

Rhetoric, rite and gender – Cicero about Clodius at the Bona Dea feast

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The cult

Cicero's letters and speeches are the basic source of information about the cult of Bona Dea. Interestingly, Cicero brings up this subject mainly referring to the scandal caused by Publius Clodius Pulcher. His records, however, need to be read critically, not only because the facts mentioned in the texts were conformed to the speech's goal – which is typical for rhetoric – but also because there was a personal rancor between Cicero and Clodius. In the letters to Attic this rancor could have caused some exaggeration in Cicero's description of his reaction to the profanation of the rite. Therefore it is difficult, on the basis of Cicero's works only, to estimate to what a degree his suggestions about the significant role of the cult to the state corresponded to reality. A fairly large factual account is provided by later authors¹: they point out the female aspect of the cult², quote etiological myths related to it³, describe the goddess' temple⁴, and moralize about Clodius' misdemeanour⁵ – however, they were influenced by Cicero.

¹ The full corpus of sources relating to the Bona Dea cult with English translation: Brouwer H.H.J., *Bona Dea. The Sources and a Description of the Cult*, Leiden 1989, pp. 144-230.

² Ovid. *Ars.* III 633-638, *Tib.* I 6.21-24.

³ Plu. *Quaest. Rom.* XX, *Macr. Sat.* I 12.20-29.

⁴ Prop. IV 9.21-70.

⁵ Sen. *Ep.* XVI 97.2, *Juv.* II 6.345.

The cult of Bona Dea was public – the Senate built a temple of the goddess, consecrated by vestals⁶. Moreover, according to Cicero, it was one of the most ancient Roman cults, and the annual December rite to worship Bona Dea took place *pro salute populi Romani*⁷. This can also be concluded from the fact, that the rite was celebrated in the house of the then consul or praetor⁸ and conducted by his wife. Only women were allowed to participate in the feast⁹; and the main role probably belonged to women from the highest social strata¹⁰. The rite was accompanied by music; women were drinking wine in the honey jugs, referring to it as milk. This fact enabled D. Mulroy to draw a conclusion about the bacchanal character of the feast¹¹. But the interpretation of A. Staples seems to be more accurate – according to her, consuming wine in that way should be treated as the symbol of the interdependence of masculinity (represented by wine) and femininity (milk, honey), as well as of the marriage as the union of these elements¹². It was this symbolic aspect that Clodius profaned in two ways: because of being a

⁶ Brouwer H.H.J., *Bona Dea...*, pp. 254, 400-402.

⁷ *Har.* 12. Quotes from Cicero's speeches after Loeb Classical Library's editions: Cicero, *XI. (...) De domo sua. [Dom.] De haruspicum responso [Har.] (...)*, transl. N.H. Watts, Cambridge-London 1993. *XII. Pro Sestio [Sest.] In Vatimum*, transl. R. Gardner, Cambridge-London 1984. *XIII. (...) De provinciis consularibus [Prov.] (...)*, transl. R. Gardner, Cambridge-London 1987. *XIV. Pro Milone [Mil.] (...)*, transl. N.H. Watts, Cambridge-London 1993.

⁸ *Plu. Caes.* 9.

⁹ According to the epigraphical sources, men could be involved in the cult, but not in the December feast (Staples A., *From Good Goddess to Vestal Virgins. Sex and Category in Roman Religion*, London-New York 1998, p. 41; see also Brouwer H.H.J., *Bona Dea...*, pp. 256-258).

¹⁰ Cf. Schultz C.E., *Sanctissima femina: Social Categorization and Women's Religious Experience in the Roman Republic* [in:] Parca M., Tzanetou A. (ed.), *Finding Persephone. Women's Rituals in the Ancient Mediterranean*, Bloomington 2007, p. 100. Staples (*From Good Goddess...*, pp. 30-31), though, cites also sources indicating that slave-women, freedwomen or even prostitutes could participate in the ceremony.

