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IN WARSAW

ACTORS AND ORATORS [1]

SUMMARY: In ancient Rome the professions of actors and orators seemed to be the two sides of the same coin. The coin is performance and the sides are good and evil. Actors were seen as scum who dare to pretend they can be anyone, even though on stage only. Orators, on the other hand, were respected members of the community, perceived as crucial representatives of Roman society.

KEYWORDS: actors, orators, Roman law

The word "performance" is widely associated with creating a reality and giving an acting, musical or dancing spectacle on stage.

In ancient Rome, not only actors and related professions presented performances. It is possible that they also took place during court proceedings. At the trial, especially in criminal courts, audiences often expected to be entertained[2]. The party of the dispute that won the favour of the audience could feel more comfortable during the proceedings as their words were able to reach a trial official and the jury undisturbed. What is more, we might assume that the said jury was a part of the audience too and thus the recipient of carefully planned speeches[3]. They served not only to present facts – they were calculated to arouse

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[2] Bablitz 2011: 330.

[3] Cic., *Brut.* 187-188.

emotions[4]. In such cases, those responsible for arranging performances were orators[5].

An old custom instructed the accused to arrive for a trial in ragged robes, uncombed and unshaven, as if in mourning, being a totally pitiful sight[6]. This was to be proof of their innocence and the illegitimacy of the charges. The accused who did not behave in such a way could be perceived right away as guilty, as it happened with Rutilius Rufus[7] and Milo[8]. Aulus Gellius[9] also reported that Publius Scipio Africanus did not abandon the habit of careful shaving despite charges brought against him before the people's assembly. Additionally, he refused to wear robes associated with defendants.

Ovid also testified that a trial was frequently an interesting spectacle[10]. Moreover, the poet argued that, unlikely as it may seem, the forum could be used to make amorous advances.

In the context of perceiving the profession, it is highly interesting to compare the status of orators with the position of actors. Actors were presented as scum while orators generally enjoyed a good reputation and respect of fellow citizens. A good example might be Quintus Hortensius Hortalus, or Marcus Tullius Cicero, who, apart from being orators, held the highest offices in Rome, including the office of the consul (Hortensius in 69 BC, Cicero six years later, in 63 BC).

In ancient Rome, the professions of the orator and the actor were more alike than it is thought today. First and foremost, there is no doubt orators did perform because the purpose of their speech was to act in their client's best interest, on behalf of whom they spoke, and it was not always synonymous with establishing and presenting the truth (which orators happily admitted[11]). In contrast to actors, they were not con-

4 Cic., *Brut.* 185.

5 Cf. Quint. 11,3,2, when the author was trying to convince that the way the speech was delivered was far more important than its content.

6 Cf. Greenidge 1901: 472; Kuryłowicz 1994: 162; Hall 2014: 41 ff.

7 Val. Max. 6,4,4.

8 Plut., *Cic.* 35,5.

9 Gell. 3,4,1.

10 Ovid., *ars am.* 1,79-88.

11 Cic., *de or.* 2,241: *Perspicitis genus hoc quam sit facetum, quam elegans, quam oratorium, sive habeas vere quod narrare possis, quod tamen est mendaciunculis*

demned. Where did such far-reaching differences in the perception of these professions come from?

However, before we discuss differences, let us mention the similarities as they were already noticed in antiquity. A prominent Roman actor Roscius wrote a paper in which he dared to compare the art of speaking in public to acting[12]. Horace described Roscius as *doctus*. Cicero's words prove that he was not only a serious and conscious artist, but also an excellent acting teacher. Even the orator from Arpinum himself benefited from his suggestions while shaping his style of delivering speeches[13]. It is claimed that in his book Roscius tried to give an intellectual taste to acting. He simply thought that if a speech was a part of the art of public speaking, then acting (in Greece described with the same word, ὑπόκρισις) is art too[14]. Such a distinction meant, perhaps, that acting was not seen as art, but only as a craft. It could therefore have an impact on perceiving actors, treated not as artists but as labourers.

