

Clodius' Monument to *Licentia* in Cicero's Orations

The rivalry between M. Tullius Cicero and P. Clodius Pulcher is one of the more famous sequences from Cicero's career. The origins of the rivalry date perhaps back to Clodius' breach of the rites of the Bona Dea (*Dom.* 104-105); the two are in full and open opposition once Clodius became tribune of the plebs and secured Cicero's banishment from Rome. After Cicero left Rome, Clodius confiscated his Palatine home, converting it into a new shrine to Libertas. When Cicero returned to Rome over one year later, he was hard pressed to regain his property from Clodius and brought the matter before the college of pontiffs in a speech known as the *de Domo Sua*. If Cicero successfully convinced the pontiffs, it would mean deconsecrating the shrine to Libertas.

Clodius had supposedly consecrated Cicero's former house with the help of L. Pinarius Natta, his brother-in-law and only recently a pontiff (*Dom.* 117-118). The image of Libertas in this new shrine — provided by Ap. Clodius — came from the tomb of a Tanagran prostitute (*Har.* 111-112). This, to Cicero, was unacceptable. Not only had Clodius' consecration been dubious in its own right, but Clodius' choice in cult image was a disgrace to *libertas* too (Arena 2012). Of course, knowing Clodius, none of this was to be unexpected.

Cicero's argument against Clodius was multi-pronged and only one part of it specifically questioned the statue and the consecration of Cicero's house. A seemingly separate aspect of his argument challenged Clodius' gender. Eleanor Leach's 2001 article, "Gendering Clodius," presents the argument that Cicero depicts Clodius as sexually deviant with questionably unmasculine tendencies. Tied up in this gendering is an eye toward Clodius' religious deviance, marked most (in)famously by the Bona Dea scandal of 62 BCE and his shrine to Libertas in 58. Part of the reason Cicero focused on these particular religious transgressions, Leach argues, was

to construct an image of Clodius whose masculinity failed to meet the standards of a Roman *vir* and thus to shore up Cicero's own status. This, I argue, is only part of Cicero's argument.

Leach is correct to point to Cicero's attempts to portray Clodius as sexually aberrant but the religious transgressions are not simply meant to further Cicero's gendering of Clodius nor to secure Cicero's status. Rather, I argue, Clodius' sexual and social habits, common for invective, are fuel to Cicero's case against the former tribune (Corbeill 1995). Clodius' violation of Bona Dea's rites, where he allegedly dressed as a woman to gain entrance (*Har. Resp.* 44; Schultz 2006), only prove the lengths to which his depravity could go (Gagé 1963; Tatum 1999). He was determined enough to violate these restricted rites that he violated Roman norms of dress and *religio*. Moreover, returning to the statue of Libertas, his selection of an image of a prostitute stands as a monument to the *licentia* of his tribunate which led to the confiscation of Cicero's house (*Dom.* 46-47; *Leg.* 2.42; Achard 1981; Lennon 2010; Rüpke 2018; Stewart 2006).

When Cicero questioned Clodius' *religio*, he questioned his scruples; Clodius' own history demonstrates, most obviously in his manifest habits of sexual and gender transgressions, that the former tribune lacked any scruple. Thus, in order to persuade the pontiffs that Clodius' consecration was ill-performed, Cicero recalls such transgressions, in addition to the potential errors in the consecration itself, establishing that Clodius lacked the scruple necessary to perform a proper consecration. Cicero ultimately persuaded the pontiffs to return his house, but his rivalry with Clodius, and the gendered invective, would continue for years.

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