¹¹ Mulroy D., *The Early Career of P. Clodius Pulcher: a Re-examination of the Charges of Mutiny and Sacrilege*, "Transactions of American Philological Association", 1978, vol. 118, pp. 155-178. It was Juvenal (II 6.314-334), who provided Mulroy with one of his main arguments, describing the Bona Dea feast as a drunken party and calling its participants *maenadae*; however, in ancient literature, accusing women of heavy drinking during a feast was a *locus communis* (cf. Aristophanes' *Thesmophoriazousae* as a best example), so it does not seem a good idea to treat the description verbatim.

¹² *From Good Goddess...*, pp. 44-51. For another interpretations cf. Scheid J., *The Religious Roles of Roman Women* [in:] Schmitt Pantel P. (ed.), *A History of Women in the West. From Ancient Goddesses to Christian Saints*, Cambridge-London 1994, pp. 392-393 (orig. *Storia delle Donne in Occidente*, vol. I, *L'Antichità*, Roma-Bari 1990); Bettini M., *In vino stuprum* [in:] Murray O., Tecuşan M., *In vino veritas*, Oxford 1995, pp. 224-238.

male, and because of his alleged motivation – adultery; thus, he acted against the sacredness of marriage sanctified by the rite¹³.

The scandal and the trial

Plutarch¹⁴ provides us with the most detailed description of the scandal provoked by Clodius during the Bona Dea ceremony in 62 b.C. According to him, Clodius – who had started an affair with Pompeia, Caesar’s wife – saw a chance for a date with her during the feast, which that year took place in Caesar’s house. Thus, disguised as a flute-player he came into the house, but he was quickly detected by a servant of Aurelia, Caesar’s mother; the alarm arose immediately, Aurelia stopped the ceremony, and Clodius was thrown out. As a result Caesar divorced Pompeia. Although vestals and priests labeled his deed as an act of sacrilege, Clodius was acquitted in the trial carried out in the senate, because the jury, as Plutarch says, was afraid of the commons, who at that time favoured Pulcher. Although some elements of the story could be regarded as topical¹⁵, also in Cicero’s letters we can find information about Clodius’ disguise¹⁶. The orator, keeping his own interest in mind, attributes Clodius’ acquittal not to his popularity, but to the corruptibility of the jury¹⁷.

Cicero was one of Clodius’ accusers in the trial. Unfortunately, his speech *In Clodium et Curionem* is saved only in fragments cited by Scholia Bobiensia. If we knew the entire speech, it could have a great value from the historical point of view – the trial was the first spectacular clash between Cicero and Clodius, who at that time became his main political enemy. Historians are not unanimous about the direct reason of the conflict – according to D. Epstein, it was Terentia, whose objective was personal revenge¹⁸, who persuaded Cicero to bring an accusation

¹³ Cf. the case of Clodius as an example of the *locus communis* of a scandal connected with the female rites: Lyons D., *The Scandal of Women’s Ritual* [in:] Parca, Tzanetou, *Finding Persephone...*, pp. 43-44.

¹⁴ Plu. *Caes.* 9-10; 14.

¹⁵ Mulroy, *The Early Career...*, pp. 167-168.

¹⁶ Cic. *Att.* I 12.3.

¹⁷ Cic. *Att.* I 16.10; cf. also *Har.* 37.

¹⁸ Epstein D.F., *Cicero’s Testimony at the Bona Dea Trial*, “Classical Philology”, 1986, vol. 81, no 3, pp. 229-235. In 73 b.C. Clodius was the prosecutor in the trial of vestal Fabia, Terentia’s half-sister, accused of an affair with Catiline. What is more, Clodius’ sister, Clodia Metelli, was said to intend to marry Cicero – so the jealousy also could have been Terentia’s motive (Plu. *Cic.* 29).

against Clodius W.J. Tatum disagrees with that statement: he sees Cicero's participation in the trial only as political conformity¹⁹. The fact, that Cicero accused Clodius also of being Catiline's supporter, is not insignificant either²⁰. The political conflict conditioned in this way, resulted, among others, in Cicero's exile in 58 b.C. Also, the conflict combined with mutual animosity had a direct influence on Clodius' image, which Cicero sketched in his speeches employing the political invective, of which he was an unquestionable master.

Invective and masculinity

Speech, as a genre strictly related to politics, to be convincing to the audience, referred to their political culture and perception of the state's interests. In the political system of the Roman republic, which was governed by citizens – freborn men, being a male was the basic requirement for those willing to deal with politics²¹. One of the privileges provided by Roman culture to its “governors” was playing the active, dominating role in erotic relations²². A man depriving himself of the privilege was perceived as effeminate.