There were many common features of acting and the art of public speaking, and speeches delivered at trials or *contiones*, where a major role was played by an orator, often resembled performances. A *contio* produced an excellent opportunity to create the illusion, for instance to flatter and deceive the audience which according to Cicero was the domain of *populares*[15]. As was often the case, people present at *contiones* acted and were perceived as the audience in the theater, and thus the orator resembled a person performing on stage[16]. That was another reason for presenting similarities between orators and actors. 'Ordinary' *contio* participants were more an audience than the real creators

aspergendum, sive fingas. Cf. Hall 2014: 28. The author emphasized that by observing actors, orators could learn a lot about manipulating the audience.

[12] Macr., *Sat.* 3,14,12.

[13] Hor., *Ep.* 2,1,82; Cic., *de or.* 1,129-30; *Rosc. Com.* 30; *Quinct.* 77; *Plut. Cic.* 5,3. Rawson 1985: 152.

[14] Rawson 1985: 152.

[15] Cic., *amic.* 95: *Contio, quae ex imperitissimis constat, tamen iudicare solet quid intersit inter popularem, id est assentatorem et levem civem, et inter constantem et severum et gravem*; Cic., *amic.* 97: *Quod si in scaena, id est in contione, in qua rebus fictis et adumbratis loci plurimum est, tamen verum valet, si modo id patefactum et illustratum est*…; Morstein-Marx 2004: 65.

[16] Cic., *amic.* 97: ...in scaena id est in contione; Lintott 1999: 42 ff..

of events[17]. Public speaking was the domain of those whose power was sanctioned by holding the office[18]. And therefore, those were the members of *nobilitas*, mostly of the senatorial rank. Many Romans who held public offices (and spoke at *contiones*) had gone through a public speaking 'training'; the art of speaking in public was associated with respect, dignity and public service[19]. But while preparing for the profession, an orator often observed actors, or even was taught by them[20]. For example, Cicero modelled himself on Publius Sulpicius Rufus and closely observed his actions[21]. Although he used measures associated with the theatre in his speeches, at the same time he could preserve dignity and avoid the accusations of effeminacy[22].

The texts of Valerius Maximus and Quintilian also confirm that actors and orators watched each other's 'performances' to use observed tricks in their professions[23].

However, both Cicero and later Quintilian advised orators-to-be against using gestures associated with the theater[24]. Textbooks on public speaking written by the above-mentioned authors are full of statements that orators, although as talented as actors, are not them. Though they resembled actors, in fact they were different. Still, the problem was that orators, just like actors, performed in public. What is more, they used their bodies in a very similar way to that of actors' on stage[25].

It was therefore essential, especially to orators, to emphasize the differences between them and actors. Giving instructions to future

17 Pina Polo 2011: 288.

18 Edwards 1994: 85.

19 Ibid.

20 Cf. Quint. 11,3,7 – about Demosthenes.

21 Cic., *Brut.* 306.

22 Cic., *Brut.* 203. Cf. Hall 2014: 29.

23 Val. Max. 8,10,2; Quint. 11,3,8. Aesop and Roscius, two actors of the period of the Republic, were highly proficient in the acting art, and often were standing among the audience when Hortensius conducted a case to show gestures observed in the forum on stage. In Cic., *Att*. 6,1,8 we can find a reference to the theatrical way of delivering speeches by Hortensius. Gellius reported that the orator was often mocked at because of it (Gell. 1,5). This was probably due to the fact that he could not keep the right balance between gestures associated with the forum and those borrowed from stage acting.

24 E.g.: Cic., *or.* 3,220; Quint. 1,11,1-3; Quint. 6,3,29.

25 Richlin 1997: 100.

speakers, Quintilian showed elements necessary to be included in a well-formulated speech, and explained how it had to be delivered. At the same time, however, he instructed not to imitate actors too much (especially those performing in comedies):

> Quint. 1,11,3: Ne gestus quidem omnis ac motus a comoedis petendus est. Quamquam enim utrumque eorum ad quendam modum praestare debet orator, plurimum tamen aberit a scaenico, nec vultu nec manu nec excursionibus nimius. Nam si qua in his ars est dicentium, ea prima est ne ars esse videatur[26].

