

The Playboy That Brought Down a Republic? An assessment of the importance of Clodius Pulcher in the fall of the Roman Republic.

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Whilst every generation – if not every political term – weathers seemingly extraordinary and world changing events, there are really very few phenomena that can be said to shape the course of human history. The fall of the Roman Republic can be counted amongst these, ushering in a new era to the western world that would last for centuries. It quickly becomes difficult to isolate one cause for such a far-reaching event; even the assassination of Caesar was the product of a multitude of actions before it, and the eventual creation of an Augustan state (27BC) was still contingent on multiple actors after this point as well. At the point that history becomes more complex than one cause to one effect, it can be accepted that it is difficult to ask if one individual was more important than the others in the Republic falling when it did, and more pertinent instead to separate those who were crucial players from the spectators. Nevertheless, Clodius Pulcher seems an unlikely agent to be included in the former category; a man whose biggest claim to fame in 62BC was the scandal he caused by invading the female-only Bona Dea festival whilst disguised as a woman. Cicero described his ascension to politics with the words ‘*P. Clodius a crocata, a mitra, a muliebribus soleis purpureisque fasceolis, a strophio, a psalterio, flagitio, a strupo est factus repent popularis.*’¹ **Publius Clodius, from his saffron dress, from his head-band, from his effeminate sandals and purple ribbons, from his bralette, from his lute, from his shameful crime, from his sexual aggression has suddenly been made a populist.**² Hardly the most auspicious start in the hyper masculine world of Roman power. Clodius, however, delighted in challenging assumptions and his actions - from reclaiming the Tribune of the Plebs from being a dead-end political position to challenging the social hierarchy he was part of – reflect this. Indeed, his admirers suggest that it was his ability to translate his larger than life persona into social and political power that gave him such unique authority³ and to assess how great a part this played in the fall of the Republic, the major actions of Clodius within both these fields must be considered. Whilst the counter argument that Rome’s republic – overstretched, corrupt and complacent – was simply predisposed to failure should not be ignored, ultimately this essay will find Clodius as irrepressible today as he was two millennia ago and conclude him to be a figure worthy of remembering alongside such names as Caesar and Pompey.

¹ Cicero. *De Haruspicum Responso*.44.

² Translation by Jessica Curry

³ Leach, Eleanor Winsor. *Gendering Clodius*. The Classical World, Vol 94, No 4, 2001. p338

Of course, by the 1st Century BC, Clodius's republic was very different from Plato's. Whilst it is appealing to think of it as a blue print for democracy today, in it it much more resembled the political system of Britain in the 19th century, with the power resting firmly in the hands of the noble and wealthy. Votes were weighted to allow the aristocracy to have a greater say in elections than most citizens (who made up the plebeian class) and of the two political houses – segregated by class – it was traditionally the elite-filled Senate that had the real influence, not the Tribune of the Plebs. By the last few decades of the Republic, even this heavily controlled political landscape had become increasingly fragmented and vicious, with politicians splitting into two groups – the traditionalists, who aimed to preserve the old-fashioned power dynamic, and the populists, who stood for greater empowerment of all citizens.

It was against this backdrop of political and social turmoil that Clodius entered the Tribune of the Plebs in 59BC. Here he played a vital role in facilitating Caesar's – a populist and eventual '*dictator perpetuo*' 'dictator for life' – success in the Senate, at a time where his position was a precarious one. Caesar's consulship of 59BC was one that, in the words of Plutarch, '*upset the aristocrats... [b]ut the people loved it.*'⁴ Significantly, he introduced land grants for homeless citizens within Rome, which secured his reputation as a populist and made him particularly popular with veterans, who often found themselves on the streets after long campaigns. His strength was only increased by his move to set himself up to lead troops in Gaul for an unprecedented 5 years after leaving his consulship, which created '*immediate and irrevocable change ... to his personal fortune and status*'.⁵ His success here brought him social sway with the masses – as evidenced by the fifteen-day thanksgiving ceremony bestowed on him on his return, the longest for a general in the Republic's history. Moreover, it created a military that held loyalty to him over the Senate because he had not only been their commander for five years but had been the only one to ensure them a home on return. These things were important to allowing him to win the Civil War both in terms of achieving the military victory and the people's support after this point. Indeed, as Tom Holland argues, this preparation meant that by the time Caesar crossed the Rubicon the fate of the Republic was sealed.⁶ However, in 59BC Caesar's populist policies were at odds with the *boni* (the traditionalist faction) in the Senate, culminating in Caesar bypassing the predominantly traditionalist Senate altogether and appealing to the public assemblies to pass these acts. In response, the other consul Bibulus exerted the power given by '*Lex Aelia et Fufia*' to name all days in the year unfit for politics. Because of this, as powerful as he was set up to be,