Orators eagerly employed arguments *ad personam* to discredit the adversary in the eyes of the jury. One of the ways to achieve this goal was questioning the foundation of adversary's citizenship, i.e. his male gender. Hence, one could be accused of unmanlike, i.e. contemptible conduct, for example, playing the passive role in sexual liaisons with other men, having the *os impurum* – the mouth unchaste because of promiscuity, being too concerned with looking good, or spending too much time on *otium*. Orators, who used this manipulation, referred to the literary genres which involved obscene style, such as wall-lampoon (graf-

¹⁹ Tatum W.J., *Cicero and the Bona Dea Scandal*, “Classical Philology”, 1990, vol. 85, no 3, pp. 202-208.

²⁰ It is hard to say whether the charge was true, because Cicero mentioned it in his speeches, some years after the plot had been foiled (among others *Har.* 5, 42; *Mil.* 55). Cf. Lintott A.W., *Clodius Pulcher – the Felix Catilina?*, “Greece & Rome”, 1972, vol. 14, no 2, pp. 158-159.

²¹ On the shaping of the definition of Roman citizen as an adult man see: Nicolet C., *Obywatel, polityk* [in:] Giardina A. (ed.), *Człowiek Rzymu*, Warszawa 1997, pp. 29-36 (orig. *L'Uomo Romano*, Roma-Bari 1989).

²² Parker H., *The Teratogenic Grid* [in:] Skinner M., Hallett J. (ed.), *Roman Sexualities*, Princeton 1997, pp. 47-65.

fiti), priapea or epigramat²³. That is how the image of *vir effeminatus* was created in Roman rhetoric; *vir effeminatus* who lost the control over his own body and consequently was not allowed to govern the republic. Such presentation of an opponent was attractive to the audience – the orator could entertain them with a witticism, sarcastic commentary or verbal game. Because of that, B. Krostenko²⁴ presents this type of invective in the context of “the language of social performance”. The orator, whose speech was to be full of wit and charm, ridiculed metropolitan, new-fangled manners of *vir effeminatus*; thus, he ironically referred to such values of “social performance” as charm, good manners, aestheticism, treating them as a form of effeminacy.

Cicero, in his speeches, consistently described Clodius in this a way. In the *In Clodium et Curionem* speech (61 b.C.²⁵), the task was easier, because Clodius had been recognised in female clothes, which provided the ground to suggest that *feminei mores* were nothing unusual in his daily life²⁶. According to J.L. Butrica²⁷, it did not correspond to his real conduct, but was an effect of a coincidence: being seen in a woman disguise and having the cognomen *Pulcher* – a word associated with a female beauty – Clodius could easily be ridiculed because of the lack of masculinity²⁸:

V 1: ...*effeminare vultum, attenuare vocem, levare corpus potes.*

V 4: *sed, credo, postquam tibi speculum adlatum est, longe te a pulchris abesse sensisti.*

In fgm. V 1 the orator says that Clodius not only has disguised himself as a female, but also – as suggested by the form of ind. praesentis *potes* – that he can assimilate to one whenever he wants. What is more, according to fgm. V 4,

²³ Richlin A., *The Garden of Priapus. Sexuality and Aggression in Roman Humor*, New York 1992, pp. 96-105.

²⁴ Krostenko B., *Cicero, Catullus and the Language of Social Performance*, Chicago 2001, pp. 188-190.

²⁵ The publication of a speech in 58 b.C. (Brouwer, *Bona Dea...*, p. 151).

²⁶ For a detailed interpretation of a Clodius' image in the speech see: Skinner M., *Pretty Lesbians*, “Transactions of American Philological Association”, 1982, vol. 112, pp. 197-208, and the polemics: Butrica J.L., *Clodius the Pulcher in Catullus and Cicero*, “Classical Quarterly”, 2002, vol. 52, no 2, pp. 507-516.

²⁷ *Clodius the Pulcher...*, p. 516.