Acting was seen as contrary to virtually everything admired in the Roman citizen. It was not congruent with Roman decency and dignity (*honestas* and *dignitas*)[27] – moralists presented the theatre as a hotbed of debauchery[28], and this lack of approval referred mainly to mime[29]. Mime actors (and especially mime actresses) had the worst reputation of all present on stage, also due to the fact that there were more free people among mime artists (that is, we may assume, those who voluntarily took up this profession), as no special education was needed[30]. Selling your own body and laughter was a downright affront to Roman *gravitas* – members of the elite were to avoid such behavior[31].

Among many various functions of actors, we can identify a 'teaching' one, and it did not solely refer to training new students of performing arts. Besides acting on stage, actors participated in training orators. For instance, they had to give lessons on pronunciation, or staging. Cicero compared the art of public speaking with a tragic actor's play, but in Quintilian's time it was mainly a domain of comedians. This

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[26] Loeb translation: "Nor yet again must we adopt all the gestures and movements of the actor. Within certain limits the orator must be a master of both, but he must rigorously avoid staginess and all extravagance of facial expression, gesture and gait. For if an orator does command a certain art in such matters, its highest expression will be in the concealment of its existence."

[27] Hughes 1997: 185.

[28] Edwards 1993: 99.

[29] Ter., *Spect.* 17.2; Minucius Felix, *Oct.* 37,12; Val. Max. 2,6,7b; Ovid., *Tristia* 2,498-500.

[30] Leppin 2011: 665.

[31] Edwards 1997: 67.

is puzzling because young candidates for orators were warned against imitating comedians. Still, it was actors who taught young Romans to deliver speeches properly, i.e. to pronounce correctly and avoid exaggeration[32]. In the course of a lesson, however, the student was advised to stay cautious.

> Cic., *off.* 1,129: Quibus in rebus duo maxime sunt fugienda, ne quid effeminatum aut molle et ne quid durum aut rusticum sit[33].

Cicero preached about avoiding effeminate and unmanly behaviour which was strongly associated with actors. In Rome, it was quite popular to accuse stage performances of causing effeminacy (contrasted with masculinity so cherished by the Romans). Actors, especially those playing female roles, were declared effeminate, and the entire project was presented as soft, weak and unmanly[34]. Juvenal[35] wrote that one could even think that the actor had female genitals. Even worse – this effeminacy could refer to the audience[36].

The words of actors could not be believed[37]. And while a speech in Roman law could have a performative power, an actor's words were empty and meaningless; they were the antithesis of meaningful sentences uttered before the praetor at a trial or during formal actions requiring the presence of witnesses[38]. Therefore actors were not

[32] May 2006: 26.

[33] Loeb translation: "In these matters we must avoid especially the two extremes — our conduct and speech should not be effeminate and over-nice, on the one hand, nor coarse and boorish, on the other."

[34] Williams 1999: 139.

[35] Juv. 3,95-7.

[36] *A contrario* from Plin., *pan.* 33. Pliny wrote that in Trajan's time even theatrical performances were great and they did not cause too much of feebleness and weakness of the soul, as it happened before.

[37] D. 22,5,21,2 (*Arc. l.S. de test.*): Si ea rei condicio sit, ubi harenarium testem vel similem personam admittere cogimur, sine tormentis testimonio eius credendum non est. – the source texts clearly speak about *harenarius* but it seems that the phrase *similem personam* could also refer to actors. Cf. also Edwards 1993: 99.

[38] Edwards 1994: 84 ff.

considered to be trustworthy people. What is more, it could be one of the reasons for limiting civil rights of this professional group[39].

Actors received remuneration for their performances. This fact negatively affected the perception of their profession[40], since selling one's own work was considered unworthy of a Roman:

> Quint. 12,7,8: Gratisne ei semper agendum sit tractari potest. Quod ex prima statim fronte diiudicare inprudentium est. Nam quis ignorat quin id longe sit honestissimum ac liberalibus disciplinis et illo quem exigimus animo dignissimum non vendere operam nec elevare tanti beneficii auctoritatem, cum pleraque hoc ipso possint videri vilia, quod pretium habent?[41]

Quintilian said that not selling work is the most honorable, as imposing the price on it makes it cheap. However, if one already accepted the fee, they had to choose reasonably from whom and how long it would be the case[42]. But it seems actors did not have that luxury as they rarely chose the recipients of their performances. Admission to a performance was in most cases free of charge, and spectators were not subject to any selection[43]. It is also worth mentioning the concept claiming that the position of a free man getting paid for their work was worse than the position of a slave. It was worse because they voluntarily placed themselves in a situation to which the slave was forced – the necessity of submitting oneself to the will of another person[44].

