Of Androgynes and Men: Gender Fluidity in Republican Rome.

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A thesis submitted in partial fulfillment of the requirements for the degree of

Master of Arts

In

Ancient Societies and Cultures

Department of History of Classics

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# Abstract

Examining texts from the end of the Republic, an in-depth Roman perspective may be gained from the different writers preserved during this well-documented period. I intend to not only set up a working basis of masculinity but to argue that the Romans understood gender as a spectrum rather than a binary. Removing gender from a binary opens up new ways to critically examine Roman society in the Late Republic. Understanding Roman gender as a spectrum allows a broader and more nuanced understanding of how precarious status was politically and socially. Gender, however, in many ways is an inadequate term to use as a descriptor to comprehend the various segregations within society that often are entwined together. Sex within this paper can be understood as regulatory norms which demarcate and differentiate the bodies it controls. Gender is how the person performs the regulatory norms and how they are perceived within society. In effect the concept of gender does not simply indicate whether someone is a man or a woman, but is tied up with other important aspects such as the ability to participate in politics, how much authority one has, and expectations of performance according to the set norms. Opening up the conversation as to how gender acts as a policing force within society, allows more scrutiny to be applied to how it affected one's position amongst one's peers. One can define this idea as 'social gender,' where gender fluctuates according to how others perceive the person. For ease of understanding I will call the two ends of the spectrum familiar terms – masculinity and femininity. I will construct my definition of masculinity from Cicero, focusing on his complicated relationship with Publius Clodius Pulcher. After examining gender in a Roman context, I will then look at how the Gallic priests' willing castration challenged the idea of masculine gender. The Gallic priests challenge the norms governing gender, as they deviate from the role expected of men, yet do not fit into the category of woman. Gender is viewed as an interactive performance that changes according to how peers receive it, making the binary an outmoded manner of understanding complex social interactions.

Acknowledgments

Without my supervisor Dr Selina Stewart giving me encouragement and inspiration this thesis would never have been written. Working as her grad student has been one of the best experiences, full of learning and growth. Her mentorship and support has helped me reach the finish line with this thesis, and be able to present something of sound academic work. It has been a privilege working with her.

I would also like to thank my examining committee members, Dr Kelly MacFarlane and Dr John Harris for their interest and support in this endeavour. Their feedback is greatly appreciated without which this thesis would not have been possible to complete.

Also I would like to give thanks to Graduate Chair Dr Margriet Haagsma for checking in on me and making sure the thesis was going well, your kind attentions are greatly appreciated.

My friends and family have also been a great support to me while writing my thesis. My parents, Susan and Donald Cytko with their unconditional love and support helped me remember that there is life beyond the thesis. I would like to thank Audrey Gordey for stimulating my mind with conversations and questions about my thesis. Special thanks to Karina Resta-Fata for visiting all the way from Montreal and providing a much needed social break during the two Reading Weeks, and harming my sides with too much laughter.  And finally, I would like to thank Toryn Suddaby, who is my rock, whose patience and support kept me anchored when I was ready to toss the thesis into the North Saskatchewan. She helped keep me sane providing me with lots of tea, cake and laughter when the going got tough.

In conclusion I would like to thank for the financial assistance of the Department of History of Classics (Queen Elizabeth II Scholarship), which helped alleviate the stress and worry financially.

# Contents

# Glossary of Terms

*Auctoritas*: Authority, influence, political sanction, sanction of the senate.

*Bona Dea*: Good Goddess.

*Cinaedus*: Sodomite, catamite, a passive male sexual partner.

*Cursus Honorum:* Sequential order of public offices held by aspiring politicians in the Roman Republic.

*Demens*: Insane. Out of one's mind.

*Dignitas*: Worth. Reputation, dignified position, honour, esteemed, official rank. Persons of rank.

*Domina*: Mistress.

*Domus*: House. Household. Includes not only the family who live there, but all the servants who serve them as well.

*Gender*:  How the person performs the regulatory norms and how they are perceived within society.

*Gens*: The Roman family clan. This included not only direct bloodline relatives, but those who are adopted.

*Ephebe*: Young man, youth.

*Famula*: Servant, slave, attendant to a god.

*Incestum*: Impure, defiled. Ceremonially impure. Morally sinful.

*Imperium*: To rule over, govern, command.

*Irrumare*: To violently insert a penis into another's mouth. Abuse, defile.

*Mobile Gender*: The idea that social gender is capable of shifting throughout one's life as it is perceived by peers.

*Negative Femininity*: Performing negative aspects of femininity, generally discouraged.  Could also be termed effeminacy.

*Negative Masculinity*: Performing negative aspects of masculinity, generally discouraged. Often this overlaps with negative femininity due to sharing similar deviating undesirable traits.

*Novus Homo*: New man. Used to describe a man who was first in his family to serve in the Senate, elected as consul.

*Paterfamilias*: Patriarchal head of the family

*Pathicus*: (of men) someone submitting to anal sex or unnatural lust, pathic, lascivious; of catamites, prostitutes .

*Plebeian*: The common people, the lower orders.

*Pontifex Maximus*: High priest of the college of Pontiffs in ancient Rome.

*Positive Femininity*: Performing the feminine actions praised within society.

*Positive Masculinity*: Performing idealized masculine traits.

*Potestas*: Power to do something, control over something. Political power, dominion over others. Political office.

*Pudicitia*: Modesty, chastity, virtue.

*Pudor*: The feeling of shame, modesty, chastity, honour.

*Puer*: Boy, servant, slave, unmarried man.

*Transitio ad Plebum:* Transition to Plebian status.

*Rustica*: Simple, homely man. Man from the countryside.

*Sex*: The regulatory norms which demarcate and differentiate the bodies it controls.

*Social Gender*: How one's peers perceive one's gender performance.

*Stuprum*:  Disgraceful illicit behaviour that violates Roman social boundaries.

## Introduction

*If sex were simply a natural fact, we could never write its history.*

*John J. Winkler*

What is a Roman man? An instinctive answer might be: 'A human born with a penis to Roman parents,' with the definition ending there. This idea is based upon the biological binary of genitals defining what makes a man or a woman. This binary overlooks persons whose genitalia do not correspond with the male/female ideal (intersex persons), as well as ignores how gender is controlled and expressed within society. Perhaps a better question to ask is: how did Romans understand masculinity? What societal rules were in place that worked to construct a proper Roman man? Examining texts from the end of the Republic, an in-depth Roman perspective may be gained from the different writers preserved during this well-documented period. I intend to not only set up a working basis of masculinity but to argue that the Romans understood gender as a spectrum rather than a binary. This spectrum could often slide towards masculine or feminine within one's lifetime. However this is not to claim that how Romans understood gender did not change as the empire progressed. This time period focus will provide a snapshot of Roman gender as understood by the late Republican elite, as well as some later expressions of the early empire, which still held close ties to this elite group. After defining masculinity I will then look at how the Gallic priests' willing castration challenged the idea of masculine gender while it was simultaneously used to reinforce the Roman definition of a man. The Gallic priest allows me to argue that Roman gender was not a simple binary and should be understood as a gender spectrum.

I will construct my definition of masculinity from Cicero, focusing on his complicated relationship with Publius Clodius Pulcher. The first part shall focus upon Clodius, an enemy of

Cicero who he uses every opportunity to defame and cast doubt as to his masculinity. The second part shall focus upon Caelius, who Cicero defended and defined as a good masculine man. These two persons will establish what is expected of a Roman man during this time period, and what could be considered as putting their masculinity in danger. This will also help establish how the Romans policed gender within their society. Following this I will examine Catullus 63, a poem which follows the mythical story of Attis and his frenzied self-castration in order to honour the goddess Cybele. This will help serve to introduce what a Gallic priest was, as well as provide a very Roman point of view concerning the self-castration. I shall then focus upon the idea of what a Gallic priest was within Roman society, with the intention to open up the understanding of the construct of gender. In opening up the definition of gender it is necessary to question how it is used to shape the understanding of societal structures in ancient Rome, while simultaneously provoking thought concerning its use in current society. My conclusion thereafter shall focus upon the idea of Roman gender as a spectrum instead of a binary and reinforce my previous arguments. It is difficult to discuss how the Gallic priests fit (or did not fit) into Roman society without understanding how the Romans viewed gender. This opening up of gender will hopefully broaden the range of gender identifications that do not necessarily conform to the simple binary of male/female.

Understanding Roman gender as a spectrum allows a broader and more nuanced understanding of how precarious status was politically and socially. For ease of understanding I will call the two ends of the spectrum familiar terms – masculinity and femininity. These terms however do not simply indicate biological factors such as natural genitalia, but include more complicated issues such as how Roman values were employed in defining gender. Gender in many ways is an inadequate term to use as a descriptor to comprehend the various segregations

within society that often are entwined together. My definitions concerning sex and gender build off of Judith Butler's concepts from *Bodies that Matter*. Sex within this paper can be understood as regulatory norms which demarcate and differentiate the bodies it controls. Gender is how the person performs the regulatory norms and how they are perceived within society.[1] In effect the concept of gender does not simply indicate whether someone is a man or a woman, but is tied up with other important aspects such as the ability to participate in politics, how much authority one has, and expectations of performance according to the set norms.  This is not to say that having a penis did not matter in Roman society, for it very much did concerning some matters, but it was not the only thing that contributed to gender.  How well the person was able to perform and how well that performance was received by their peers affected their social standing. In this manner, following Butler's idea, gender is a performance according to societal norms. Where I deviate from Butler is when she describes normative sex as a tool to realize a heterosexual society, where the gender roles work to reinforce a patriarchal basis with heterosexuality as the normative endpoint.  This focus upon heterosexuality does not properly apply to the Romans, because it was not a necessary underpinning for their definition of patriarchy. They were not focused upon up keeping a heterosexual norm but did follow the need to maintain the patriarchal basis of their society.[2]

Opening up the conversation as to how gender acts as a policing force within society, allows more scrutiny to be applied to how it affected one's position amongst one's peers. One can define this idea as 'social gender,' where gender fluctuates according to how others perceive the person. This does not mean that someone such as Cicero transformed from a man into a

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[1] Judith Butler, *Bodies That Matter On the Discursive Limits of "Sex,"* (New York and London: Routledge, 1993), 1-2.
[2] That is to say that patriarchy is not intrinsically linked to heterosexuality. Men are able to engage in same sex relations and still hold authority within their patriarchal society without the aspersion of being deviant.

woman depending where he went, but allowed more fluidity as to how well he fit the norms

according to his peers and how this affected his status amongst them. If a man was perceived as

deviating, usually this was understood as him acting 'feminine.' Yet the use of the term feminine

is problematic because it does not necessarily mean he was necessarily enacting the role of a

woman.[3] Linking deviation to femininity presents its own set of problems, such as trying to

define what exactly is meant by an effeminate manner. Is male deviation creating its own

category of femininity that does not necessarily apply to actual women? Reframing this deviant

femininity as 'negative femininity' helps explain why it was capable to be used to degrade

women as well. Often it was used to remove her status and power from amongst her peers,

especially in relation to her neglecting to fulfill positive feminine normative expectations, such

as sitting at home weaving, or bearing children. My thesis will posit a spectrum between

masculinity and femininity as a partial solution to the inadequacy of the gender binary for

understanding Roman society, especially when it comes to persons who deviated from either end

of the binary. Simply labelling deviations as 'third gender' oversimplifies many different

representations into one category, where gender can easily spiral out of control with too many

labels ranging from third to fifth gender.[4] How many genders is it necessary to label in order to

better understand different 'deviations'? This is why I argue for a spectrum, between the extreme

poles of masculinity and femininity where, more often than not, the actual Roman people fell

when it came to social gender.

 The masculine status therefore would not simply rely on physical biology but on how

other Roman citizens perceived the performance of masculinity. Removing Romans from the

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[3] I will go into more detail on this subject later. Halperin provides a strong analysis of this topic in his book *How To Be Gay.*

[4] This issue of multiple genders often occurs when discussing various aboriginal cultures, such as with the Apache. Gender needs to be understood on a deeper level in order to understand how it actually works within society.

idea of a heterosexual binary allows the Roman male to engage in relationships with any gender without necessarily challenging his male status. So long as he enacted the penetrating role, that is the dominant role in sex, he maintains status amongst his peers. There was no need to emphasize heterosexuality in order to maintain his status as a male. Instead his gender was based upon how his Roman peers viewed his performance on a spectrum between masculine (dominant) and effeminate (submissive). The spectrum of gender can quickly become problematic due to this sliding scale. There are men, such as Cato, who are revered for their masculinity[5] but even they may be regarded as too severe in their performance of gender, where they are essentially over performing.

In Roman society gender was linked to status where the masculine gender, as argued by Craig Williams, had the authority over their own body such as who had permission to touch them. This bodily autonomy was one of the regulatory norms of sex which helped define one's status within society. Williams claims that an elite Roman male demonstrated his status because he was not allowed to be beaten, or penetrated.[6] Elite women had similar privileges; however they still remained under the control of their male relatives with the expectation of submitting to their authority. This meant that it was necessary for the male to play the penetrative role in sex to "express his dominion over others, male or female," and if they were to violate themselves, such

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[5] Plutarch, *Plutarch's Lives: With an English Translation* by Bernadotte Perrin, (Cambridge, MA. And Harvard University Press and London. William Heinemann Ltd. 1917), I.2. and VIII.2. Cato was viewed as too severe in executing his masculine role.

[6] Craig A. Williams, *Roman Homosexuality: Ideologies of Masculinity in Classical Antiquity,* (New York: Oxford University Press, 1999), 127. One of the main exceptions to this is the Roman soldier. The military was ordered with its own class structures, where there was expected obedience to the superiors who did have the authority to beat or kill soldiers when the situation dictated. However there is still expectation that Roman soldiers had the right not to be the passive sexual partner, especially to their superiors. For example in the case of M. Laetorius Mergus, who was a tribune, he was 'posthumously condemned' for propositioning one of the soldiers under his command. Williams, *Homosexuality,* 102.

Valerius Maximus, and D. R Shackleton Bailey. *Memorable Doings and Sayings,* (Cambridge MA: Harvard University Press, 2000), 6.1.11.

as to allow themselves to be penetrated, they would have willingly "abrogated their masculine privilege, (and) to have assimilated themselves to the inferior status of women…"[7] Williams however consistently conflates male deviancy with femininity which equates elite Roman females to the deviating males. This obscures important Roman class structures trapping them into a binary rut which prohibits Williams from developing a nuanced view of gender which would have provided a better understanding of Roman society. He ties male Roman sexuality to authority and privilege while ignoring the privileges of elite women. While it is reasonable to view a man's association with femininity as a step down from male privilege, this does not mean that elite women were not also capable of expressing dominion over others. Sexuality in this manner was intimately tied to how well masculinity was performed. Status was very important for the highly competitive Roman elite, so if one was successful in defaming one's enemy it could have very serious consequences which I will address later within this paper.