²⁸ Cic. *In Clodium et Curionem* V 1, V 4. Quotes from edition: *M. Tullii Ciceronis opera quae supersunt omnia*, Orellius I.C. ed., vol. V, pars II, Turici 1833, pp. 329-340.

Clodius becomes a woman also thanks to gaining her typical features – he receives an essential gadget, a mirror. Cicero presents us with a skillful verbal game: Clodius the Pretty, checking in the mirror whether he really is pretty, at the same moment realises that he is very far from the Pretties’ family – as an effeminate, he does not follow the example set by his ancestors. Thus, the Ciceronian Clodius takes part in something which today we would call – after J. Butler²⁹ – a gender theatre: he leaves the role of a man to begin *performance* as a female: he applies make-up (*effeminare vultum*), changes his voice (*attenuare vocem*), chooses the gadgets (*speculum*). The performance consisting in constructing the gender leaves its stamp on the body and soul of the “actor” – playing a female Clodius becomes one, gaining the manners of a *vir effeminatus*. It was this image of Clodius, set in the context of the Bona Dea scandal, that Cicero will allude to in his later speeches, just to make his audience see Clodius as a *mulier inter viros et inter mulieres vir*³⁰ and, consequently, to make them disqualify him as a politician.

De domo sua

In 57 b.C., after his return from the exile, Cicero made his speech *De domo sua* in the senate. Its goal was to regain the house confiscated by Clodius, which the tribune had turned into the temple of the goddess Freedom – Libertas. The main argumentation line was that Clodius had consecrated the house illegally, and that he couldn’t have been motivated by the sincere religiosity, because a long time ago he had proved that he had no respect for the gods³¹:

Publiusne Clodius, qui ex pontificiis maximi domo religionem eripuit, is in meam intulit? Huncine vos (...) auctorem habetis et magistrum publicae religionis?

De domo sua provides us with an image of Clodius-hypocrite treating a religious rite instrumentally. In this context Cicero again refers to Clodius’ ancestors, drawing a comparison between him and Claudius Caecus³²:

²⁹ Cf. the theory of gender performance described in essays: Butler J., *Uwikłani w płęć. Feminizm i polityka tożsamości*, Warszawa 2008 (orig. *Gender Trouble. Feminism and the Subversion of Identity*, New York-London 1990).

³⁰ *Dom.* 110.

³¹ *Dom.* 104.

³² *Dom.* 105.

...cum ille, qui nihil viderat sciens quod nefas esset, lumina amisit, istius, qui non solum aspectu, sed etiam incesto flagitio et stupro caerimonias polluit, poena omnis oculorum ad caecitatem mentis est conversa.

His word play is based on Claudius' cognomen, to which Cicero added other meanings connected with the sense of sight. As we can see, for Romans sight could be a metaphor of mental perception and of the ability of distinguish good from evil. Claudius Caecus had lost his sight in a physical sense but – as he had never committed *nefas*³³ – his mental perception was right, whereas Clodius broke taboo with his eyes, and his wickedness was punished with the blindness of mind, i.e. losing the sense of decency³⁴. Presenting Clodius as a man indifferent to moral questions, Cicero undermines Clodius' argumentation based on religious motifs.

In another word play the orator opposes the reason for which Clodius had decided to turn his house into a temple³⁵:

At quae dea est? Bonam esse oportet, quoniam quidem est abs te dedicata. 'Liber-tas' inquit 'est'. Tu igitur domi meae conlocasti, quam ex urbe tota sustulisti?

Clodius, after expelling Cicero, consecrated his house as a temple of Freedom, thus implying, that a tyrant had been exiled from the city. Cicero here presents the charge in a reverse way, consistently describing Clodius as a hypocrite: namely, it is Clodius that is the tyrant and that has expelled the freedom from the city, though he pretends to be her worshipper. The allusion to Bona Dea plays an important role here – the orator's argumentation does not imply that the goddess worshipped by Clodius may not be benign, but that Clodius is able to worship gods only in the same distorted way in which he worshipped Bona Dea – which means profaning their cult. Thus Clodius, being a tyrant worshipping freedom,

³³ Cicero found the character of Appius Claudius Caecus – the censor, personifying traditional Roman morality – useful, when trying to show the moral decline of *gens Claudia* also in his invective on Clodius's sister, Clodia Metelli (Cic. *Cael.* 34; cf. Dufallo B., *Appius' Indignation: Gossip, Tradition and Performance in Republican Rome*, "Transactions of American Philological Association", 2001, vol. 131, pp. 119-142).

