

Clodius' Impiety and the Roman Civic Cult

When P. Clodius Pulcher decided to violate the rites of the Good Goddess in 62 B.C., he committed one of the most famous acts of sacrilege in Roman history. His conduct was so extraordinary that when the grammarian Festus (or his source, Gallus Aelius) defined "impious" (*religiosus*), the first example that he cited was "a man entering the sanctuary of the Good Goddess." Yet the problem Clodius presented to the Roman community was significant, because it was not at all clear what, if any, response Clodius' behavior warranted from the civic leadership in Rome. As John Scheid pointed out ("Le délit religieux dans la Rome tardo-républicaine," in John Scheid, ed., *Le délit religieux dans la cité antique*, 1981), very frequently impieties were expiated by sacrifice, but punishment of the impious was left to the gods. Philippe Moreau's thorough study (*Clodiana religio: un procès politique en 61 a.v. J.-C.*, 1982) painstakingly reconstructs the legal issues and political maneuvering that emerged in the decision to bring Clodius up on charges of incest. More recent examinations, such as those of Tatum (*The Patrician Tribune*, 1999), acknowledge that the reaction to Clodius' behavior demonstrated that the Romans of the late republic were very interested in religious matters, yet the focus of scholarly analysis has been on the political maneuvering among the Romans that brought Clodius to trial and then acquitted him.

My purpose here is to show that the the Bona Dea affair reveals how the Roman civic cult drew a boundary between pious and impious behavior in a changing religious environment. While political rivalries became involved in the process, religious matters lay at the heart of the debate. The decision to involve the senate in the matter seems to have been made by one man alone, Q. Cornificius, who does not seem to have had allowed a political rivalry with Clodius to influence him. The senators responded by calling in the pontiffs and the Vestals for advice, which, in turn, led to a clear line being drawn: it was impious for a man to be present at the rites of the Good Goddess. The senate next worked out what measures to take against Clodius. Most senators were determined to prosecute Clodius and worked through the problem of creating a charge against him and staffing a court to try him. This reveals the ability of the senate as an institution to develop in the face of the religious changes that were occurring in the Roman world in the first century B.C. The senate's decision to try Clodius was inseparable from its determination to protect the functioning of traditional religion in a world in which the civic cult was less predominant in the religious marketplace. Furthermore, the trial inaugurated a period in which the senate took more stringent measures to defend a religious establishment that seemed to be threatened. For instance, after Julius Caesar's turbulent consulship, the senate offered Caesar the opportunity to have all of his laws put on a more legitimate footing by enacting them again in situations that left no doubt that the Romans had used the proper civic and religious forms. Clodius' own *Lex Clodia de agendo cum populo*, frequently characterized by Cicero as an assault on the auspices, actually served to draw a clear and defensible line between proper and improper procedure. Finally, when the adherents of the Egyptian gods tried to pressure the senators into allowing them to have altars within the pomerium, the senators reacted strongly and demolished sacred structures that had been erected without following the proper forms.