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[39] Loska 2014: 167-191.

[40] D. 3,2,25 (Ulp. 6 *ad ed*.): omnes propter praemium in scaenam prodeuntes famosos esse Pegasus et Nerva filius responderunt.

[41] Loeb translation: "It is an open question whether he should never demand a fee for his services. To decide the question at first sight would be the act of a fool. For we all know that by far the most honourable course, and the one which is most in keeping with a liberal education and that temper of minute which we desiderate, is not to sell our services nor to debase the value of such a boon as eloquence, since there are not a few things which come to be regarded as cheap, merely because they have a price set upon them."

[42] Quint. 12,7,11: ac plurimum refert et a quo accipiat et quantum et quo usque.

[43] The exception was when slaves were not allowed to see performances. – cf. Cic., *har. resp*. 26

[44] Visky 1964: 1070.

Fortunes made by popular actors could also be a source of envy and could have a substantial impact on the perception of the entire profession. Even today there exists a common belief that artists do not do real work; consequently, they should not prosper at all.

The difference between the two groups also was connected with the fact that orators enjoyed a quite clearly defined status in the society – they were usually the representatives of the *nobilitas*, while an actor on stage could become a person of any position[45]. It was necessary to maintain social and political order by differentiating actors' status from the position of those whose words conveyed real seriousness and authority[46]. However, the mutual influence of orators and actors was not, in fact, perceived as something wrong as long as it was not excessive. Cicero[47] compared himself to an actor cast in a play by the *populus Romanus* – he would not have allowed himself to do it, not such a seasoned political player , if the comparison had been offensive.

Additionally, Cicero's speech in defense of Roscius shows orators were searching for inspiration in the theater. The former compared the opponent to a procurer, and the model procurer was modelled on Plautus Pseudolus' comedy[48].

> Cic., *Rosc. Com.* 20-21: Nonne ipsum caput et supercilia illa penitus abrasa olere malitiam et clamitare calliditatem videntur? non ab imis unguibus usque ad verticem summum, si quam coniecturam adfert hominibus tacita corporis figura, ex fraude, fallaciis, mendaciis constare totus videtur? qui idcirco capite et superciliis semper est rasis ne ullum pilum viri boni habere dicatur; cuius personam praeclare Roscius in scaena tractare consuevit, neque tamen pro beneficio ei par gratia refertur. Nam Ballionem illum improbissimum et periurissimum lenonem cum agit, agit Chaeream; persona illa lutulenta, impura, invisa in huius moribus, natura vitaque est expressa. Qui quam ob rem Roscium similem sui in fraude et malitia existimarit, mihi

[45] Edwards 1993: 118.

[46] Edwards 1994: 85.

[47] Cic., *leg. agr*. 2,49: *Vos mihi praetori biennio ante, Quirites, hoc eodem in loco personam hanc imposuistis ut, quibuscumque rebus possem, illius absentis dignitatem vobiscum una tuerer*; Cic., Phil. 6,2 *... ita Kalendis Ianuariis veni in senatum, ut meminissem, quam personam impositam a vobis sustinerem*.

[48] Cic., *Rosc. Com*. 20; Axer 1976: 18; Sokala 1992: 18.

> <vix> videtur, nisi forte quod praeclare hunc imitari se in persona lenonis animadvertit[49].

Cicero's defense strategy was based on comparing Chaerea to Roscius, who played the role of Ballio willingly and which was considered to be one of his best. It is worth noting that the orator gave neither the author nor the title of the play – apparently, it was not needed as he could count on the audience to read his intentions without error. This can be concluded that the figure of Ballio must have been instantly recognizable. Referring to dramatic texts had great strength and power of persuasion, due to the fact that the knowledge of theater arts and plays was common in Rome. This allowed to create a bridge between the orator and his audience[50]. This is a further indication of the popularity of the theater in Rome.