Williams evaluates Latin terms in order to explain the complex understanding of the active/passive roles that helped define one's bodily autonomy. He argues that to purposely act passive would embody the Roman term *stuprum*. This word has difficulty being translated to English because of the complexities involved when it is employed in a Roman context. The best way to understand it is that it means disgraceful illicit behaviour that not only violates Roman societal boundaries but also complicates the gender of the person being violated.[8] This applies to the violation of sexual integrity of freeborn Roman citizens of either sex, but in this case we will focus upon males.[9] *Stuprum* has a wide range of meaning which spans from willingly being penetrated, to committing incest. This is important because by not allowing *stuprum,* or a

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[7] Williams, *Homosexuality,* 18-19.
[8] Williams, *Homosexuality,* 62.
[9] Williams, *Homosexuality,* 96.

violation, to happen helps to distinguish between a freeborn citizen and a slave.[10] Within Roman

society slavery was a common feature, where sometimes it could be difficult to distinguish a

slave from a common citizen due to their predominance.[11] Due to the cosmopolitan nature of the

ancient world, slaves, unlike in the Americas, were not as easily distinguishable by skin colour.[12]

Most often however it was easy to distinguish a slave from a Roman citizen because they had a

different manner of dress, usually based upon their function be it a livery slave or one who

worked the fields. Some were also identifiable by shaved heads and branding, sometimes in the

middle of the forehead.[13]  The status of a slave was that of exclusion from the civic community:

it was acceptable to beat them and use them in whatever manner the master desired.[14]  Slaves

therefore had no bodily autonomy, and no control over their lives. If one were to apply the idea

of a gender binary to the ideas of 'Free – able to exert dominion over others' versus 'Slave –

unable to make choices, body is used for the master', Free would equate to the idea of masculine,

while Slave that of feminine. The idea of dominion and power is tied up with ideal Roman

masculinity, so that when a man allows himself to be penetrated, he disrupts the regulating

norms of sex causing his perceived gender to become more feminine. The problem of this simple

connection is that women, due to being sexually passive are being conflated to a slave which is

not correct. Slaves fit into their own category, where arguably they could be classified as a 'third

gender' which complicates Williams' intense focus upon the gender binary. It is necessary to

view masculinity as something more than the simple act of penetration. It is also necessary to

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[10] Williams, *Homosexuality,* 97.

[11] Keith R. Bradley, "Roman Slavery and Roman Law." *Historical Reflections / Réflexions Historiques* 15, no. 3 (1988): 477.

[12] Bradley, "Slavery," 478. However Bradley expounds upon on page 481 that the Romans did think that certain races were meant to be enslaved, such as Syrians. There is a racial element still in play, but it is not as embedded as black slavery within American history.

[13] Bradley, "Slavery," 480.

[14] Bradley, "Slavery," 487, 492.

view women as more than being passive receptacles for male penetration since they were active

participants in Roman society.  A man's deviant femininity is in many ways not the same

femininity as that of an upright Roman citizen woman. It is necessary to keep in mind the

intricate class structures which shaped Roman society, without oversimplifying into two

categories based off of gender. Male deviancy for example did not only affect him, but also

reflected upon his *gens,* family, by degrading their status within Roman society and amongst

their social peers, which I shall address later.[15]

Related to the concept of *stuprum* is the idea of *pudor.*  Cicero himself defines the ideal

male as someone who possesses *pudor,*[16]meaning someone who has shame, modesty, chastity or

honor. Williams also emphasizes a word related to *pudor* which is *pudicitia,* related to the sexual

inviolability of a Roman citizen.[17] While Williams focuses upon same sex relations, he argues

that to the Romans the important aspect was whether or not the male citizen was allowing

himself to be penetrated or not, which would be *stuprum.* These terms serve to reinforce

masculinity as a complex set of values that is not determined exclusively by a heterosexual

framework but instead focuses upon the conduct of the individual.[18] In reaction to how Roman

authors describe sexual behaviours, Williams says, "…The combination of predilections that

Roman writers attributed to men conspicuously fail(s) to align themselves with the concepts of

heterosexuality and homosexuality."[19] Together they emphasize how the performance of

modesty and chastity were important aspects of reputation necessary for gaining respect among

Roman peers.

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[15] Williams, *Homosexuality,*  107.

[16] Marcus Tullius Cicero, "Pro Caelio," in *The Speeches.*  Translated by Nevile Watts. (London: W. Heinemann, 1965), IV.9.

[17]Williams, *Homosexuality,* 101.

[18] Williams, *Homosexuality,* 4.

[19] Williams, *Homosexuality,* 218.

Another concept implicated in the role of masculinity is *potestas,* which is power not only over oneself but others as well. The Roman man is expected to serve and uphold the societal expectations, by restraining excessive behaviours as well as working to further the reputation of his *gens.* For example, it was expected of young Roman men of the higher classes who wanted to participate in politics to follow the *cursus honorum,* path of honour, where they needed to achieve certain political stations in order to be considered an effective citizen. This involves a gradual moving up in the ranks with the goal of becoming a consul, the highest office in Rome.[20] One's reputation was imperative to the success one had in progressing along the expected path as well as maintaining the good standing of one's family.

His *potestas* however is not just political but most often functioned within the realm of the *domus,* household. It was expected that a Roman man be in control of his household, and function in his social role. The realm of the *gens,* family and ancestors, was in the Roman *domus.* The *domus* in a Roman sense did not simply mean a house where one lived. A *domus* was a place there the male *paterfamilias,* patriarchal leader of the family, practiced *potestas,* command over the household, including the necessary rituals. The gods of the ancestors were worshipped there in order to maintain not only the memory of the ancestral past but the possibilities of the future as well. Often the *domus* had decorations, such as paintings, depicting the deeds of the ancestors that those visiting would see and so be reminded of the deeds of the family. The *domus* was a place that was public and meant to be seen, where business was conducted. By displaying the deeds of their ancestors in this way the citizens reinforced their status amongst their peers.[21] The

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[20] W. Jeffrey Tatum, *The Patrician Tribune: Publius Clodius Pulcher,* ( Chapel Hill and London: The University of North Carolina Press, 1999), 23.

[21] Yan Thomas, "The Division of the Sexes in Roman Law," in *A History of Women in the West: I From Ancient Goddesses to Christian Saints,* edited by , (Cambridge: The Belknap Press of Harvard University Press, 1992), 98.

Romans practiced ancestor worship, veneration of the dead,[22] where they not only dutifully attended the graves of their dead relatives but also during festivals they would take the death masks of the ancestors and display them as a reminder not only of their ancestor's deeds, but of the family power as well. It was not only necessary for each person to maintain the reputation of the *gens,* but to bring honour to it as well.[23]

Where a man could become feminized for not properly exercising his *potestas* can be found in the example of Pompey the Great, who was looked down upon for being too affectionate concerning his wife Julia. He "gave way weakly (ἐμαλάσσετο)to his passion for his young wife," indulging her various whims.[24]  His loss of status is being linked to effeminacy because he is ruled by his emotions concerning his wife, which leads to him neglecting his political duties. This demonstration of lack of self-control is something that his enemies eagerly exploit. Plutarch says that this explains why Clodius, who previously was Pompey's political ally, betrayed him. Clodius, with his followers, publically attacked Pompey in the forum. Clodius would shout a question, such as "What man seeks for a man?"[25] The followers in response would shout, "Pompey!"[26]  This was a serious blow to his authority so that Pompey ended up hiding in his house while Clodius was tribune. In order to regain his power, Pompey needed to prove dominance over Clodius. This he did by initiating the actions to bring Cicero back from exile.[27]

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[22] Isak Hammar, *Making Enemies: The Logic of Immorality in Ciceronian Oratory*. (Stockholm: Lund University, 2013), 25. *Mos maiorum* or the morality of the forefathers. It was important to be viewed as upholding traditional Roman values set out by the ancestors. There were also household deities such as Lares which were understood to protect the home, and be ancestral deities that protect the family.

[23] Thomas, "Division," 91.

[24] Plutarch, *Pompey,* 48.5. Williams, *Homosexuality,* 144. There is some precedent within Roman comedy as well to the idea of men losing their *virtus* by falling in love, and thus coming under the power of another.

[25] Implying that Pompey was seeking to be in the role of sexually submissive partner.

[26] Plutarch, *Pompey,* 48.7. 'τίς ἐστιν αὐτοκράτωρ ἀκόλαστος; τίς ἀνὴρ ἄνδρα ζητεῖ; τίς ἐνὶ δακτύλῳ κνᾶται τὴν κεφαλήν;' 'Who is a licentious imperator?' 'What man seeks for a man?' 'Who scratches his head with one finger?'.

[27] Plutarch, *Pompey,* 49.1-4.

Pompey managed to conform in other ways to the ideals of masculinity managing to maintain his status within the political sphere. This serves as an example of how fluid social gender was within the ever fluctuating status of Roman politics.

What is femininity then? Competing definitions of femininity appear depending on who is being discussed. Often there is the viewpoint that someone who is feminine possesses degraded status with no self-restraint. This femininity is linked to the idea of someone who submits to the rule of someone else, such as the paterfamilias or one's husband.[28] However does this actually apply to Roman women, or is this idea of femininity more relevant to the men who deviate from masculinity norms? It is necessary to critically examine what is meant by 'feminine.' Is this in reference to a woman performing her gender to the appropriate norms, or is it a man who is deviating? The traditional binary does not allow specifications concerning the use of femininity to be used to explore the different uses of the term. A polarized binary of masculine/feminine does not adequately explain the positive aspects of femininity which were honoured and celebrated in Rome. The spectrum provides wiggle room as to what is meant by feminine, where deviations are not automatically associated with the lived reality of Roman women. There are many examples of strong respected Roman women who are not described as weak or necessarily inferior. Women had important roles, such as in Augustan Rome, where a law was enacted where a woman's prestige was directly linked to how many children she bore. When she had born three living children she was granted some form of independence.[29]Women

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[28] Augusto Fraschetti. "Introduction," in *Roman Women.* Translated by Linda Lappin. (Chicago and London: The University of Chicago Press, 2001), 4.

[29] *Lex Papia Poppaea* specifically for the three child policy. In the Republic, some women who were not under the authority of men did have the ability to make wills, such as in Livy where the courtesan Hispala Faecenia was able to make Aebutius as her sole heir. Livy., B. O Foster, Frank Gardner Moore, Evan Taylor Sage, Alfred C Schlesinger, and Russel M Geer. *History of Rome.* (Cambridge, MA: Harvard University Press, 1997,) 39.8-18.

of status and wealth, such as Clodia Metelli were able to express their opinions even when they contradicted those of her husband. [30] Clodia has some autonomy to own property and dispose of her wealth as she pleases. Due to her status as a woman she is unable to participate directly in Roman politics, but she may influence it indirectly.

To simply place the idea of femininity as the polar opposite of masculinity on the spectrum fails to encompass the actual role of women in Roman society.  Many problems concerning understanding the role of women have to do with their own voices not being heard so we are left to interpret them through the lens of the Roman male gaze. If one for example were to simply base the evaluation of Roman women upon the story of Marcia it would seem as if they held no power, which is incorrect. Marcia was the wife of Cato the younger, he divorced her so that she could marry his friend Quintus Hortensius in order to bear him children.  Hortensius had previously attempted to marry Cato's daughter, Porcia, since she was proven to be fertile. As Plutarch says, "(she was) a fair plot of land where he might sow a new line of descendants… If Bibulus (her first husband) was determined to keep Porcia, Hortensius gladly offered to give her back once she had produced offspring."[31]  The advantage of this exchange would not only strengthen the friendship between the two men but create an alliance between the families through the bloodline building up valuable allies within the fraught political world of Roman politics. While the daughter Porcia is not exchanged, Marcia is given over to Hortenius. Cato was viewed as having enough children and it would benefit Hortensius if she put her young and fertile body to use for him. In this story Marcia is exchanged like a walking womb, where her worth is in the connections to the men she is associated with. There is an indication that she must have had some sort of say in this matter, because later on she did end up returning to Cato as his

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[30] Marilyn B. Skinner. *Clodia Metelli : The Tribune's Sister*, (Oxford: Oxford University Press, 2011), 86.
[31] Plutarch, *Cato the Younger*, 52.5.

wife.[32] Perhaps a letter from Marcia might shift the perspective from her simply being used as a walking womb to being a savvy political player ensuring that Cato had strong allies in order to promote his career.

Roman women were capable of expressing Roman ideals typically associated with positive masculinity without damaging their respected feminine position. One of the most famous examples is Lucretia. She was a Roman heroine incorporated into the myths of the beginning of the Roman Republic. She embodied ideal feminine virtue, as a monogamous wife who stayed at home and used her time to take care of the house and weave. She caught the eye of the Etruscan king Tarquinius Superbus, who desired to have sex with her. Under pretence he gained access into her house where he raped her. If she had physically resisted she would have destroyed her family and name, so by temporarily giving in to Tarquinius, she ensured their protection. When her husband came home, she informed him about the rape, ordered him to avenge her, and then in order to maintain her honour committed suicide. She is described by Valerius Maximus as "a man's soul trapped in a woman body" because her act of suicide demonstrated *pudor*.[33] By acting with such honour, Lucretia could move her gender status towards that of an honorary man. The myth continues that the men were so inspired by her that they overthrew the Etruscan kings and established the Republic. She forces the men around her to act, and her actions serve as a catalyst for the fate of Rome. In this manner women also were able to change their perceived social gender, moving closer towards the ideal masculine side of the spectrum.

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[32] Plutarch, *Cato the Younger,* 52.5.
[33] V. Maximus, *Memorable,* 6.1.1.

Femininity then cannot just be based upon the physical body of a woman, and her expected role within Roman society. It is necessary to separate femininity from the concept of negative femininity. This once again splits up the binary because labelling undesirable traits simply as 'feminine' oversimplifies cultural aspects of mobile Roman gender. Persons such as Lucretia embody positive femininity which was praised by the Romans. A woman acting feminine is not necessarily bad, and she is expected to submit to the men in her family. However, when femininity is being expressed as a negative trait, it is usually tied up with ideas of deviating from the expected norm. Negative femininity equally applies to men and women, applying to persons failing to live up to proper Roman norms. For example, one of the main tenets of this negative femininity can be understood as abdicating self-control to be ruled by vices. These vices typically are portrayed as excessive in fashion, parties, food, and sex.[34] These charges are often used by Cicero when he attacks his enemies[35] to undermine their *auctoritas*, authority. By claiming his enemies are unbridled in their wild passions he presents them as unable to exert the proper moral will to pass laws and therefore weak and consequently 'effeminate'. This is similar to the situation of Pompey and his wife previously discussed, where due to giving in to weak indulgences he is viewed as neglecting his political duties. In this context femininity is being linked to having no control over one's actions, by allowing oneself to fall under the power of someone else.