³⁴ See also Narducci E., *Cecità degli occhi e accecamento della mente. Nota a Cicerone, de domo 105 (con un contributo all'interpretazione di Ovidio, fast. VI 437-454)*, [in:] Narducci E., *Cicerone e i suoi interpreti. Studi sull'Opera e la Fortuna*, Pisa 2004, pp. 201-214.

³⁵ *Dom.* 110.

is committing the same profanation as being a man participating in women's religious ceremony.

The orator does not fail to mention an invective concerning Clodius' gender ambivalence, similar to the one used in the *In Clodium et Curionem*³⁶:

...iste impurus atque impius hostis omnium religionum, qui contra fas et nefas inter viros saepe mulier et inter mulieres vir fuisset...

With those words, Cicero indicates that Clodius' effeminacy is strongly connected with his immoral attitude to religion – Clodius is *impius*, he acts *contra fas* – his deeds should be interpreted not as a simple love affair, but rather as sacrilege. The adverb *saepe* is important here: the orator refers not only to the single excess from 62 b.C., but he points out the repeatability of the situation (obviously he does not quote any examples; however, the purpose is clearly not to present a reliable charge, but to leave an impression in the audience's minds).

Thus *De domo sua* does not focus on Clodius' effeminacy and promiscuity, it is rather supposed to be an attack directed against his moral condition in general – Clodius deprived of the sense of *fas* and *nefas* had committed sacrilege, and then in an usurpatory way, motivated by political causes only, he became a worshipper of Libertas. Cicero could have lost much more than his own house, and thus he had to suggest to the jury, that it did not become Clodius to refer to religion. Clodius' success and leaving the temple in the house of Marcus Tullius would confirm Cicero's reputation as a tyrant, and Clodius' reputation as the liberator³⁷.

De haruspicum responso

Clodius again became Cicero's opponent in 56 b.C. According to his charges the haruspices decided that the area of Cicero's house, deprived of its religious functions and turned back to the owner, had been profaned thus bringing gods' punishment upon Rome. Therefore, Cicero refers in detail to the soothsayers' interpretation, arguing that it was Clodius who had committed the excesses, in reaction to which gods sent inauspicious signs. Namely, Cicero accuses Clodius

³⁶ *Dom.* 139.

³⁷ Cf. Allen W. Jr., *Cicero's House and Libertas*, "Transactions and Proceedings of the American Philological Association", 1944, vol. 75, pp. 1-9.

of, among others, profaning *Ludi Megalenses* – the Cybele feast – as he allowed slaves to participate in it, and, of course, of the insult against Bona Dea a couple of years before.

The first charge is crucial for the analysis of the function of the second one. According to the orator Clodius as an aedile, put the common good at risk by admitting slaves to prayers for the state, thus degrading the feast's character from public to slavish³⁸:

... qui uni ludi ne verbo quidem appellantur Latino, ut vocabulo ipso et appetita religio externa et matros magnae nomine suscepta declaretur, hos ludos servi fecerunt, servi spectaverunt, tota denique hoc aedile servorum Megalesia fuerunt. (...)

Clodius is exceeding the boundaries of behaviour acceptable for Roman men, this time by assimilating to slaves, who – just like women – were submitted to men. Cicero again contrasts Clodius' attitude with the attitude of his ancestors³⁹: he behaves like a slave uprising's leader rather than like a successor of *gens Claudia*. In this way Clodius is deprived of the second, apart from gender, civil competence – membership in the class of the freeborn; this induces him to declare himself against the state⁴⁰. The Bona Dea scandal was supposed to be an example of such a declaration⁴¹:

Quod autem tam occultum quam id, quo non solum curiosos oculos excludit, sed etiam errantes? (...) Quod quidem sacrificium nemo ante P. Clodium omni memoria violavit, nemo umquam adiit, nemo neglexit, nemo vir aspicere non horruit: quod fit per virgines Vestales, fit pro populo Romano, fit in ea domo,

³⁸ *Har.* 24.