⁴ Plutarch. *Caesar*. 14.6. Translation; Pelling, Christopher. *Plutarch Caesar: Translated with an Introduction and Commentary*. Oup Oxford, 2011. p86.

⁵ Goldsworthy, Adrian. *Caesar*. Hachette UK, 2013. p 434

⁶ Holland, Tom. *Rubicon: The Triumph and Tragedy of the Roman Republic*. Abacus, 2004. pxxii.

Caesar was in danger of losing all the progress that he had made in the Senate; with an unfriendly Senate jury and no supportive consuls, all his legislation could have been declared illegitimate in 58BC. Crucially for Caesar, Clodius took to the Tribune of the Plebs in the December of Caesar's consulship. This tribune acted as the biggest check on the power of the Senate in Rome, most significantly due to the tribune's ability to veto any action taken by a consul – namely in defence of plebeian interest. Clodius therefore had a unique ability to protect Caesar's legislation from the repeal of traditionalists without any of the restrictions of a typical populist within the Senate.

Critics describe Clodius's role here as that of a blunt tool, arguing that it could have been fulfilled by anyone. Certainly, methods of underhand blocking of legislation were not unheard of, with even the principled Cato having been said to cover the mouth of a speaker to prevent an act being passed.⁷ However, to describe him as little more than a block would be to ignore how he maximised his power as an independent agent; Clodius's shaping of the Republic went further than indirectly empowering Caesar, he was also acting for himself. It is because of these autonomous actions that Clodius is described as '*one of the most innovative politicians in western history*'.⁸ One of his first actions was to pass '*Lex Clodia de Civibus Romanis Interemptis*' that set out '*qui civem Romanum indemnatum interemisset, ei aqua et igni interdiceretur*'. **'He who has slain a Roman citizen without trial, is forbidden from food or fire'**. The spirit of this was to revoke the protections of Roman citizenship from the subject, namely the right to life. This was a stunningly in-tune way to take out Cicero who was a leading member of the *boni* as well as a personal enemy to Clodius. To have attempted to directly take him on would have been difficult due to his renowned oratory skills and Senate backing, but by imposing a piece of retroactive legislation, targeting him for the killing of the Catiline conspirators in 63BC, Clodius allowed the man to be chased out by his populist mobs, using a threat of the violence that was to become his staple. At the same time, he outmanoeuvred Cicero's counterpart, Cato, by giving the politician the lucrative role of commander of Cyprus, an island which Clodius himself had newly annexed. Whilst Caesar's attempt to deal with the argumentative traditionalist was ineffective – by throwing Cato in jail, Caesar only made him a martyr of his cause – Clodius's method was far more successful. Not only did it remove Cato from Roman politics for over two years but also caused him, in accepting the role, to publicly support the legitimacy of Clodius's position and therefore his populist acts. These moves, dependent on Clodius's individual brand of politics,

⁷ Fox, Robin Lane. *The Classical World: An Ancient History of Greece and Rome*. Penguin, 2006. p384

⁸ Dyson, Stephen L. *Rome: A Living History of an Ancient World*. JHU Press, 2010. p7

were important to the fall of the Republic as they got rid of its most vocal defenders in a crucial period of change.