Negative femininity then is associated with someone who has no control who participates in activities that highlight easy vices such as debauchery. Lack of control is often linked to an idea of excessive luxury, where continual soft indulgences remove the ability to exercise restraint. Whereas effeminacy means being unable to exert proper authority over others as well

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[34] Williams, *Homosexuality,* 138.
[35] Cicero in his *Philippics* attacks the reputation of Marcus Antonius.

as oneself.[36] Deviancy of expected gender norms affected women as well, where they were punished for not living up to ideal femininity. Ideal Roman masculinity is the antithesis of effeminacy: having the privilege and authority to be in control of one's own life. The Roman male maintained his dignity by not allowing others to physically assault him, be it through violence or through anal penetration. If he were to willingly commit an act of *stuprum,* illicit behaviour, he could be cast into a feminine role amongst his peers.[37] I argue that this allows gender to take on a "mobile status", where it is possible for another Roman man to defame another – and cast doubt onto their masculinity. 'Mobile gender' links itself to societal values that determined the culture of Rome, where the performance of these values determined how one's peers valued them. Through actions, and how Roman citizens comported themselves, their gender status was defined regardless of genitalia.

The Romans expressed the ideas of power and masculinity through the symbol of the phallus. The phallus meant authority and the ability to exert authority through metaphorical or actual penetration of another person. This idea of penetration is best understood in how the Romans described same-sex relations between women, or tribadism, where a woman lays on top of another woman and simulates the role of a male in heterosexual intercourse. One of the partners was understood as taking on the male role. This dominating partner was envisioned as possessing a penis through which she penetrated the passive partner.[38] These women not only are violating their gender roles but threaten the societal fabric of Rome itself by taking on masculine roles. Their gender boundary becomes blurred, and when they are discussed, such as by Seneca the Younger, it is with strong disapproval. He complains that they are now suffering illnesses

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[36] Williams, *Homosexuality,* 138.

[37] Williams, *Homosexuality,* 96-97.

[38] Seneca, Lucius Annaeus, and Richard M Gummere, *Epistles,* (Cambridge, MA: Harvard University Press, 2014), 95.20-1.

that were previously only afflicting men, such as gout and balding, due to their masculine

behaviours.[39] Seneca goes on to say that the women "(rival) male indulgences… match men in

their passions… and play the part of men."[40] A phallus is not the only means by which someone

was understood to be penetrated. A woman could be considered to have the power of penetration

by using her vulva. Cunilingus is understood to dirty the mouth of the person performing the oral

sex. Martial and Catullus emphasize the dirty mouth of a person who engage in this act. Martial

in epigram 2.50 bids Lesbia to drink water after committing such an act.[41] Williams says, "if the

fellator was male, by being orally penetrated he could also be said to have violated his sexual

integrity, his impenetrability (*pudicitia*)."[42]  This violation of sexual integrity is linked to the idea

of bodily autonomy that the man is willingly giving up his power to another.

These terms of masculine and feminine are "mobile". While a woman could never fully

be viewed as attaining the height of masculinity, unless through extraordinary circumstances,[43]

they were able to slide closer towards the positive masculinity sought after in Rome.  Often when

men deviated from the expected norms they slid towards the negative femininity pole, used to

police their social gender. Constant policing was used in order to maintain the status sought after

in the highly competitive Roman world.  The perception of social gender affects how Roman

peers view and treat the person, so if a man is successfully slandered by his enemy his entire

livelihood is in danger. This is most clearly seen in the agitations between Cicero and Clodius

Pulcher. These two men worked against each other in order to achieve their political goals,

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[39] Seneca, *Epistle,* 95.20-21.

[40] Seneca, *Epistle*, 95.21. "….corporum quoque virilium incommoda aequarunt... Libidine vero ne maribus quidem cedunt… Adeo perversum commentae genus inpudicitiae viros ineunt."

[41] Martial, and D.R. Shackleton Bailey, *Epigrams,* (Cambridge MA: Harvard University Press, 2014), 2.50.

[42] Williams, *Homosexuality,* 198.

[43] Such as in Ovid's *Metamorphoses,* the story of Iphis who is born a woman and later is transformed into a man.

forging alliances as well as each attempting to be of a higher social status amongst their peers than the other.

## The Complex Clodius Pulcher

To properly understand the charged enmity between Cicero and Clodius, some history needs to be understood. Within politics, the two were opposed as to who they supported as well as the issues that most concerned them. Clodius came from a well-established family, the Claudians. This family managed to continue to be relevant during the Republic, not losing fame or fortune. They also contributed important public works to the city, establishing their status amongst their peers. No doubt there was much pressure upon Clodius to uphold his family honour- it did not matter that he was the third son; he was still expected to follow the *cursus honorum* and work towards trying to attain a consulship. In order to prove himself worthy of his *gens* it was expected that he choose a path to bring back glory to his family. [44]

There was a curious incident that worked to alter his path, proving to be a major setback on his road to a political career: the *Bona Dea* affair. Due to the nature of our sources, it is difficult to fully understand why Clodius thought it was a good idea to sneak in to this sacred affair, but it happened nonetheless.[45] The celebration was a women-only event conducted by the Vestal Virgins in the house of a senator.[46] On this occasion the event took place at Caesar's house[47], and it was alleged that Clodius snuck in while dressed as a female flute player in order to carry on an affair with Caesar's wife, Pompeia. When it was discovered that a man had

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[44] Tatum, *Tribune,* 32-36.

[45] Tatum, *Tribune,* 62.

[46] While women were not able to hold political offices they still held important roles that helped to shape and protect the city, such as this festival.

[47] Caesar was both a senator and pontifex maximus, and it was in his capacity as pontifex maximus that his wife hosted the rites.

invaded these sacred rites, the Vestal Virgins had to do a special ceremony to propitiate the goddess. These rites were understood by the Romans to be important for the welfare of the state, and having Clodius violate them was taboo. This became a dark mark upon his career, and Cicero in his attacks likes to bring it up as a means to cast doubt upon his masculinity, as well as to showcase overall what a hubristic man he is.  Clodius is effeminized because he actively sought to participate in a female only ceremony. By violating sacred rights he demonstrates aspects of negative femininity because he disrespects not only the gods, but also the religious wellbeing of Rome.

At first it seemed like nothing was going to come of this, since the Vestals had managed to salvage the ceremony and no major disasters had befallen Rome after this incident. Usually when a major disaster befell Rome, it was viewed as the result of a religious practice not having being done properly. As a result, some extreme measures would have been taken in order to restore favour with the gods.[48]  His enemies however agitated for a trial and he was brought to trial with special charges since his actions did not fall into the usual categories of religious offense. As stated by Tatum, they had to develop a new *incestum* law in order to cover this crime. Usually the charge of *incestum* related to "sexual relations between relatives" and "the failure of a Vestal to preserve her chastity."[49]  This charge of *incestum* is unique because it was the only way that Clodius' enemies were able to bring him to court.[50] Cicero claims that the only reason Clodius managed to come free from the trial was due to the bribery of the judges.[51] This is not to be ruled out entirely, but it does indicate that Clodius even at the beginning of his career

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[48] Such is the case concerning Vestal Virgins. Often they were used as scapegoats if something terrible occurred, and one was usually accused of no longer being a virgin and offending the gods. There was a special sacrifice of the offending virgin that involved burying her alive in order to help cleanse Rome of ritual impurity.

[49] Tatum, *Tribune,*74.

[50] Tatum, *Tribune,*75.

[51] Cicero, Marcus Tullius. *Cicero. Letters to Atticus: With an English Translation.* (London: W. Heinemann, 1912), I.16.

had enough familial influence to get himself out of this sticky situation. Cassius Dio asserts that the trial concerning the *Bona Dea* affair ended up focusing upon personal political feuds instead of the actual religious offence itself, which may have helped get Clodius the acquittal.[52]

One of the fallouts of this trial was that Clodius learned that he did not have the respect and support of his fellow senators. He needed to forge a new plan of attack to continue his career in Rome since it was now evident his peers did not care for him. He was supposed to go to Syria to work under Pupius Piso, but Cicero personally made sure the senate deprived Clodius of this posting. Losing Syria meant losing an easy place to work and make good money, so it was viewed as further punishment for the *Bona Dea* affair.[53] Clodius lingered for a little time in Rome before moving out to his new post in Sicily.[54]

During this time he agitated to change his status from patrician to plebian.[55] There were more political options for plebians, and it indicated his intention to stand for the tribunate.[56] Clodius wanted to change his status via the *transitio ad plebum*[57] however was blocked by political rivals. It was later under the influence of Caesar, who wanted to gain Clodius' loyalty for his own political ends, that an adoption into a plebeian family was arranged. Clodius was being used as a political pawn by Caesar to aggravate Cicero because at the time they had opposing political goals.[58] Being adopted meant being taken into a different family. Clodius however kept his own name indicating that he meant to keep the ties and privileges that came

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[52] Cassius Dio Cocceianus., Earnest Cary, and Herbert Baldwin Foster, *Dio's Roman History,* (Cambridge: Harvard University Press, 1914,) 39.6.2. Spinther is one of his rivals.
[53] Cicero, *Letters,* 1.16.
[54] Tatum, *Tribune,* 89.
[55] Tatum, *Tribune,* 91.
[56] Tatum, *Tribune,* 97.
[57] Dio, *Roman History,* 37.51.2. Tatum, *Tribune,* 102. The manner in which a patrician transitions to a plebeian, without having to be adopted.
[58] Tatum, *Tribune,* 104.

with his original family. [59]   After the adoption he was immediately emancipated from his new

adoptive family.  Emancipation meant that his status remained plebeian; however he was no

longer under the rule of his adoptive father. He was adopted by P. Fonteius, a plebeian youth

who was younger than Clodius. What is interesting is that having someone younger adopt

Clodius could be viewed as a way to keep Clodius in charge of the situation, where an older man

would threaten his *potestas*. Cicero later would claim this as one of the reasons why the adoption

and transition to plebeian was not a truly legal procedure in his attacks against Clodius. [60]  This

adoption was meant to make Clodius loyal to the triumvirate, Caesar, Pompey and Crassus, who

were the three most powerful men in Rome at the time.[61] By making Clodius loyal it meant they

were able to have more power within Rome to achieve their political agendas. However Clodius,

realizing that the Senate no longer viewed him as a threat decided to once more work with them

to his own political advantage. This meant working against Caesar, whom the Senate had

become nervous about due to his powerful political influence. By working against Caesar,

Clodius was able to advance his political career as well as be viewed as a force to be reckoned

with. [62]

   Clodius was focused on becoming a champion of The People. He gained their support

due to the popularity of the laws he enacted during his time as Tribune.[63] His old enemy Cicero,

who was an outspoken supporter of the Republic and had worked hard to attain his social status,

became the prime target symbolizing the Senate. The Senate was viewed by the common people

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[59] Cicero, *De Domo*, in *The Speeches,*  translated by Nevile Watts. (London: W. Heinemann, 1965),  XIV.37.

[60] Cicero, *De Domo,* XIII, 34-35.

[61] The Triumvirate was: Julius Caesar, Gnaeus Pompey and Marcus Licinius Crassus. They worked together to gain the most power in Rome and rule within the Republic. Due to the political jostling amongst the Roman elite they were viewed as a major threat to the continuance of the Republic.

[62] Tatum, *Tribune,*108.

[63] Plutarch, *Cicero,* 30.1.

as corrupt, with no regard for proper procedure and being only self-serving.[64] One of the main reasons Cicero came to symbolize the corruption of the Senate is due to his time as consul in 63 BC. As consul he uncovered a conspiracy to overthrow the Republic which had Catiline as the ringleader. In order to preserve the Republic, Cicero acted quickly and promoted the executions of some prominent Roman citizens without a fair trial.[65] At the time, Cicero's swift actions were praised as protecting the Republic. However, Clodius manipulated these actions to make them appear as a sign of the senate acting for its own self-interest, since Catiline had been popular with the common people.[66] The enmity between the two men became so great that Clodius enacted a law that allowed anyone who had killed a Roman citizen without a trial to be killed, forcing Cicero into exile to save his life.[67] Killing a Roman citizen without a trial violates the status of a Roman male, which serves as a threat to the other citizens. Even though this was an extraordinary circumstance (regarding treachery to the Republic), Clodius was able to spin this as Cicero setting a precedent of killing a citizen without a trial.[68]

## Cicero's Use of Gender

The issue then arises of how gender status is brought into these various political intrigues. At the outset, it appears that gender has nothing to do with this situation. Closely reading the texts however reveals how social gender affects not only reputation but also how class status is interpreted. During the time of Cicero's exile, there is anxiety not only for his family and

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[64] A self-serving Senate can be illustrated with Cicero's contempt of the common people. The only caring the Senate in redard to the plebeians was whether their hunger would cause an inconvenience to them or not. Cicero, *Letters*, I.16. "*sordem urbis et faecem*." "The common people are scum and sewage."

[65] Tatum, *Tribune,* 62.

[66] Plutarch, *Cicero*, 10.3.

[67] Plutarch, *Cicero,* 31.2. Dio, *Roman History,* 38.14.5, 38.17.2.

[68] This is ironic, because Clodius himself was killed by another Roman citizen without a fair trial. Cicero defends his murderer claiming it was for the good of the state. Perhaps Clodius was not so wrong after all.

property but also his class status.[69] Cicero has few options left to him in exile. By fleeing Rome

he admits Clodius has more strength, power and influence than he does; fleeing places him into a

more feminized position. Some options to regain his social masculine gender are either to

overcome Clodius, such as through his friends, or commit suicide – where his final fate is at least

in his own hands.[70] To preserve his masculine status and rank he has to frame his flight from

Rome as a dignified and necessary response to Clodius' use of thugs and violence rather than an

act of cowardice or loss of power.[71]

One of the main points of contention between Cicero and Clodius is the pillaging of

Cicero's property. Cicero's house in Rome was right next to Clodius'. After Cicero fled, a mob,

instigated by Clodius, invaded his house and ransacked it. Clodius then methodically sold off

Cicero's property.[72] To add insult to injury, he then built a shrine to *Libertas,* Freedom, upon the

site.[73] This thorough razing of Cicero from the face of Rome demonstrates how swiftly Clodius

acted to achieve his goal of destroying Cicero. No doubt he feared that by allowing any major

symbols of Cicero to continue to stand there was a chance of him returning. By taking over his

property, Clodius symbolically showed who had the true power in Rome. Clodius not only

removed his *imperium* in his own house but actively destroyed Cicero's status within society. By

having Clodius destroy his property and build a shrine upon it, Cicero is effeminized through his

loss of power. This is why Cicero needs to not only attack Clodius through the law but also

undermine his influence and power.  This is incorporated in his portrayal of Clodius' social

gender in many of Cicero's defense speeches upon his return. He focuses upon the feminine

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[69]Cicero, *Letters*, II.24. He implores Atticus to share his anxieties concerning the threat of Clodius. III.XV  How he is relying on Atticus during his exile, and is helpless to forward his own case. III.XX Worries for his property.