³⁹ *Har.* 26. The allusion to the Claudian family is also significant because of its connection with the Cybele cult. In *Har.* 27 Cicero points out that it was Claudia Quinta, a vestal, who received the black stone of Cybele and took it to Rome to begin the cult (*Ov. Fasti* 305-309, *Cic. Cael.* 34; cf. also Salzman M.R., *Cicero, the Megalenses and the Defence of Caelius*, "The American Journal of Philology", 1982, vol. 103, no 3, p. 301) – thus, Clodius, profaning a ritual initiated by his own family, enables slaves to become equal with his ancestors in worshipping the goddess.

⁴⁰ Cicero earlier (*Har.* 19) argues that accepting the existence of gods leads to the conclusion that it is thanks to them that the Roman Empire exists and develops (*eorum numine hoc tantum imperium esse natum et auctum et retentum*), hence opposing the will of gods is an act against the state.

⁴¹ *Har.* 37.

quae est in imperio, fit incredibili caerimonia, fit ei deae, cuius ne nomen quidem viros scire fas est...

Cicero, with exaggeration typical for the rhetoric, presents the rite as subject to a strict taboo; by means of anaphors *quod...*, *nemo...* and *fit...* he depicts the sacral area, in which the state plays an unquestionable role – the ceremony is run by the main female religious authority, the vestals, and it takes place in the house of the highest secular magistrate. Clodius, like nobody before, posed a threat to this taboo – one can see the parallel between Bona Dea, who in the myth had to defend herself from rape (in this context it is important to underline the use of the verb *violare*), and the ceremony participants, who had to defend themselves against Clodius, who had burst into Caesar's house because of *incestum stuprum*⁴². At this moment Clodius is no longer a *vir effeminatus*, he becomes a male without restraints – debauchery, or even a tendency to provoke, leads him to error, which brings the goddess's rage upon the whole state.

Here, again in Cicero's discourse, one cannot see a clear cause and effect pattern as there is no distinction between the influence that Clodius' personal traits have on his behaviour and the influence that his behaviour has on his character. The orator suggests that it was *libido*, the irrational lust, that led Clodius to sneaking into the feast; however, being deprived of rational thinking is also a penalty, a result of this deed⁴³:

A dis quidem immortalibus quae potest homini maior esse poena furore atque dementia? (...) Tu, cum furiales in contionibus voces mittis, (...) cum aedes sacras inflammas, cum servos concitas, cum sacra ludosque conturbas, cum uxorem sororemque non discernis, cum quod in eas cubile non sentis, tum baccharis, tum furis, tum das eas poenas, quae solae sunt hominum sceleri a dis immortalibus constitutae.

Bona Dea punished Clodius with madness which caused his excesses against the republic – excesses which he perceives as steps in his political career. In this way Clodius, as a madman, is deprived of other civic features – rationality and autonomy in making decisions. Clodius lacks this autonomy both in his public

⁴² *Har.* 4.

⁴³ *Har.* 39.

and in his private life – Cicero depicts also how he loses control over his own body (*quis minus pepercit hostium castris quam ille corporis sui partibus*⁴⁴).

The Bona Dea scandal seems to have marked the beginning of Clodius' career, seen in a sarcastic way⁴⁵:

P. Clodius a crocota, a mitra, a mulieribus soleis purpureisque fasceolis, a strophio, a psalterio, a flagitio, a stupro est factus repente popularis. Nisi eum mulieres exornatum ita deprehendissent (...) populari homine populus Romanus, res publica cive tali careret.

The first sentence presents us again with the vision of Clodius from *In Clodium et Curionem*, dressed in a female outfit and equipped with female gadgets. The choice of the mentioned gadgets is not random at all: *crocota* was a dress worn at religious feasts⁴⁶ by women, but also by effeminate, e.g. Agathon in *Thesmophoriazousae*⁴⁷; *mitra* – a head covering, in literature was attributed to Phrygian women⁴⁸ or prostitutes – Juvenal mentions it with an epithet *barbara*⁴⁹; *fasceolae*, which can be compared to our stockings, although sometimes worn by men in Rome, can be treated as an example of effeminate style⁵⁰. It is also worth mentioning that the clothes and instrument (*psalterium*) are not traditionally Roman, but come from oriental countries, which are associated with luxury, or from Greece – the area connected in Roman minds not only with *otium* and literary culture, but also with Hellenistic splendour and effeminacy. Clodius' outfit does not only stand in the contradiction to his manliness in general (its oriental character could be also an allusion to *galli*, the castrated priests of Cybele), but also to the important symbol of citizenship – the toga; and his fashion-style appears to fit an oriental despotic kingdom rather than the republic of freeborn men.

