display that emerged in Roman culture during the republic operated on the assumption that enacting one's public *persona* within the civic sphere was respectable, while performing on stage was degrading. Members of the Roman elite were like actors in the sense that they sought out an audience. Unlike actors, however, they did so for the purpose of self-realization; they were not rendered powerless by the fact of being spectatorial objects.¹ With the advent of the principate, this dynamic altered significantly. Faced with fewer opportunities for self-display, orators of the early empire developed new ways of advertising their public *personae*, specifically, they began declaiming and reciting. Each of these activities gave members of the elite a chance to showcase the rhetorical skills that formed such a fundamental part of their self-definition. The practice was not, however, unproblematic: since neither *declamatio* nor *recitatio* took place strictly within the civic domain of *negotium*, they both risked being performances in the negative sense. Declamation, in particular, occupied middle ground between forensic oratory and theatrical display. Those who engaged in it

¹ On the Roman elite as performing subjects versus actors as performing objects, see Parker 1999.

therefore needed to be careful that they did not end up resembling professional actors, who performed purely for the sake of entertaining others and not for the sake of expressing their essential, and essentially public, selfhood.

Declamation's quasi-dramatic qualities are further revealed by Seneca's tragedies, which borrow a substantial amount of material from *controversiae* and *suasoriae*. Significantly, Seneca's *dramatis personae* behave according to the social typologies promulgated by declamation texts. They also behave like actual elite members of Roman society, inasmuch as they achieve self-realization via public and extremely visible action: in Senecan drama, self-display is an important step toward selfhood. This social context explains why Seneca's characters may sometimes feel 'inauthentic' or 'stock': when contemporary theories of selfhood do not distinguish between a person and a *persona*, individual character will necessarily seem somewhat superficial.

In fact, Seneca's *dramatis personae* illustrate the *persona* theory of identity quite clearly, even to the extent of embodying its more problematic aspects. That is, they simultaneously replicate elite practices of self-display *and* transform such practices – traditionally regarded as civic, genuine, and respectable – into performance proper. When Seneca's characters behave like Roman aristocrats, their conduct reveals the potential overlap that lies at the heart of the orator/actor dichotomy: self-enactment can easily become an act; the civic realm can merge with the stage; a public *persona* can become a dramatic *persona*. This was especially true in the first century C.E., when the orator's self-definition was imperiled by the changes occurring in theatrical culture and in government. In Roman rhetorical theory, the figure of the actor had always been the orator's *doppelgänger*; under the principate, it was more difficult than ever before to distinguish between the two.

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