[70]Cicero, *Letters*,  III.26. Considers suicide if the repeal of his exile does not go through. III.II

[71] Cicero, *Letters*, II.25.

[72] Cicero, *De Domo,* XXIV.62-63.

[73] Cicero, *De Domo,* II.4.

behaviour of Clodius, and by emphasizing how Clodius violates the proper boundaries of Roman

masculinity he works to undermine his actions and power.

Thus it becomes imperative for Cicero to discredit the actions of Clodius in order to

regain his property and status as well as attempt to once more attain the wealth which had been

sold off. He employs aspects of social gender to highlight Clodius' social deviancy throughout.

In *De Domo Sua,* "About My House", Cicero claims that Clodius did not possess the proper

authority for his actions.[74] He describes Clodius as *demens,*[75] 'out of his mind', emphasizing how

he in no manner possesses restraint, even going so far as to insinuate that proper speech is

beyond his capacity.[76] Emphasizing madness Cicero is able to play up the ties between lack of

control and femininity, undercutting Clodius' political authority. He claims that Clodius gained

power because it was assumed he would protect the senate, but that his first act was to betray it.[77]

In addressing one of Clodius' main projects, grain distribution to the plebeians during a famine,

Cicero claims it was in fact to line his own pockets with money and incite hatred against the

senate.[78] Cicero then critiques the use of violence Clodius perpetuated for intimidation, such as

using armed gladiators. Emphasizing Clodius' reliance upon violence and intimidation, Cicero

portrays this as him being powerless in other ways. Violence is used because Clodius is not able

to reach his goals using restrained reason and persuasion, according to Cicero. He claimed that

the common people and his peers were living in fear, and that this was the reason Clodius was so

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[74] Cicero, *De Domo,* I.2.
[75] Cicero, *De Domo,* I.3 "…quoniam ille demens…" in ii.4 he describes Clodius "vaesano ac furioso", to be mad and insane.
[76] Cicero, *De Domo*, I.3.
[77] Cicero, *De Domo*, II.4. "Quo restituto senatus auctoritatem restitutam putabamus, quam primum adveniens prodidisti?"
[78] Cicero, *De Domo,* V.12-13.

politically successful.[79] By taking away Clodius' *potestas*, an internal threat to the Roman Republic is removed.

In this way Cicero lays out the groundwork for defending his rights to reclaiming his property. If Clodius was failing in judgement in running Rome, the underlying implication is that a shrine dedicated by him was not done by proper authority. He brings up the *Bona Dea* incident to disparage any religious authority Clodius might presume, setting him up as someone who does not properly respect the gods.[80] He makes sure to emphasize that Clodius has polluted and violated religious practices. [81] Clodius' deviant actions disrespect the religious rites of the ancestors which violate societal norms. In the fragmentary invective *In Clodium et Curionem*[82] Cicero imagines the scenario of Clodius invading these religious rights dressed as a woman with an effeminate face, high pitched voice, and mincing walk.[83] Katherine Geffcken asserts that there is some textual interplay, where Cicero is building the effeminate appearance off of Pentheus from Euripides' *The Bacchae.* She compares the situations, where both Clodius and Pentheus are invading a women-dominated ceremony, dressed as women, where they are not welcome. The character Pentheus is deceived by the god Dionysus, who is known for his ability to remove someone out of time and cause them to be "out of step" with reality. This parallel of Pentheus to Clodius hints that Cicero thought Clodius was deluded to think that he could ever fool the gods.[84] The slow dressing of Clodius in the women's clothing that Cicero takes time to describe,

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[79] Cicero, *De Domo*, III.5-6.

[80] Cicero, *De Domo,* XL.105.

[81] Cicero, *De Domo,* XL.104. "impurissime taeterrimeque violasti." xli.108. "Civis est nemo tanto in populo extra contaminatam illam et cruentam P. Clodii manum…"

[82] Which Katherine A. Geffcken hazards a date of May 15, 61 BCE.

[83] Cicero, Marcus Tullius., and C. F. W Müller. *M.* "In Clodium et Curionem," in *Tullii Ciceronis Scripta Quae Manserunt Omnia.* Editio stereotypa. (Lipsiae: in aedibus B. G. Teubneri, 1903),fragment 22. "Tu vero festivus, tu elegans, tu solus urbanus, quem decet muliebris ornatus, quem incessus psaltriae, qui effeminare vultum, attenuare vocem, laevare corpus potes. Nonne, etiamsi omnem mentem libido averterat, tamen ex…"

[84] Katherine A., Geffcken, *Comedy In the Pro Caelio: With an Appendix On the In Clodium Et Curionem.* (Lugduni Batavorum: E. J. Brill, 1973),79-80.

Geffcken relates, is similar to the purposeful adjustments Dionysus makes to Pentheus' outfit.[85]

Geffcken is clear however that this elaborate description is used for comedic effect, and that

Cicero had not seen this incident himself. She posits that he details the dressing for comedic

effect, as a method to undermine the *potestas* of his enemy.[86] In bringing up the incident he

effectively reminds the senators that Clodius lacks proper religious judgement. In the *In*

*Clodium et Curionem* Cicero emphasizes this lack of judgement, asking whether or not Clodius

has forgotten who his ancestors were, and if he was driven by his libido to act in such a shameful

manner.[87] Clodius, according to Cicero, does not care about the important religious rites so long

as he is able to satisfy his lusts. This deviancy undermines the importance of the gods and their

role in protecting Rome. Clodius is not fit to be in politics, according to Cicero, because he does

not have the best interests of Rome in mind, is not fit as a judge of religious authority, and

employs effeminate means to get his way.

Another manner, in which Cicero questions Clodius' religious *auctoriatas,* is by

questioning the legitimacy of the shrine he built on his property. He defames the statue of the

goddess *Libertas* as having a 'courtesan's likeness', claiming that it was stolen from a tomb.[88]

By degrading the statue in this way he ensures to cast her down from the function of a goddess to

a polluted offence against the gods. This also plays into the previously mentioned actions of

Clodius dressing like a courtesan to infiltrate the *Bona Dea* festival. Emphasizing the courtesan

aspect removes status and power, which gives the power to Cicero to be able to destroy the

shrine. He insinuates that since the only religious pontiff available to consecrate this shrine was a

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[85] Geffcken, *Comedy*, 78.
[86] Geffcken, *Comedy,* 82.
[87] Cicero, *In Clodium,* fragment 24. "In tam longo spatio numquam te Appi Claudi nepotem esse recordatus es?"
[88] Cicero, *De Domo,* XLIII.112.

relative of Clodius' it was not a proper consecration.[89] In this manner, Cicero effectively

dismantles any religious capability of Clodius by emphasizing that he had not properly followed

traditional religious ceremonies.[90] This suggestion is not too outrageous, because the *Bona Dea*

incident demonstrated that on a previous occasion Clodius had not respected proper religious

rites.

Cicero carefully manipulates Clodius' social gender to embody negative femininity by

describing his actions as excessive and weak. Employing others to use force and intimidation

was fairly common during the late Republic. Having an entourage was the norm and often

violence occurred between political rivals. Cicero engineers this normative behaviour of Clodius

as deviant by linking this excessive force to him being powerless without his entourage. He is

purposely bringing down Clodius' status by implying he is unable to commit such actions on his

own.[91] Later on in *De Haruspicum*, he says Clodius is trying to imitate Spartacus by having

slaves come into an event in honour of the Great Mother, claiming he is disregarding his

heritage. He strips away Clodius' power by associating violence with feminine excess and lack

of control with the implication that if Clodius truly held power he would not need to use such

tactics to gain his political goals. Cicero removes Clodius away from his dignified family by

commonly emphasizing his plebeian status. Thugs, instead of representing power, represent

political impotence – where Clodius must get his results done by violence, instead of by

persuasion.[92] Cicero is intent on sullying Clodius' reputation so that he would not have the power

to wage an attack against him anymore. Cicero is focused upon securing is own place in Rome

again, without having to worry that Clodius would attack and threaten him.

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[89] Cicero, *De Domo,* XLV.117-118.
[90] Cicero, *De Domo,* XLI.107.
[91] Cicero, *De Domo,* XXX.79, "sed etiam servorum." But even of slaves!
[92] Cicero, *De Domo,* III.

Cicero claims that Clodius is so enamoured of luxury that he poisoned his other neighbour, Seius, who had refused to sell to him, in order to buy his house at half the price to join two mansions together.[93] Thus it seems that Clodius driving Cicero out of Rome did so with the desire to expand his property, since Cicero's also neighboured Clodius' property.[94] This emphasis on acquiring property is linked to the negative feminine idea of luxury, where Clodius is unable to restrain his excesses. Cicero emphasizes that his house and household gods need to be restored, emphasizing that the violation of his *domus* is an affront to his ancestors.[95] He claims restoring him to his house would also symbolize restoring the Republic to proper order. He twists the affront to him into an affront to the state.[96] Another aspect is the fact that if this could happen to Cicero, this could also happen to other senators if they do not restore Cicero's property. When Clodius works to block the transfer of property back to Cicero, the insults from Cicero become even more furious. He calls the questions by Clodius '*stultissimus*'[97], the stupidest, and decries the empty threats of Clodius as coming from stuttering lips thus undermining the oratorship of his enemy.[98] In this manner he effectively displays Clodius as having no *potestas,* by characterizing Clodius' actions as '*effrenato et praecipiti furore'* 'unbridled and headlong insanity.'[99] He creates an image of Clodius as frenzied at mob meetings stirring up the crowd to do his mad deeds, to destroy buildings. This insanity even has Clodius being unable to distinguish between the bedchamber of wife and sister. [100] Reemphasizing the

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[93] Cicero, *De Domo,* XLIV.115, XLV.116.

[94] Cicero, *De Domo,* XLV.116.

[95] Cicero, *De Domo,* LVI.142. "… tamen illi di penates ac familiares mei per vos in meam domum mecum erunt restituti."

[96] Cicero*, De Domo,* LVII.146.

[97] Cicero, *De Haruspicum,* in *The Speeches.* Translated by Nevile Watts. (London: W. Heinemann, 1965), I.1.

[98] Cicero, *De Haruspicum,* I.2 "se ex curia repente proripuit cum quibusdam fractis iam atque inanibus minis…"

[99] Cicero, *De Haruspicum,* I.2.

[100] Cicero, *De Haruspicum*, XVIII.39.

sexual misconduct and linking it to the idea of madness works to take away the authority and self-control of Clodius. It is claimed that he is a man who is not in charge of himself.

Throughout Rome there were omens such as uncanny noise.[101] Clodius had soothsayers interpret these signs as the gods' displeasure at the desecration of the shrine to *Libertas.*[102] Clodius claims that these signs from the gods are in response to Cicero knocking down the shrine. Cicero when he had regained his property had demolished the shrine, and Clodius is charging him with religious impiety on this account. In response, Cicero retaliates and in his speech he cleverly begins by recalling the *Bona Dea* incident.[103] This posturing goes into Cicero's claim as to his personal feelings towards Clodius, which he says have not changed since the *Bona Dea* affair. This insinuates that Cicero had viewed Clodius with suspicion after he had acted so unwisely. This positions him as having seen Clodius' true corrupt effeminate character since the beginning. It allows the enmity between the two men from Cicero's side to look as if it is only based on concern for the preservation of the State. He interprets Clodius' crossdressing and infiltrating this event as him threatening the state's welfare by disrespecting the gods. He describes Clodius' actions as '*ex incesto stupro*' 'out of impure violation.'[104] So not only is dressing as a woman an outright act of *stuprum*[105], he was also putting the state in danger by offending the gods in order to carry on an affair with Caesar's wife. One might ask: if Clodius is dressing like a woman, maybe he is secretly an effeminate for desiring to participate in this affair? His masculinity is easily impugned by the lack of control shown by his dressing as a flute girl. In Rome persons in the performing arts, such as flute girls, would have also been associated

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[101] Cicero, *De Haruspicum,* V.9.

[102] Cicero, *De Haruspicum,* V.9-10.

[103] Cicero, *De Haruspicum,* III.4.

[104] Cicero, *De Haruspicum,* III.4.

[105] Cicero, *De Haruspicum,* V.8. "Bona deae stuprum intulerit.."

with the idea of prostitution.[106] Here Clodius is a direct threat to the senate through his lack of control and *dignitas.* After discussing this affair Cicero positions himself once more as the hero of the Republic reminding the audience of the service he has done for Rome. This is where he works to link Clodius to the threatening memory of Catiline, where he attempts to reinstate his own *potestas* as defender of the state working against the enemies.[107] Cicero himself identifies as the reason the state still exists. For in response to a taunt from Clodius, he retorts that he belonged 'to a state which could not exist without [him].'[108]

Reminding the audience of these two incidents allows Cicero to undermine any sort of religious authority Clodius can try to lay claim to. Fresh in their minds is the vision of Clodius dressed as a flute girl violating a sacred festival. Cicero plays it up, having the audience laughing at the idea of Clodius' religious authority.[109] By undermining his religious authority through this violation, Cicero contributes the libel of incest, *stuprum,* between him and his sister, Clodia.[110] By associating Clodius with *stuprum* Cicero methodically strips away layers of Clodius' authority. From a failed military career, to excessive accumulation of wealth, the charge of incest is the capstone of defamation. Clodius is no fit guardian of Rome: he violates one of the important social norms of Roman society by violating his sister. In breaking these norms Clodius rejects traditional masculinity, as Cicero would like to have his audience believe. He tears away any *pudor* from Clodius in this manner through these implications. Incest between siblings indicates a lack of restraint that brings shame to the *gens.* Clodius' deviancy, and badly performed male gender work to remove the pillars that support his masculinity.

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[106] Catharine Edwards, "Unspeakable Professions: Public Performance and Prostitution in Ancient Rome," in *Roman Sexualities,* edited by Judith P. Hallett and Marilyn B. Skinner, (Princeton: Princeton University Press, 1997), 72.
[107] Cicero, *De Haruspicum,* III.5.
[108] Cicero, *De Haruspicum*, VIII.17 "…quae carere me non potuisset."
[109] Cicero, *De Haruspicum*, V.8. "Etiam sua contio risit hominem…"
[110] Cicero, *De Haruspicum*, V.9-10. "ex sororum cubiculo egressus pudorem pudicitiamque defendat?" Is he to defend honour and chastity having come from his sisters bedroom?