According to Cicero, the main absurd of political life consisted in the fact, that it was this outfit that gave rise to Clodius' popularity; moreover, had it not

⁴⁴ *Har.* 59.

⁴⁵ *Har.* 44.

⁴⁶ Schmitz L., *Crocota* [in:] Smith W., *A Dictionary of Greek and Roman Antiquities*, London 1875, pp. 359-360 (available online: http://penelope.uchicago.edu/Thayer/E/Roman/Texts/secondary/SMIGRA*/Crocota.html).

⁴⁷ *Ar. Th.* 250-255.

⁴⁸ *Verg. Aen.* IX 616-617.

⁴⁹ *Juv. III* 66.

⁵⁰ *Cic. Att.* II 3.1.

been for the sacrilege from 62 b.C. Rome would have been deprived of “such a citizen”. This ironical epithet seems to best summarise the role that the allusions to the Bona Dea scandal have for Clodius’ image depicted in the speech. Having committed such an act, Clodius became “the citizen amiss” – accompanied not by other citizens, but by women and slaves; not contributing to the state’s well-being, but threatening it with his excesses; guided not by the intellect, but by insanity; deprived of the control over his own mind and body; and, what is more, ignoring his ancestors’ achievements.

Later speeches

Clodius’ and Cicero’s enmity did not stop even after the orator had regained his estate. In his later speeches Cicero often referred to the tribune’s rowdy activity. Some of *loci* from these speeches are worth citing, as they intensify the image of Clodius’ as a mutinous and effeminate personage. In *Pro Sestio* (56 b.C.), Cicero defends an ex-tribune, who had earlier helped him to return from the exile, against the accusers bribed by Clodius⁵¹. While refuting the charges, he of course has no mercy for the real perpetrator of the trial⁵²:

...ipse ille maxime ludius, non solum spectator, sed actor et acroama, qui omnia sororis embolia novit, qui in coetum mulierum pro psaltria adducitur...

The Bona Dea scandal is the first of factors contributing to Clodius’ unmanliness. Apart from the second one, accusing him of incest, Cicero often refers to Clodius’ alleged active participation in *ludi*, where Clodius performed as a musician and actor; he also reminds that Clodius’ sneaked into the December feast in a flutist’s disguise. Thus, he addresses the Roman way of thinking, according to which all professions connected with public performance (i.e. using one’s body to earn) were associated with prostitution⁵³. Consequently, because of his performance during the Bona Dea feast, Clodius condescended from his position of a

⁵¹ Gardner R., *Introduction to the Pro Sestio and the In Vatium* [in:] Cicero, *XII. Pro Sestio. In Vatium*, pp. 32-33.

⁵² *Sest.* 116.

⁵³ Edwards C., *Unspeakable Professions. Public Performance and Prostitution in Ancient Rome* [in:] Skinner, Hallett, *Roman Sexualities*, pp. 66-97.

man and citizen not only to the position of a woman, but also to the position of a musician selling her own body.

In *De provinciis consularibus* (56 b.C.) Cicero points to the Bona Dea scandal as the reason for his personal animosity towards Clodius⁵⁴:

Quod mihi odium cum P. Clodio fuit, nisi quod perciosum patriae civem fore putabam, qui turpissima libidine incensus duas res sanctissimas, religionem et pudicitiam, uno scelere violasset?

Therefore, Cicero quotes the incident that took place in 62 b.C. not only to attack Clodius but also to promote himself as a good citizen. He proves that his enemies are at the same time the enemies of the state. It seems that he presents himself as the republic's "guardian spirit" that not only protected the state against Catiline but that also guards its basic values (*religio et pudicitia*) against various attacks⁵⁵. The image of Cicero as a "perfect citizen" – ethically and rationally dealing with the state affairs – is clearly juxtaposed to Clodius, whose *libido* made him err and act against *res sanctissimas*.