Cicero's trick pointed to the existence of one of the drawbacks of a procurer in Chaerea's character, thus implying the presence of all[51]. A skillfully given allusion was to set the audience favourably to Roscius – since his opponent had so many imperfections, the trial initiated by him was only aiming at making the actor's life difficult. It was simply impossible for Roscius to cheat Cherea. His ugly appearance was to reflect his even uglier vices of the character[52]. The reverse situation was more likely – it was Roscius who let Chaerea fool him[53].

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[49] Loeb translation: "Do not the head itself , and those clean-shaved eyebrows seem to reek of malice and proclaim craftiness aloud? If one can make a guess from the silent form of a man's body, does not Fannius seem to be composed entirely of fraud, trickery, and lies from the tips of his fingers to the top of his head? He always has his head and eyebrows shaved, that he may not be accused of having a single hair of an honourable man on him; Roscius has constantly portrayed him brilliantly on the stage – and yet he is not adequately rewarded with gratitude in return for his kindness. For when he plays Ballio, that most rascally and perjured pimp, Roscius really represents Chaerea; that filthy, impure and detested character is the image of Chaerea in manners, disposition and life. It seems to me astonishing why he should have thought Roscius resembled him in fraud and wickedness, unless perhaps he noticed that he imitated him admirably in the character of the pimp."

[50] Cf. Gildenhard 2007: 173.

[51] Cf. Harries 2007: 138.

[52] Cf. Kelly 1976: 99; Corbeill 1997: 43 ff.

[53] Cf. Cic., *Rosc. Com*. 21.

It was convincingly shown that the whole speech by Cicero in defense of the comedian Roscius was modeled on a theatrical performance[54]. However, it did not diminish its importance, nor put the suspicion of infamy on the orator who delivered the speech.

To sum up, actions taken by the representatives of both profession did not differ much. Nevertheless, their purpose as well as social reception were definitely not alike. Obviously, actors presented fiction. And even if somehow fiction referred to reality, it was still just a fictional creation. Actors appearing on stage played invented, stereotypical characters; they just pretended to be someone else. They spoke words that had no direct impact on the world around them, and therefore it did not matter whether they were telling the truth. That is why actors were not trusted off the stage, as nobody could guarantee they did not lie; they were so perfectly able to make a lie appear to be honest. If they did it on stage, perhaps they did so in their real life? They were also often perceived as fickle[55] and outrageous, using their talents to deceive and seduce others; after all, that was the essence of their profession. Situations in which the actor as a person was respected happened extremely rarely. And at the same time orators generally enjoyed social respect. They performed at trials and political rallies, where their task was to present the truth, at least one of its versions. Their words were trustworthy, and they could have serious consequences. This attitude to the truth, after all written in each of these professions, could be the most important reason for such a drastic difference in legal and social status of orators and actors.

It should be noted that most likely orators, as opposed to actors[56], were not liable for defamation – while delivering a speech they could use all sorts of invective against an opponent and accuse them of any crime and wickedness[57]. This happened especially during questioning hostile witnesses in court, as well as in words directed against political

[54] Laidlaw 1960: 59 ff; Axer 1976: *passim*; Axer 1980: *passim*.

[55] Cicero called the art of acting a trivial thing (Cic., *de orat.* 1,18 – histrionum levis ars). Cf. Hall 2014: 27 ff.

[56] Cf. *ad Herr*. 1,29 and 2,19.

[57] Syme 1959: 324.

opponents[58]. Still, there is no evidence of any litigation in preserved source texts.

It is even more interesting with orators being most often[59] authors of their own words, and actors only recreating their roles. Theoretically, therefore, it should work the other way – a person formulating invectives should bear greater responsibility than those who simply utter them.

The Romans, however, loved the theater. One of the theater historians considered them one of the best theatrical audience of all time[60]. Perhaps audiences of political and theatrical spectacles understood the very performance similarly. Still, it is likely yet another reason for seeing stage people so differently was that the art of acting was almost solely to entertain; from the point of view of the audience, it seems, there was no difference at all.

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[58] Powell 2007: 5.

[59] One of the exceptions was given by Cicero in *Brut*. 206 – sed idem Aelius Stoicus <esse> voluit, orator autem nec studuit unquam nec fuit. scribebat tamen orationes, quas alii dicerent.

[60] Wright 1974: 191.

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