Cicero purposely separates Clodius from his prestigious family line as a disappointing

aberration that brings shame to his *gens*.[111] Cicero portrays Clodius after the death of his father

as spending his youth in debauchery and wasting the wealth of his family. It shows that without

the guiding hand of his *paterfamilias* he has no control over his own vices. When describing

Clodius' military career, Cicero describes Clodius as incompetent and unable to properly act as

expected of a solider. There was an incident during his service where he got kidnapped by pirates

and Cicero uses this to claim that Clodius was the passive recipient of the lusts of pirates and

barbarians. [112] This claim outrightly effeminizes him. Military service, which typically

establishes one's reputation, is subverted by Cicero as a role Clodius has failed at. Being unable

to act as a solider, Clodius is unable to protect Rome. Cicero then paints him as fleeing to Rome

after his military career to plot with Catiline. However it is doubtful that he actually had anything

to do with the Catilinarian conspiracy since doing so would directly work against his own

political prospects.[113] Another slander is that Clodius is corrupt and used his time in the province

of Sicily to line his own pockets and work against the Republic. [114] In this manner, Cicero

portrays Clodius' political career as self-glorification instead of serving the interests of the

Republic. In contrast to this lowering of status, Cicero works to raise his own back up by

emphasizing how he has twice saved the Republic, implying that how he was treated is no way

how to treat a hero.[115] The implication is that the only reason why Cicero himself pursued a

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[111] Cicero, *De Haruspicum,* XI.24-XIII.26.
[112] Cicero, *De Haruspicum,* XX.42. "etiam Cilicum libidines barbarorumque satiavit."
[113] Tatum, *Tribune,*78.
[114] Tatum, *Tribune,* 90.
[115] Cicero*, De Domo,* XXXVII.99. "bis servavi rem publicam."

career as a politician was as a self-sacrificing move to serve the Republic – indeed, he emphasizes how he himself from this service has come to embody the state.[116]

Cicero is attempting to move Clodius' gender towards the negative femininity side of the scale. The concept of mobile gender helps to provide a more complex insight into the competitive nature of Roman society, where it was necessary to constantly prove oneself amongst one's peers. If one were to be degraded, one could not only lose a political position, but also the support of one's fellow peers. This feminization extends to situations where Clodius is not directly involved, such as with the defense of M. Caelius Rufus. Caelius is the opposite of Clodius because he performs masculinity correctly.

## Caelius: The Perfect Man?

Caelius was the son of a Roman knight from Africa, who was entrusted to Cicero and Crassus[117] at the age of sixteen to apprentice under them to learn the skills necessary for a successful public career. When he was first stepping out into public life after this period of learning, he became attracted to the very influential figure of Catiline, who at the time presented himself as a proper Roman citizen. Catiline, it was discovered during Cicero's time as consul, was plotting to overthrow the Republic.[118] Since Caelius had associated with him, his own reputation came under suspicion.[119] At the time this trial takes place, Catiline has fallen and Caelius has returned to Rome after a short break in Africa, where he is now attempting to establish himself as a public figure in Rome. He has rented some rooms from Publius Clodius on

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[116] Cicero, *De Haruspicum,* VIII.17.
[117] Marcus Licinius Crassus was a wealthy Roman senator.
[118] Plutarch, *Cicero,* 21-23.
[119] Cicero, *Pro Caelio,* in *The Speeches.* Translated by Nevile Watts. (London: W. Heinemann, 1965), V.11.

the fashionable Palatine Hill, where he comes into close contact with Clodius' sister, the widowed Clodia. Clodia was well known for her beauty, and there is a connection between her and the poetic figure Lesbia that the poet Catullus writes his love poetry to.[120]

This trial occurs after Cicero has returned from his forced exile from Rome by Clodius. By defending Caelius, Cicero not only is working to redeem his former pupil but also to protect his own reputation as an orator and educator he is compelled to demonstrate that those taught by him become proper Roman citizens. Transforming the political accusations in the trial into accusations of a spurned lover serves a dual purpose for Cicero: he removes the political credibility of the accusers, while also emasculating his enemy Clodius through his sister Clodia.

The accusations brought against Caelius are numerous and intended to create scandal. Some of the more direct accusations involve associating with Catiline,[121] being extravagant in his spending,[122] and being privy to and part of the assassination of the Alexandrian delegates by Ptolemy.[123] Another accusation claims he was assaulting the wives of senators, thus showing no self-restraint.[124] Cicero works to turn this around to emphasize the status of his client, claiming that many of the people accusing him are of the lower class in the employ of someone else.[125] Due to their class, it is implied that they are easily bribed to do the bidding of this hidden accuser. Cicero links the lower class with aspects of negative femininity: being easily bribed, driven by greed and rather than considering important Roman norms. This emphasis on power is used to reinforce Caelius' masculinity against his accusers, who are claimed to be associating

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[120] There is some contention for this claim, but generally this is accepted. See: *Catullus and His World* (1985) by T.P. Wiseman and *Clodia: A Sourcebook* (2008) by Julia Dyson Hejduk.
[121] Cicero, *Pro Caelio*, VII.15
[122] Cicero, *Pro Caelio,* VII.17.
[123] Cicero, *Pro Caelio,* VIII.18.
[124] Cicero, *Pro Caelio,* VIII.20.
[125] Cicero, *Pro Caelio,* X.21-22.

with the lower status citizens, and through this degrading themselves. By laying out Caelius'

lineage to the court, he ensures that they know that he is the son of a Roman knight, whose

ancestors have served the Republic well.[126] This not only separates Caelius from the lower class

plebians, whom Cicero was not fond of[127], but also affords him more respect according to his

*gens.* He also describes Caelius as possessing *pudor,* conforming to Roman expectations in his

conduct in his public and private life. When it comes to the senators' wives, he easily brushes off

the charge of assaulting them by asking why these accusations were not brought up before, thus

working to reinforce the idea of trumped up charges.[128]  A speech by Balbus, who at length

discussed the failings of youths such as participating in licentious behaviours at Baiae, implied

that Caelius was part of this effeminate display.[129]

In response Cicero attempts to move the luxury condemned by Balbus away from Caelius

and onto a hidden accuser. These various political accusations actually arise from a spurned

lover, Clodia, who he claims is attempting to defame Caelius.  He claims that Caelius stopped

associating with her, when he realized what a loose woman she was.[130] Cicero argues that his

only fault was being born handsome, thus attracting the attention of Clodia.[131]  Clodia, Cicero

argues, embodies all that is bad in terms of the feminine. Not only is she a woman, but she

degraded her status. Where she should be behaving like a well-respected widow, she is instead

having parties at Baiae and mingling in mixed company.[132] Cicero claims she is so loose that it

would be no surprise if Caelius decided to satiate some of his desires with her. Clodia is

described as having sunken into disreputable femininity through wanton speech and love of

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[126] Cicero, *Pro Caelio,* II.3-4.
[127] Tatum, *Tribune,* 118.
[128] Cicero, *Pro Caelio,* X.24-25.
[129] Cicero, *Pro Caelio,* XII. 28-30.
[130] Cicero, *Pro Caelio,* IX.21.
[131] Cicero, *Pro Caelio,* III.6.
[132] Cicero, *Pro Caelio,* XV.35-36.

parties.[133] Clodia uses her time at Baiae to satisfy her every indulgence from parties to sex.[134] When Caelius apparently spurned her advances, she invented charges in order to gain revenge upon him in court.[135]

How Cicero presents Caelius reflects the expectations of Roman masculinity at that time. Masculinity according to the defense of Caelius focuses upon status, comportment, and who he associates with. Cicero reinforces Caelius' masculinity by emphasizing how such a well behaved man could not be blamed for mistaking Clodia for a prostitute.[136] Small dalliances were apparently approved and expected for Roman male youth.[137] Cicero however claims Caelius is so upright he would not even do such a thing, and he raised the ire of Clodia because he refused her offer for a love affair.[138] She accuses Caelius of trying to steal her gold and poison her.[139] Cicero works to effeminize the accusers by having their serious legal accusations transformed into feminine spite.[140] He heightens this idea by emphasizing how this trial is taking place during a holiday, and that their time is being wasted due to the pettiness of a woman.[141]

Clodia is such a bad woman that she also has corrupted her brother Clodius into her unrestrained feminine lifestyle. Cicero argues this by emphasizing his claim that she carries on an incestuous relationship with her brother, where they are both engaging in acts of *stuprum.* Bringing the accusation of incest in this context dramatically contrasts with the upright behaviour of Caelius. Clodia disrespects her *gens* by acting in such a shameful manner, where

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[133] Cicero, *Pro Caelio*, XV.35-36.
[134] Cicero, *Pro Caelio,* XX.49-50.
[135] Cicero, *Pro Caelio,* XV.36-37.
[136] Cicero, *Pro Caelio,* XVI.38.
[137] Cicero, *Pro Caelio,* XVIII.42-43.
[138] Cicero, *Pro Caelio, XIX*.44-45.
[139] Cicero, *Pro Caelio,* XXI.52-53.
[140] Cicero, *Pro Caelio,* I.1. "autem opibus meretriciis.." "... muliebrem libidinem.."
[141] Cicero, *Pro Caelio,* I.

Caelius is the opposite of her in his virtuous actions. Clodia is made to embody negative femininity, where she has rejected positive feminine values to act like a wanton woman.[142] Cicero then literally pretends to summon one of her ancestors, acting out the part in order to accuse her of bringing shame to the family[143], because her actions are corrupting her *gens*. In this manner, Cicero is able to respect the *gens* of the Claudian family, while simultaneously defaming Clodia. This deft sleight of hand removes possible claims that he carries a grudge against the family.[144]

Cicero describes Caelius as smart, and having committed neither crime nor a reckless act. Caelius also is well respected in that he holds an influential position amongst his peers and in town. [145] These descriptors help set him up as someone who embodies *pudor* and status, creating the illusion of masculinity. He focuses on the accusers trying to ruin his reputation as well as defaming his *gens*. [146] He emphasizes the filial affection he carries for his well respected father as well as the reactions of the parents being in mourning for these accusations.[147] Emphasizing the good standing of the family allows the court to know that Caelius has the respect of those around him, and a good family background.[148] In this manner Cicero emphasizes the *pudor* of his client because he carries himself in a manner worthy of respect. This is shown when Cicero describes his role as that of a teacher guiding him towards the correct path, and the proper way to transport himself within society.[149] Not only is Cicero's role as teacher to make sure Caelius learns how to become a good Roman citizen, but he has to be a good Roman *male* citizen. It is expected that

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[142] Cicero, *Pro Caelio*, XIII.32.
[143] Cicero, *Pro Caelio*, XXXIII- XXXIV.
[144] Cicero, *Pro Caelio*, XIV.33-34. He also does this sleight of hand *In Clodium et Curionem* when he asks whether Clodius has forgotten his ancestors (in fragment 24).
[145] Cicero, *Pro Caelio*, I.1 "…sed adulescentem illustri ingenio, industria…"
[146] Cicero, *Pro Caelio*, II.3.
[147] Cicero, *Pro Caelio*, II.4-5.
[148] Cicero, *Pro Caelio*, II.5.
[149] Cicero, *Pro Caelio*, IV.9.

Caelius uphold normative behaviours required of men such as pursuing a career in politics and by performing this role adequately he is able to establish his reputation. Reputation was very important in Roman society, and one's reputation helped determine whether or not one was able to succeed in politics.

The person hired to accuse Caelius, Atratinus, is excused because he is only doing his job. Cicero emphasizes his *pudor*[150] throughout, highlighting the relationship between him and his father. He claims that the lewd accusations are awkward given his good upbringing, before counselling him to refrain from taking such cases in the future. Cicero makes it clear that the only person he has an issue with is Clodia. He presents himself as a sane and rational man who understands the complicated issues surrounding his defense of Caelius.[151]

## Catiline: A Man of 'Mixed' Genders?

Due to the youth of Caelius[152], Cicero works to brush off the suspicions that his age would bring to lead him to indiscretions. He mentions Caelius had a proper upbringing by his father who sent him to Cicero and Marcus Crassus to be trained for the public life.[153] This training by such esteemed men then works to set up Cicero's argument to excuse Caelius from socializing with Catiline. Where there is evidence of Caelius socializing with Catiline and his followers, Cicero works to excuse this.[154] Cicero, one of the worst enemies of Catiline, argues that Caelius was deceived by the performed virtue, and that he was innocent of wrongdoing. This reveals an interesting contradiction in the practice of Cicero's defense and defamation

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[150] Cicero, *Pro Caelio,*III.7-8. "..pudor patiebatur..." "...pudor tuus moderator orationi meae.."
[151] Cicero, *Pro Caelio,*XXXII.78.
[152] Youth often was linked to poor judgement.
[153] Cicero, *Pro Caelio,*IV.9.
[154] Cicero, *Pro Caelio,*IV.10.

technique between Caelius and Clodius. Why is it that in order to defame Clodius, Cicero attempts to associate him as a follower of Catiline? [155]   How can Cicero have this both ways? Understanding Cicero's perspective of Catiline through a Roman gender lens may help elucidate this apparent hypocrisy on his part.

Cicero describes Catiline as a man of dichotomies. He sets him up as a man running for consul alongside him with the respect of many esteemed senators.[156] Preeminent men, such as Caesar and Crassus, being caught up in his spell, allows Caelius' association to become more understandable. Seeking a political career, it makes sense to associate with esteemed citizens.[157] This is where the idea of dichotomy comes into play concerning Catiline. He is a man who presents himself as respectable while committing nefarious deeds. The description of Catiline has him associating with the most depraved men as well as seeking out the company of the best of men.  In this way Catiline is able to simulate a model of excellence and thus someone that Caelius would willingly seek out. Cicero goes on to describe Catiline as a man that is contradictory and at war with himself concerning the different values he pursued. [158] A list of these paradoxical qualities include: being generous to friends but covetous in greed,  being a noble citizen of the Republic but also its worst enemy, being the best of friends and going so far as to commit a crime to help them, and attracting the best and worst men as his companions.[159] This complicated, ever changing personality of Catiline in a way works to portray his perceived social gender in a hermaphroditic light, unable to settle upon one set of values.

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[155]Cicero, *De Domo*, XXVII.72 "… tui felicem Catilinam nominant." "They call you lucky Catiline."
[156] Cicero, *Pro Caelio,*IV.10.
[157] Cicero, *Pro Caelio*, V.11.
[158] Cicero, *Pro Caelio*, V.12. "Utebatur hominibus improbis multis; et quidem optimis se viris deditum esse simulabat." "… tam ex contrariis diversisque et inter se pugnantibus naturae studiis cupiditatibusque conflatum."
[159] Cicero, *Pro Caelio*, VI.13.