The *Pro Milone* speech is a good illustration of how crucial Clodius' *scelus* was for Cicero's invective. Written in 52 b.C., shortly after the tribune's death, the speech was the defence of Clodius' assassinator – Cicero argued that Milon should not be punished for killing Clodius, as the latter was the greatest enemy of the republic. The speech includes also a kind of anti-epitaph, enlisting Clodius' fourteen misdemeanours⁵⁶ – it seems symptomatic that the Bona Dea scandal is mentioned in the first place⁵⁷:

Polluerat stupro sanctissimas religiones, senatus gravissima decreta perfregerat, pecunia se a iudicibus palam redemerat, vexarat in tribunatu senatum, omnium

⁵⁴ *Prov.* 24.

⁵⁵ Cicero's attitude towards the religious questions does not have to be cynical and untrue. According to letters (*Att.* I 12.3; cf. Tatum, *Cicero and the Bona Dea Scandal*, p. 207; Fezzi L., *Il tribuno Clodio*, Bari 2008, p. 42) he could have genuinely been moved by Clodius' behaviour and thought that Attic should be either. On relation between Cicero's philosophical attitude to religion and the use of religion in his rhetoric cf. Heibges U., *Cicero, a Hypocrite in Religion?*, "The American Journal of Philology", 1969, vol. 90, no 3, pp. 304-312.

⁵⁶ Interestingly acts against the state are listed together with those against Cicero and his family. This clearly can refer to Cicero's autopresentation, in which he identifies his personal interests with those of the state.

⁵⁷ *Mil.* 87.

ordinum consensu pro salute rei publicae gesta resciderat, me patria expulerat, bona dirripuerat, domum incenderat, liberos, coniugem meam vexarat, Cn. Pompeio nefarium bellum indixerat, magistratuum privatorumque caedis effecerat, domum mei fratris incenderat, vastarat Etruriam, multos sedibus ac fortunae eiecerat.

It is thus the December incident that is exposed in the summary of Clodius' behaviour. This seems to be in accordance with Cicero's theory, presented in the previous speeches and claiming that it was this incident that caused Clodius' madness, depriving him of his male's and citizen's character and, consequently, making him the republic's enemy. The other thirteen acts committed by Clodius seem to be only a consequence of this initial *stuprum* that drove him to enter Caesar's house in a female disguise. Even though it was not the first misdemeanour in Clodius' career⁵⁸, it is precisely this *stuprum* that incites the whole series of Clodius' acts against the republic; and, what may be also important – against Cicero, for that was the beginning of their great conflict.

Conclusions

Clearly, Cicero, in his invectives against Clodius, willingly employed a variety of allusions referring to the Bona Dea scandal. Those allusions aimed at discrediting his enemy as a reliable politician and citizen by means of depriving him of the basic competences required for those functions, i.e. masculinity and freedom accompanied by such skills as using one's mind, which in turn was connected with observing certain values and the ability to say the difference between *fas* and *nefas*. It seems that it was not a coincidence that, among various acts committed by Clodius, Cicero pointed to this particular misdemeanour that began the conflict between those two great political individualities. For Cicero attacks on Clodius were simply an opportunity to present himself as an exemplary of civic attitude. Referring to the scandal, Cicero could remind the audience about his role of the defender of the sacred that he had had in the *sacrilegium* trial.

⁵⁸ Cf. Mulroy on Clodius' provoking the rebellion in the Lucullus' legion (*The Early Career...*, s. 157-165).

The analysis of the passages referring to Clodius' behaviour during the Bona Dea feast may provide a good illustration of the Roman way of thinking about religion, in which the state's well-being depended on whether particular rites were carried out properly. It is also a good source of information on the functioning of the male-construct in the Roman politics; a construct which was inseparably connected with two features: access to power (also in the sexual sense) as well as personal freedom – understood both “externally” – as membership in the class of freemen – as well as “internally” – as the ability to control oneself and one's lust. The way in which Cicero deconstructs Clodius' masculinity in the perspective of a female rite enables one to present this construct clearly.