Describing Catiline as a hermaphrodite may seem a rather extreme, especially since Cicero never outrightly says such a thing. The words Cicero uses imply that Catiline was falsely performing Roman male virtues so effectively he even managed to garner Cicero as a friend, until his true crimes were revealed.[160] These words include, *simulo,* to resemble, *ex contrariis diversis,* from opposite differences,[161] *versare suam naturam,* to twist his nature,[162] *varia multiplicique natura,* with complex and changeable nature, and *virtutis assimulatae,* pretended virtue.[163] Let us recall Butler's explanation of gender as performance where gender roles are learnt and then enacted in order to fit into societal norms.[164] To successfully inhabit a gender role, such as being a man, the performance must continually be maintained. In order to be able to perform properly, the rules of how to be a man need to be taught. Catiline is effectively simulating masculinity in such a manner that he garners the respect of his peers, while at the same time deviating into negative feminine behaviours such as greed and debauchery. His social gender becomes hermaphroditic because he is able to perform both masculinity and femininity at the same time. Thus he can attract the best of men such as Cicero and Caelius with his simulated virtue and theoretically the worst of men such as Clodius with his pursuit of debauchery.

Catiline's simulated masculinity is used to uphold Caelius' gender performance. Where Catiline deviated, Caelius is presented as upright, going through the proper channels to gain the respect of his peers. Caelius' virtue is so strong he even manages to resist the advances of a woman who is on par with a seductive prostitute.[165] Catiline is used as the threatening Other used to define Caelius' gender performativity. While the gender deviancy is often secretive in the

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[160] Cicero, *Pro Caelio*, VI.14
[161] Cicero, *Pro Caelio*, V.12.
[162] Cicero, *Pro Caelio*, VI.13.
[163] Cicero, *Pro Caelio*, VI.14.
[164] Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity,* (New York and London: Routledge Classics, 2007), 45, 185.
[165] As Cicero would have us believe.

beginning, Cicero reassures his audience that such actions become apparent even with the most expert of actors. This neatly ties into how Cicero represents Clodius. While Clodius had some of the best advantages in his upbringing, his deviancy could not be contained, such as through his actions of sneaking into the *Bona Dea* festival. When Clodius is murdered by Milo, Cicero, when defending Milo, smears Clodius with blatantly feminine imagery. Catiline and Clodius work as mirrors of deviancy together, and when the insults are compared they are surprisingly similar. Both of them were able to perform masculinity to fool others, but only Cicero in his shrewd gaze was able to see through them.

## Death of Clodius

The effeminization of Clodius becomes very blatant after his death, when Cicero is defending Milo, the man who killed him. Milo and Clodius were well known enemies, both of them having made death threats against the other. There was no question that Milo killed Clodius. The evidence was too much for him to plead not guilty.[166] How Cicero works to turn the situation around is to transform the act into one of protecting the Republic. There were many witnesses to this murder. They met on the Appian Way, amongst the tombs of Clodius' ancestors.[167] Milo was traveling with his retinue, which included his family. These sworn enemies ended up fighting. Asconius writes that the slow pace of Milo's retinue caused the slaves to begin to fight, and that in the midst of the fighting Clodius was pierced by a spear.[168] In order to protect their master, Clodius' slaves took him to a tavern. This is where Milo made the decision to finish the job. He threatened the tavern keeper, killed him, and then dragged Clodius'

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[166] Asconius, *Commentaries on Speeches by Cicero,* Translated by R.G. Lewis, (Oxford: Oxford University Press, 2006), 30C.
[167] Asconius, *Commentaries,* 31C.
[168] Asconius, *Commentaries,* 32C.

body out of the tavern so he was not able to recover. Clodius' dead body was left in the middle of the road and was found by a passing senator.[169]

Due to the numerous witnesses, including the testimony of the slaves,[170] Milo was pinned with the murder of his political rival. What should have been an open and shut case in our modern understanding of the law was not in Roman times. Isak Hammer argues that this ambiguity of Roman law is based upon the idea of 'immorality' concerning one's actions within the Roman state. He defines immorality as a specific type, in the Roman sense of "depravity" which "suggest(s) scandalous, outrageous and shameful behaviour and character."[171] This 'immorality' is then linked to the character and the attributes[172] internalized to the person which is then used to discredit one's enemy. This overlaps with the idea of mobile gender in that by claiming the enemy was 'immoral', or deviant, they are charged with not living up to being proper men. This applies to Clodius, where his actions of cross dressing and implied sexual passivity are not only 'immoral' but indicate that he is like a *woman.*[173] In his defense of Milo, Cicero describes Clodius a *"homo effeminatus",* "effeminate man."[174] Since Clodius is dead he is unable to defend himself from this accusation and Cicero is able to outrightly state this slander in order to protect his friend Milo without any fear of political reprisal from Clodius.

In this manner, by turning Clodius into an 'immoral' and 'effeminate' figure, Cicero is able to transform his murder into a necessary act committed by Milo in order to defend the Republic.  By being an effeminate man, Clodius posed a threat to the Republic by corrupting the youths into vices such as passive behaviour, as well as undermining the structures of Roman

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[169] Asconius, *Commentaries*, 32C and 40C.
[170] Which was only valid under the form of torture.
[171] Hammar, *Enemies,* 45.
[172] Hammar, *Enemies*, 47. *"natura, habitus, animus and persona."*
[173] Hammar, *Enemies*, 243.
[174] Cicero, *Pro Milone*, in *The Speeches.*  Translated by Nevile Watts. (London: W. Heinemann, 1965), XXXIII.89.

masculinity.[175] What would it say about the Roman state if it allowed an effeminate man to be in a position of power and be an active lawmaker? This is used as a way to reinforce the ideal Roman past, where respect for the ways of the ancestors meant acting in a moral masculine manner. Thus, Clodius running rampant around the Republic, was endangering youth by his deviant example. Milo, Cicero argues, did the Republic a favour by removing this threat.[176] He was acting not in his own political self-interest, but in the interest of the people.[177] This logic reflects Cicero's own earlier arguments against Clodius as a threat to the state, where Cicero takes the place of Milo as defender of the state.

Mobile gender is witnessed throughout Cicero's speeches, giving more weight to how he presents the facts as well as what he focuses upon as important for the audience to know. Themes are repeated within Cicero's speeches as to what actions are understood as deviating from ideal masculine performativity. Those who deviate, such as Catiline and Clodius, share similar traits such as: excessive indulgences, effeminate habits such as crossdressing, greed, disrespect for their *gens* and disrespect for fellow senators. They embody a threat to the Republic, acting against the protective societal norms upon which Rome was built upon. Gender provides an in depth understanding as to how defamation has real life consequences in in the Roman world. Catiline is able to become hermaphroditic in his gender through the descriptions of Cicero because he did have the respect of well-known senators and presented himself according to the established traits of masculinity. At the same time, due to his threatening status to the Republic, Cicero is able to effeminize him because it would be unthinkable for a man following his proper role to threaten the state. This is where he works to cast Clodius as a man

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[175] Hammar, *Enemies*, 222. Hammar has an excellent section of Marcus Antonius concerning this matter.
[176] Cicero, *Pro Milone,* XV and XVIII.
[177] Cicero, *Pro Milone,* XXIII.

who may try to present himself as a decent political figure with influence but who in reality, or

Cicero's reality, is in fact a dangerous feminine man who only is thinking of himself.  Negative

femininity is a tool Cicero uses to defame his enemies and remove their *auctoritas.* Undermining

them in such a manner gives him a competitive advantage of his enemies who were from

established Roman *gens* from the city, which he otherwise would not possess as a *novus homo.*

He purposely describes himself as representing the old Roman values, *rustica,* which have been

lost by the Roman urban elite.[178] Cicero was unable to compete in terms of his family line, or

wealth, so it was necessary for him to defame their social gender to gain political advantages

which would otherwise not be open to him.


## Catullus' Poetics of Gender


Catullus provides us with an alternate view of Roman gender. Catullus appears to have

been a merchant in the late Republic who wrote poetry,[179] living at the same time as Cicero and

Clodius. As mentioned previously there is debate over whether Clodia, Clodius' sister, was the

real person behind his poetic mistress Lesbia.[180] Themes of mobile gender identity run

throughout his poetry evident in his threats and caustic wit. One of the more famous of his poems

provides a good entry point into the poetic world of Catullus. His poems where he addresses

Aurelius have strong themes of 'homosexuality' which he uses to demonstrate his sexual

aggressive masculine traits. When employing the use of the word 'homosexuality' I do not mean

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[178] Cicero, *In Clodium,* frag. 20  Geffcken provides a tantalizing insight concerning this contrast, where Cicero works to portray his new status as embodying the old values which have been lost to the established elite.
[179]T.P. Wiseman, *Catullus and His World: A Reappraisal* (Cambridge: Cambridge University Press, 1985), 100.
[180] Wiseman, *World,* 2.

it in the modern sense: simply put it is a convenient term I shall use to indicate same-sex attraction and interactions, including relationships. Same sex relationships in the Roman context did not necessarily undermine masculinity. Instead they were based upon sexual penetration, where the penetrated man became effeminized. Accusing someone for acting as the passive partner is a method for attacking their social gender, where the accuser is able to claim a superior status.[181]

While I am not going into an intense discussion concerning the Lesbia arc, there are a few things necessary to point out. As Ellen Greene maintains there is complex gender play within this arc, where Catullus subverts the expected masculine gender norms.[182] He casts Lesbia as the *domina,* mistress, with the implication that he is her slave. This term allows her to be portrayed as holding the power and he takes on the "voice of an abandoned woman" in these poems.[183] Nauta disagrees however on the use of *domina.* She claims that the term is only used in relation to her position as mistress of the house, where Catullus' position is not that of a slave due to her charms.[184]

Poem V

*Vivamus, mea Lesbia, atque amemus*
*rumoresque senum severiorum*
*omnes unius aestimemus assis.*
*soles occidere et redire possunt;*
*nobis, cum semel occidit brevis lux,*
*nox est perpetua una dormienda.*
*Da mi basia mille, deinde centum,*
*dein mille altera, dein secunda centum,*
*dein cum milia multa fecerimus*

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[181] Williams, *Homosexuality,* 97.
[182] Ellen Greene. *The Erotics of Domination: Male Desire and the Mistress in Latin Love Poetry.* (Baltimore and London: The Johns Hopkins University Press, 1998), xiii.
[183] Greene, *Domination,* 6.
[184] Ruurd R. Nauta, "Catullus 63 in a Roman Context," in Mnemosyne Vol LVII, 2004, 599.

*conturbabimus illa ne sciamus*
*aut ne quis malus invidere possit*
*cum tantum sciat esse basiorum.*

We must live, my Lesbia, and we must love.
And value all the gossip of the severe old men
At a single penny.
Suns can rise and set again,
Once our brief light for us has set,
There is one continuous night for sleeping.
Give me a thousand kisses, then a hundred more,
Then give me another thousand, then a second hundred,
Then yet another thousand, then a hundred,
Then, when we have made many thousands,
We will muddle them up so we shall not know,
And that no one can envy us,
When he finds out how many kisses we have shared.

In poem V  Green argues that he takes on the feminine role by persuading Lesbia to indulge in the thousand kisses, instead of worrying about the old men. This allows Lesbia to ironically hold a more traditional Roman view of concern as to how the public views their relationship.[185]  This concern of Lesbia associates her more with the "world" making her attached to the "material" physicality of life, ironically trapped in her social role. Catullus' ignoring of this physical plane links him to the idea of "masculinity and freedom." [186]  Catullus' gender role in this poem is complex, since he is not truly feminine or masculine. Greene claims he is commanding her instead of supplicating her indicating that he is in some sort of position of power in this relationship that he is comfortable claiming that "we must live… and love." He orders her to participate in many kisses, not caring about the onlookers. Public demonstrations of affection in ancient Rome generally were not looked kindly upon. Cato the Censor even banned a senator from the senate for kissing his wife in public, in front of his own daughter.[187] If public

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[185] Greene, *Domination,* 24.
[186] Greene, *Domination,* 25.
[187] Plutarch, *Cato the Elder,* 17.7.

displays of affection are being punished between married couples, it is even more taboo for a couple having an affair. In asking Lesbia to participate in such tabooed actions Catullus is trying to assert his authority over her, which ironically works to paint him as farther along the spectrum to effeminacy. This indulgence of passion, as David Wray puts it, "his gluttony for kisses, impersonates and performs a provocative effeminacy…"[188] This feminine excess leaves Catullus open for attack by his critics, which he responds rather violently to in poem XVI.

Poem XVI

*Pedicabo ego vos et irrumabo,*
*Aureli pathice et cinaede Furi,*
*qui me ex versiculis meis putastis,*
*quot sunt molliculi, parum pudicum.*
*nam castum esse decet pium poetam*
*ipsum, versiculos nihil necesse est;*
*qui tum denique habent salem ac leporem*
*si sunt molliculi ac parum pudici*
*et quod pruriat incitare possunt,*
*non dico pueris sed his pilosis*
*qui duros nequeunt movere lumbos.*
*Vos, quot mila multa basiorum*
*legistis, male me marem putatis?*
*Pedicabo ego vos et irrumabo.*

I will bugger your ass and fuck your faces!
Poofter Aurelius and Fairy Furius,
For you think my versus are soft,
And you think me of little modesty.
For while the poet need be chaste,
His poems don't have to be,
For they have wit and charm
If they are soft and not quite decent
And can still excite an itch,
I don't say just for youth, but in hairy men
Who can't make their own cock stand upright!
You! Because you have read my thousand kisses
You think me a feeble man?
I will bugger your ass and fuck your faces!

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[188] David Wray, *Catullus and the Poetics of Roman Manhood,* (Cambridge: Cambridge University Press, 2001), 147-148.

Poem XVI is a response to the mockery of Aurelius and Furius gave him questioning his masculinity on account of Poem V. It provides an interesting insight as to how Catullus viewed his own poetry. While acknowledging that the kisses are excessive, he forcefully reminds them that the poem does not necessarily represent the actual actions of the poet. Within this poem the complicated understanding of gender comes to the fore, where the accusation of his poems having *parum pudicum,* not enough decency, helps question his status as a male. While he does cast himself into a more feminine role, portraying a desire for soft indulgences there is also an edge to his poetry. The poet is more than capable of protecting his masculinity.  In Poem XVI he opens up with "Pedicabo ego vos et irrumabo" "I will bugger your ass and fuck your faces." This is considered to be the basest violation for a Roman citizen, where their masculinity is effeminized in this very passive role and dirties their mouths. Having a passive, or dirty mouth, negates him from having authority in his oratory. A dirty mouth then symbolizes complete removal of power and bodily autonomy.[189] So this violent opening of the poem works as a threat to turn them into 'women'. To reinforce this message he calls Aurelius a *pathicus*, and Furius a *cinaedus*: both these terms meaning that they are sexually submissive. Such use of this extreme threat works to reinforce Catullus the poet as a man capable of defending his honour while also implying that while his poetry may portray soft indulgences, it does not mean he in fact is soft. Casting impunity upon his masculinity forces his hand where he deftly dispatches the accusations using harsh masculine language that simultaneously effeminizes his critics.

This idea of nonconformity reflecting 'femininity' is also argued by Catharine Edwards. She challenges the idea of linking sexuality and gender together as one idea.  She says "If we are

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[189] Williams, *Homosexuality,* 198.

to treat sexuality as culturally constructed, then… gender, too, should be examined as a cultural product," where the meaning invested in the term 'gender' is given by the society currently using it.[190] Concerning the Romans then, masculinity was constructed through the idea that whatever they deemed undesirable behaviour acquires the attribute of negative femininity.[191] The rigid dynamics of masculinity that Catullus is performing in become more flexible within his poetry, where he also is challenging the idea that a poem is necessarily a true reflection of the poet. Complex ideas of what makes a Roman man in this time period are intertwined in Catullus' poems, where there is room for him to push the boundaries as to how gender is expressed. His writing is used as a way to express gender nonconforming ways without realistically reflecting his own masculinity. The idea of a strict definition of masculinity within Roman culture it does not necessarily imply that a non-conforming man would automatically be deemed a female. This complicated gender play helps illustrate why a binary of masculinity/femininity is inadequate in understanding the nuances of gender expression within Catullus' poetry.

Catullus is capable of embodying both feminine and masculine traits, but also manages to challenge what is considered masculine in his poetry. This helps establish a sort of grey area as to what Romans themselves thought of as masculine. As Greene asserts Catullus is critiquing popular ideas of Roman masculinity throughout his poems. She brings up the example of poem XI where Catullus compares Caesar's conquests with Lesbia's actions in taking on many lovers.[192] This comparison works to imply that where there is something "morally repugnant about imperialistic policies and ambitions of Rome."[193]Greene links this Roman domination of

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[190] Edwards, *Immorality,* 75-76.
[191] Edwards, *Immorality,* 81.
[192] Greene, *Domination,* 32.
[193] Greene however does not go into detail as to what morals Catullus is using for criticizing the conquest. It seems unlikely that Catullus was a Stoic.

other countries to a woman's wayward, unrestrained sexuality. In this manner Catullus links

Roman expansion to negative feminine traits such as insatiable lust for wealth and unrestrained

conquest. [194]  This questioning of Roman masculinity works to skillfully question popular issues

at the time, such as Caesars' campaigns, at the time that these poems were being written. This

interpretation does not necessarily reflect a common Roman viewpoint concerning the expansion

of the empire, but does allow for the possibility. Another viewpoint from Paul Miller is that

Lesbia in this poem takes on the form of a 'monster' where her insatiable lust makes her into an

active partner. Later in the poem where Catullus is the flower beaten down by the plow of

Lesbia, Miller claims that this reverses their positions in the relationship.[195] These different

readings of the poem allow Catullus to be understood as challenging the dominant viewpoint of

what is masculine and what is feminine. This creates a space within the Roman context for

questioning how values are associated with each side of the gender spectrum.

The Aurelius poems are interesting because they also deviate from the theme of Lesbia.

They work to throw into question heteronormativity because one of the foci of the poems is a

*puer,* boy, whom Catullus desires.[196] This supports Butler's argument of the idea of sexuality

being constructed within an established framework.[197] From a Roman point of view desiring

women was not the focal point of how masculinity was constructed. As David Halperin explores

in his book *How To Be Gay,* this heterosexual link to gender complicates how homosexual

people are defined in regards to the gender spectrum. This idea of homosexuals of being a third

gender dates back to the Victorian period, and the idea of a woman's soul 'trapped' in a man's

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[194] Greene, *Domination,* 33.

[195] Paul Allen Miller, "Why Difference Matters: Catullus and Contemporary Theory," in *The Classical World* Vol 94 vol 4, Summer 2002, pp 425-431. 428.

[196] The Aurelius Poems include:  XI, XV, XVI, XXXI

[197] Butler, *Matter,* 94.

body. This idea was heavily promoted by Freud, which he called 'gender inversion.'[198] So in trying to define mobile gender as a spectrum the overhanging presence of heterosexuality needs to be questioned. This use of effeminacy to create a 'third gender' in a homosexual context brings to the fore complications as to "whose" femininity is being talked about. Halperin makes the excellent observation that activities that may be understood as feminine in a homosexual context do not necessarily mean that a self-identifying female actually would participate in those 'feminine' actions.[199] Due to the extreme rigidity of how masculinity gets defined, anything that deviates from the guideline challenges how gender is understood. Often this deviation is viewed as 'feminine.'[200] In the context Halperin discusses, femininity is often used as a tool to punish men into conforming into gender norms. Gender nonconformity is viewed as abdicating masculine privileges and power.[201] In a Roman context then power, rather than sexual preference, was one of the key bases of what it meant to be a man.

Returning to poem XV, Catullus' masculinity is not challenged by his desire to engage in carnal relations with a *puer.* It is important to explain that the use of *puer* is something that emphasizes class difference, making the same sex relationship acceptable; it is implied Catullus is the active partner in this pursuit, this helps protect his masculine identity. In the first poem Catullus asks Aurelius to protect the *pudor* of the boy and not violate him.[202] He goes into detail as to how Aurelius is known for his penchant for boys. In order to drive home the point, Catullus ends the poem in threatening what he plans to do if his request is not obeyed. In a very

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[198] David M. Halperin, *How to be Gay,* (Cambridge and London: The Belknap Press of Harvard University Press, 2012), 304.
[199] Halperin, *Gay,* 313, 315.
[200] Halperin, *Gay,* 335.
[201] Halperin, *Gay,* 306,307.
[202] Catullus, XV.

graphic turn of phrase he threatens to penetrate Aurelius' anus with radishes[203] and a mullet.[204] Not only will Aurelius become the passive partner, but it is threatened that he will be made so powerless that Catullus will violate him in a manner that would entirely remove his masculine identity. It is not the fact that Aurelius desires, or even prefers, to have sexual relations with males that make him feminine; it is the threat of violation.

This idea of violation continues in poem XXI where Catullus once again threatens to *irrumare,* defile, Aurelius for lusting after this boy. Once more the threat of oral buggery is raised, but this time in response to the threat to his beloved, instead of in defense of his own honour. Catullus in repeating this threat emphasizes his seriousness in protecting not only his reputation, but what he considers as his own property. The focus on dirtying his enemy's mouth is important because this was considered to be a worse violation than anal sex. A mouth was how one made one's living such as through oratory and often the words spoken established a man's place in the Roman world. By having a dirty mouth he is debased not only sexually but also socially.[205] He begins the poem calling Aurelius the father of the hungers. He takes this feminization of Aurelius further by claiming that the boy will 'learn hunger and thirst.'[206] The boy is hungering and thirsting because Aurelius is not penetrating him in any way.[207] This indicates that Aurelius is the passive partner in sexual relations, desiring the boy to fuck him. Catullus reinforces the idea that he is an active partner who would not leave the boy to hunger for his penis.

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[203] Catullus, XV, "quem attractis pedibus patent porta percurrent raphanique mugilseque!"
[204] The fish not the hair style.
[205] Hammar, *Enemies,* 93.
[206] Esurire ...et sitire discet.
[207] To be explicit, Aurelius is not 'feeding' the boy with his penis.

One of the arguments concerning the gender ambiguity within Catullus' poems is the idea that, as David Wray claims, "Roman man's manhood was an acutely performative business."[208] He details the idea that in Late Republican Rome elite males were under constant scrutiny as to how they managed to perform manliness.[209] This nicely links to Butler's idea of gender performance as well, where the constant scrutiny works as a method of control. Wray deviates from Butler in that the performance of manliness was used as a way to display one's knowledge of culture and power. This idea helps identify why often powerful public figures were accused of femininity. Instead of trying to enforce a heterosexual norm, the scrutiny on gender performance is related to power, where constant vigilance does not permit "allowances or exceptions."[210] One of the issues with Wray's theory of performative behaviour is that he still is ascribing to the binary spectrum of "virility/effeminacy" effectively erasing other ideas of gender expression within the Roman world.[211] Granted he does focus on the close world of Catullus, where he acknowledges that elite men had "no comfort zone to be safe from charges of effeminacy,"[212] no matter how perfectly they enacted manhood, but he does not leave open the possibility of other forms of gender expression within other classes of Roman society.

## Bridging Attis

A highly original poem within Catullus' opus that gives a window into feminine performance is the poem of Attis. Few texts show such an abrupt shift from expected male performance to that of the feminine. Attis is a young man who through the act of castration

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[208] Wray, *Manhood,* 59.
[209] Wray, *Manhood,* 58.
[210] Wray, *Manhood,* 60
[211] Wray, *Manhood,* 60. Such as how this might affect women.
[212] Wray, *Manhood,* 208.

effeminizes himself. His looks and actions are effeminized, transforming Attis from a man to a woman. It highlights the Roman concept of gender performance, because what makes Attis a woman is not only his castration but his *feminine actions*. This harkens back to Simone De Beauvoir's quote, "One is not born, but rather becomes, a woman."[213] If Attis had castrated himself without this feminine transformation, would he be considered a man still? The fact that Catullus has to emphasize that Attis' gender has changed through his castration, by changing the pronouns and emphasizing the colour of his skin, which I will detail below, provides insight into how the Romans understood female gender performance. It was not enough for a woman to be born without a penis: she must also perform that lack. Attis' transformation can be used to symbolize the threat that if a Roman man began to act too much like a woman, he too might *become equivalent to one*.

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[213] Simone de Beauvoir, *The Second Sex.* Translated by Constance Borde, and Sheila Malovany-Chevallier, (New York: Alfred A. Knopf, 2010,) 283. *"On ne naît pas femme: on le devient."*

Poem LXIII (Abbreviated)[214]

**Lines 1-18**
Super alta vectus Attis celeri rate maria,
Phyrgium ut nemus citato cupide pede
      tetigit
adiitque opaca silvis redimita loca Deae,
stimulates ibi furenti rabie, vagus animis,
devolsit ili acuto sibi pondera silice.
itaque ut relicta sensit sibi membra sine
      viro,
etiam recente terrae sola sanguine maculans,
niveis citata cepit minibus leve
      typanum
typanum tuum, Cybebe, tua, mater, initia,
quatiensque terga tauri teneris cava digitis
canere haec suis adorta est temebunda
comitibus:
'agite ite ad alta, Gallae, Cybeles nemora
      simul,
simul ite, Dindymenae Dominae vaga
pecora,
aliena quae petentes velut exules loca
setam meaum exsecutae duce me mihi
comites
rapidum salum tulistis truculentaque pelagi,
et corpus evirastis Veneris nimio
      odio;
hilarate Erae citatis erroribus
      animum.

**Lines 1-18**
Over the high seas Attis, carried in a speedy
craft,
When he touched the grove in Phrygia
eagerly with
      hurrying feet
And approached the Goddess' gloomy
forest-girt domain,
there, by raving madness goaded, his wits
astray,
He tore off with a sharp flint the burden of
his groin.
Then, conscious that the members left him
were now
      unmanned,
Still with fresh blood spotting the surface of
the ground,
In snow-white hand she swiftly seized the
light
      tambourine,
Your tambourine, Cybebe, your initiation,
Mother,
And tapping hollow bull's-hide with tender
fingertips,
Proceeded thus, aflutter, to sing to her
followers:
'To the heights come quickly, Gallae,
together to
      Cybele's groves,
Together come, stray cattle of the Mistress
of Dindymus,
Who like a band of exiles making for
foreign lands
And following my guidance, my comrades,
led by me,
Have borne the raging salt sea and ocean's
savagery,
And through excessive hatred of Venus
unmanned
      yourselves,
With your impetuous wanderings gladden
the heart of
      your Queen.

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[214] I have taken this translation from Guy Lee in the
*Poems of Catullus* (1990)

**Lines 26-28**
Simul haec comitibus Attis cecinit, notha mulier,
thiasus repente linguis trepidantibus
ululate.

**Lines 61-74**
"miser a miser, querendum est etiam atque etiam, anime.
quod enim genus figuraest ego non quod obierim?
Ego mulier, ego adolescens, ego ephebus, ego puer,
ego gymnasi fui flos, ego eram decus olei.
mihi ianuae frequentes, mihi limina
tepida,
mihi floridis corollis redimita domus erat,
linquendum ubi esset orto mihi sole cubiculum.
ego nunc Deum ministra et Cybeles famula
ferar?
ego Maenas, ego mei pars, ego vir sterilis ero?
ego viridis aldiga Idea nive amicta loca colam?
ego vitam agam sub altis Phrygiae columinibus,
ubi verva silvicultrix, ubi aper nemorivagus?
Iam iam dolet quod egi, iam iamque paenitit."
roseis ut huic labellis sonitus citus abiit.

**Lines 26-28**
Soon as false female Attis had sung her companions this.

**Lines 61-74**
"Ah wretched, wretched spirit, you must forever grieve.
What kind of human figure have I not undergone?
A woman I, a young man, an ephebe I, a child.
I've been the flower of the gymnasium; I was glory of the oil.
For me the doors were crowded, for me the threshold
warm.
For me with flowery posies the house was garlanded
When it was time at sunrise for me to leave my  bed.
Shall I know be called God's handmaid and Cybele's
serving-girl?
Am I to be a Maenad, half me, a male unmanned?
Am I to haunt Ida's cold, snow-mantled bounds?
Shall I spend life beneath the high columns of Phrygia,
With the deer woodland-haunting and forest-ranging
boar?
Now what I've done appals me; I'm sorry for it now."
As the sound quickly issued from out her rosy lips…

The main protagonist of this poem is Attis, a young man from Greece. Immediately, the name and mythology that Catullus is referencing indicate the protagonist is decidedly not Roman. By placing Attis outside of the Roman culture, he is able to play with gender in a manner that is not threatening to his elite Roman audience. It is set up like a Gallic hymn, but from a very Roman point of view. The goddess is praised, but the role of castration is not. This seeming dichotomy is argued by T.P. Wiseman to emphasize Roman sensibilities over the distasteful actions of the cult where men purposely unmanned themselves.[215] Due to the cult of Cybele existing in Rome, where its priests, the Gallae, self-castrated, it was considered a real life possibility. If he had made Attis a Roman citizen, the results of the poem would have carried different meanings for the audience.[216] Indeed there was a law passed banning Roman citizens from joining this cult due to the self-castration. Dionysius emphasizes that another of the reasons Roman citizens were not allowed to join the cult is "aversion to all pompous display that is wanting in decorum."[217] Roman men castrating themselves and deviating from the gender norm threatened the patriarchal basis of society, so was strictly prohibited. Nauta argues that due to the outsider status of these Gallic priests Catullus was able to use them as a potent metaphor, where it works to symbolize the threat of the 'non-man' who willingly pushes away masculinity norms.[218] Generally to a Roman male audience, who participated in the masculine competition, the idea of willingly castrating oneself was viewed as madness. So by keeping Attis Greek,

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[215] Wiseman, *World,* 200.
[216] Nauta, *Catullus 63,* 600.
[217] Dionysius of Halicarnassus, *Roman Antiquities,* translated by Earnest Cary (London: William Heinemann Ltd, 1937),2.19 2-4.
[218] Nauta, *Catullus 63,* 599.

Catullus' poem can be read as a commentary, but one that is not directly threatening to Roman masculinity norms.

This opens up the gender boundaries which Catullus can explore in the personage of Attis. Through the act of self-castration, Attis willingly removes himself from the category of man. Within the poem the Latin terms switch to feminine forms, and Attis becomes a 'she'. There is a miraculous transformation of the body, where Attis has snow white hands (*niveis minibus*), tender fingertips (*teneris digitis*), rosy lips (*roseis labellis*), and a quavering voice (*linguis trepidantibus*). [219] These descriptions indicate that Attis has softened into a feminine form, his strong hands and voice transforming into a gentle maiden unaccustomed to hard work. Yet Catullus, despite changing the noun genders and assigning these marks of femininity to Attis manages to twist the understanding of gender into a form rejecting the either/or male/female binary. He describes Attis as *notha mulier* false woman. This indicates that Attis despite these physical changes does not fit into the proper category of woman. Attis in his laments questions his gender by asking, "What kind of human figure have I not undergone? A woman I, a young man, an ephebe, a child (young boy)."[220] This lament is striking because the answer is that he shall never become a *vir,* a man.

Each of these roles is presumed to be passive within the Roman context, under the dominion of others. Indeed Attis is now under the dominion of Cybele, as *famula,* or female attendant to the goddess. *Famula* is a loaded word in this context, since one of the other meanings is 'slave,' allowing the audience to read a double meaning into the change of Attis' status due to these actions. When he expresses his regret in becoming Cybele's servant, the

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[219] Catullus, Poem LXII, line 7, 10, 29.

[220] Catullus, Poem LXIII, line 63. "ego mulier, ego adolescens, ego ephebus, ego puer.." An ephebe is the stage of manhood before a young teenage male has grown a beard.

goddess releases her lions from her chariot to drive Attis back into the woods, refusing to let Attis escape from servitude.[221]

These all indicate that he is no longer a man, and that even if he attempted to try to regain the status of a *vir* he never would successfully be able to perform manhood.[222] There is no chance for him to be a man, a person that holds power and authority from a Roman perspective. Attis has deviated too far to ever be able to reclaim a full masculine status. Anthony Corbeill has a provocative argument concerning the symbolism of this poem: he argues that in writing this poem Catullus is symbolizing the metaphorical disempowerment of the male elite during the Late Republic. Attis compares himself to tragic Greek heroines, which allows the male audience to temporarily identify with them.[223] This metaphorical unmanning of the Roman elite reflects the time period in which due to the fierce competition for political positions alliances were necessary to gain power.[224] Referring back to the enmity between Cicero and Clodius, alliances could make or break one's career. If it had not been for Pompey influencing the senate, Cicero might not have been able to return from exile.[225] The fact that Clodius was successful in passing a law that could warrant the legal murder of Cicero reveals what a dangerous situation politics had become in Rome.

Marilyn Skinner goes into more detail concerning the complicated gender relations within this poem. She sums up Foucault's argument that "Greco-Roman sexual relations are organized as patterns of dominance-submission behaviours that ideally replicate and even

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[221] Catullus, poem LXIII lines 75-90.

[222] Christina A. Clark, "The Poetics of Manhood? Nonverbal Behaviour in Catullus 51," in Classical Philology Vol 103 no 3, July 2008 pp 257-281, 267,

[223] Anthony Corbeill, *Sexing the World: Grammatical Gender and Biological Sex in Ancient Rome* (Princeton: Princeton University Press, 2015), 93.

[224] Wray, *Manhood,* 60.

[225] Plutarch, *Cicero,* 33.

confirm social superiority or inferiority."[226] This emphasis on Roman masculinity in a way transcends the simple gender binary by casting the Greek Other into the feminine role, so that even though Attis begins the poem as a male, due to his Greek status he is already effeminized from the Roman viewpoint.[227] Within the poem itself his femininity is emphasized, when Attis reflects upon his past as an *ephebe*. His lament reminds the audience that he was once 'flower of the gymnasium,' with men crowding his doors to seduce him.[228] Already as a young man he was in the passive role being pursued by the older men. So when he asks after if he is to be a 'male unmanned' (*ego vir sterilis ero?*) this is ironic because before he had not acted in the dominant position of a man. Skinner argues that Attis' castration is due to his desire to "remain a passive object of admiration" and that through his action he now is "undifferentiated" from the other passive love objects. Part of his charm was the assumption that he would grow out of the *ephebe* stage into a dominant male but, since he aborted that action he no longer has the potential to be a desirable love object.[229]

Often this poem is used to reinforce the idea of a Roman gender binary as Catullus changes the noun usage into feminine forms the moment Attis has castrated himself. Indeed Corbeill argues that because Attis does not use neuter nouns, it gives lie to the argument that a 'third sex' could exist in Ancient Rome.[230] He references Yan Thomas, who also argues that due to the inheritance laws of Ancient Rome the law did not leave room for the concept of a third gender. Thomas argues that the Romans used the "division of the sexes" as a "fundamental tenet

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[226] Marilyn B. Skinner, "*Ego Mulier*: The Construction of Male Sexuality in Catullus," in *Roman Sexualities* edited by Judith P. Hallett and Marilyn B. Skinner (Princeton: Princeton University Press, 1997), 135.
[227] Skinner, "*Mulier,*" 136. This can also be seen in the concept of Orientalization, where the Asian man is viewed as effeminate.
[228] Catullus, LXIII, lines 63-64. "Ego gymnasi fui flos, ego eram decus olei. Mihi ianuae frequentes, mihi limina tepida.."
[229] Skinner, "*Mulier,*" 137.
[230] Corbeill, *Sexing,* 93-94.

of the legal system", where sexual division was a "norm." [231] Accordingly the Romans drew

"artificial boundaries where natural distinctions failed" in order to distinguish between man and

woman. In order to reinforce this view he brings up the topic of hermaphrodites. He uses various

examples of legal controversy in order to establish the idea of gender, quoting for example

Ulpian saying that the decision to give a gender, such as male, is based "on condition that his

virile organs predominate." If the male organs did not then the hermaphrodite was classified as a

female.[232] He does acknowledge that ancient physicians did not hold this point of view of a

gender binary, since they were not obligated to adhere to follow such a strict classification

system.[233] However for the Romans gender division was necessary not only for important

religious roles, such as *pontifex maximus*, as well as military and political roles, where there were

no women soldiers or senators.[234] Thomas in focusing upon the law overlooks literature as able

to express a different view of gender. In questions of legal power it was necessary to conform to

the Roman norms of masculinity.  Yet when it comes to the Gallic priests, who did not need to

conform to masculine ideals, they step outside the bounds of the law simply because it does not

apply to them in the same manner.

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[231] Thomas, "Division," 83.
[232] Thomas, "Division," 85.
[233] Pliny the Elder, *Natural History,* 7.3-4. Galen, and C. G Kuhn. *Claudii Galeni Opera Omnia,* (Hildesheim: G. Olms, 1964),  p. 453. "Hermaphroditus complexus est masculine fexus ac feminei etiam utroque genitale proprium obtinent."
[234] Thomas, "Division," 85.

## The Non-Citizen Priest

Poem 63 is based off the cult of Cybele, where it is well documented that her priests castrated themselves. The Roman reaction to these priests raises questions as to how gender was constructed in their society when it came to persons that did not fit into neat categories. In serious political interactions, such as acting as messengers or intermediaries during war time, their strange gender status typically was not commented upon and they were treated with respect.[235]  A law was enacted  by which Roman citizens were not allowed to join the cult, which indicates that citizens were flocking to this new cult to willfully unman themselves. This law indicates that the Cult of Cybele was popular enough to cause concern amongst the Roman elite, enough to have an influence upon the power structures within the society. [236] Working to 'Other' the cult helps build a feminine cultic identity that does not correspond to the Roman masculine ideal.

The Gallic priests, however, stood outside of the law. As they were not considered to be Roman citizens, the strict gender laws did not necessarily apply to them. Other ancient literary authors use interesting words to describe the Gallic priests, which clearly indicate that they did not fit a male/female binary. Descriptions of the Gallic priests place them in an effeminate role. Their dress included flowing robes, long hair, jewellery and makeup.[237] Often they are considered on par with public performers, where Romans considered them to prostitute themselves.[238]

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[235] Lynn E. Roller, *In Search of God the Mother: The Cult of Anatolian Cybele,* (Berkeley: University of California Press, 1999,) 230.
[236] Roller, *God the Mother,* 290.
[237] Maarten J. Vermaseren, *Cybele and Attis: The Myth and the Cult,* (London: Thames and Hudson, 1977), 97.
[238] Roller, *God the Mother,* 301-302.

They were an active cult in Rome and each year participated in the Megalesia festival, which involved a public procession throughout the city.[239] Various Latin texts describing them provide an interesting insight as to how the Romans themselves attempted to understand where they fit on the gender spectrum. The terms are *semivir*, half men, and *semimares*, half women. Their status is liminal, unable to fully perform on either side of the gender spectrum falling somewhere in between where the normative terms of man or woman do not quite apply. Reinforcing this view point is Lactantius, who describes them as "*nec viros… nec feminas*," neither men nor women.[240] Valerius as well claims that they are "*neque virorum… neque mulierum*," neither men nor women.[241] Thus, trying to easily fit Attis into the role of a woman does not work in a Roman context. The Gallic priest inhabits a liminal role between genders that questions even what role gender plays within society.

The priests' femininity is grotesque to the Romans, because it undermines the patriarchal power structures of their society. Men who do not pursue to perform the ideal masculine role question the basis of how a Roman man is expected to act. Yet they fail to enter the category of women, they are unable to perform the expected duties as wives and mothers. They are not quite women, not quite men, ambiguity given a physical reality. This awkward position may help explain the Roman discomfort concerning them. Latham suggests that the Romans used the Gallic priests to define their masculinity against.[242] Assigning an overly sexual persona to the priests is comparable to the idea of negative aspects of femininity where it is claimed to be insatiable with those possessing it having no control over their own desires. The fact that these

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[239] Roller, *God the Mother,* 288-9.

[240] Lactantius, and Mary Francis McDonald, *The Divine Institutes*, (Washington, DC: Catholic University of America Press, 1964), 1, 21, 16.

[241] Valerius Maximus, *Memorable,* 7.7.6.

[242] Jacob Latham, "Fabulous Clap-Trap': Roman Masculinity, the Cult of Magna Mater, and Literary constructions of the Galli at Rome from the Late Republic to Late Antiquity," in *The Journal of Religion* (2012) vol 84. 85, 88.

priests emphasized their artificial femininity[243] directly challenged the power of elite Roman men by providing an alternative to hyper masculine competitive manhood.

## Conclusion

Gallic priests sit awkwardly outside of the gender binary illustrating the conflicts between expectations of the gender roles. The femininity they display is not necessarily the femininity lived by Roman women; it is a deviant interpretation of the gender role which requires a notion of mobile gender to analyze it. Broadening the definition of how gender is capable of being performed and perceived by fellow citizens affected one's social position and power. Cicero is able to transform Catiline from an established man into a hermaphrodite by playing on the Roman discomfort concerning the idea of non-men to discredit his enemy. Mobile gender is effective as a means to prosecute someone because it played off fears of disempowerment. If an elite Roman male had to be hyper aware of how he presented himself in case he was to be portrayed as effeminate, it was necessary for him to make sure that these claims were unfounded. Clodius, by dressing as a flute girl, challenges the gender norms and presents an easy target for Cicero. It was not simply the fact that he violated a religious act, but that he also violated gender. This action directly challenged what made up the status of a Roman man, which Cicero was able to exploit in order to turn senators against him. In order for Clodius to succeed as a Roman politician, it was necessary for him to effectively perform masculine gender so that his enemies could not bring him down. His gender performance could help explain why he was so cutthroat in dealing with his enemies, and why Cicero worked hard to undermine his masculinity. If

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[243] Roller, *God the Mother,* 301.

Cicero had any hope of being successful in the political arena against Clodius, he had to undermine him in any way available to him.

This undermining of masculinity on the oratory stage is also reflected in Catullus' poetry. While Cicero and Catullus' situations were drastically different, they both found power in emasculating their opponents. Cicero's life depended upon emasculating Clodius, yet Catullus gives the impression that his situation was less precarious. Since he did not pursue a political career, it was possible for Catullus to have room to question gender while not putting his life in danger. Both of the men use defamation as a tool to maintain their masculine status. Viewing gender as a tool, something that is able to move along a spectrum to assert power, opens up questions concerning other literary works within the Roman corpus. Later works such as Petronius' *Satyrica* would benefit from a close reading of how the main characters, runaway slaves, are repulsed by the Gallic priests during an orgy scene. Is the insinuation that their status as runaway slaves is one of more power than a Gallic priest? Is Petronius just playing the scene for laughs? It would also be helpful to explore how the ideal masculinity norms changed throughout the time period of the empire and understand how those changes are reflected in sources that talk about the Late Republic.[244] Understanding gender as an interactive performance which relies upon the perception of the social group allows the use of defamation to take on layered meanings. If one is successfully defamed, one's masculine power is removed, as well as one's belonging in a social group. Breaking out of the binary can give a new depth to these works which can itself be used as a tool to explore Roman writing from oratory to poetry.

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[244] Something else to consider is the idea of "bad emperors" and how they are effeminized by later texts, such as Tacitus. Was Nero really as outrageous as reported, or is there another agenda to remove his dominant power?

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**Appendix: Diamond Gender Chart**

**Positive Traits**

**Masculine**

**Feminine**

**Negative Traits**

Politics.
Military service.
*Paterfamilias*.
Voting.
Generosity.

Self-Restraint.
Pudor.
Potestas.
Religious Piety.
Duty.
Respect for *gens*.

Weaving.
Producing children.
Maintaining the
*domus*.

Hyper-Masculinity
(Over performance
of positive traits)
Failure to express
proper authority
(being submissive in
the wrong situation.)

Debauchery/Vice.
Lack of Self Restraint.
Disrespecting Authority.
*Stuprum*.
Deviancy from Ideal Norms.
Disrespecting the *gens*.
Violating Sacred rites.
Crossdressing.
Greed.
Excessive Luxury.

Not producing
children.
Not maintaining the
*domus*.

**Legend**
*Shared traits between
Masculine and Feminine are
contained within the diamond.
*Outside of the diamond are
the positive/negative traits
which are understood as
gender specific.