Again however, the importance of Clodius's own role is undermined. Cassius Dio portrays the banishment of Cicero as being orchestrated by Caesar.⁹ However, his portrayal of a secret agreement between Caesar and Clodius seems based more on conjecture than evidence and it is at points such as this that it should be remembered that Dio wrote centuries after these events. Furthermore, Clodius bragged about having backing of the First Triumvirate when he hounded Cicero out of Rome, whilst at the same time Pompey had made an agreement to protect Cicero¹⁰; if there was a plan it was uncharacteristically poorly strategized. Therefore, it is more plausible that the bragging was a bluff on Clodius's part as Cicero himself hypothesized to his friend Atticus.¹¹ Clodius's political actions were responsive to a changing Rome and so surely could only have been made in the moment and with his own initiative. The unwillingness of some historians to acknowledge his role could be more due to a disparity between his juvenile invasion of the Bona Dea festival and the political genius he displayed, than any factual basis.

Having found a position from which he could work without Senate approval, Clodius was able to set about undermining individual power within the institution, fundamentally subverting the nature of the Republic. '*Lex Clodia de Auspiciis*' prevented magistrates from dissolving assemblies by interpreting the auguries, as Bibulus had done against Caesar. Repealing this, and pulling back the power of the censors through a similar law '*Lex Clodia de Censoribus*' had the effect of removing some methods for traditionalists to preserve their interests and the status quo from the work of nonconformists like Clodius. It is because of his far-reaching impact on other important characters within the Republic, and indeed the system itself, that Clodius cannot be ignored as an important political figure.

Furthermore, Alston argues that Rome's power structure can be seen as a series of networks in which political power was dependent on social influence and military power and vice versa.¹² Just as Caesar upset the balance of the Senate by going to the People's Assembly, so Clodius too upset these wider networks. Clodius did maintain some power from his aristocratic position; despite the fall-out of the Bona Dea scandal and converting to a pleb, he remained a Claudian in the eyes of the aristocracy and maintained a level of *auctoritas* from this. With this came rough

⁹ Cassius Dio. *Roman History. Book 38.12.1*. Translation; http://penelope.uchicago.edu/Thayer/e/roman/texts/cassius_dio/38*.html accessed 24/03/17

¹⁰ Lintott, A.W. *P. Clodius Pulcher – Felix Catilina?* Greece & Rome, Vol. 14, No 2, 1967. p163

¹¹ Gruen, Enrich. *P. Clodius: Instrument or Independent Agent?* Phoenix, Vol. 20, No 2, 1966. p126.

¹² Alston, Richard. *Rome's Revolution: Death of the Republic and Birth of The Empire*. Oxford University Press, 2015. p10

alliances with his brother and the three houses his sisters married into. However, what gave him unprecedented power within Rome was gaining additional influence by drawing it socially and militarily from the plebeians. In his fifth law, the *'Lex Clodia de Sodalitatibus'* he repealed a ban on meetings of semi-political groups, using his political power to facilitate the use of his social influence by allowing assemblies of his own violent supporters to gather. Just like when he got rid of enemies like Cicero and Cato, he used these mobs to target traditionalists who may have otherwise furthered the *boni* cause. This has a secondary importance – states after all exist to remove the need for violence in disputes. Cicero laid out in his description of the ideal republic, *'nec vero tam metu poenaeque terrentur, quae est constituta legibus, quam verecundia, quam natura homini dedit quasi quendam vituperationis non iniustae timorem.'*¹³ **'[a Roman citizen should be] not in truth so much deterred by fear and punishment, which is the arrangements of laws, but from knowing one's place and from the nature given to men as if a certain fear of censure with no injustice.'** When Clodius settled his disputes with guerrilla force rather than debate, he undermined a structure settled on Roman values and so caused a regression and disintegration of society as the Romans knew it. Even to ignore the violence that defined his later politics, Clodius's title of *'The King of the Roman Streets'*¹⁴, was significant in the fall of a system which until this point had not allowed any one person to hold too much power.

The creation of a presence of violence and disorder undermined the concept of natural power of the Senate, a significant change within Rome. The gang wars in the streets that Clodius was involved with, firstly against Pompey and then Milo, continued past his own death – a discord that once created would not be put to rest until the beginning of the reign of Emperor Augustus. Even senators had to fold to it. Cicero attempted to defend Milo's murder of Clodius with the phrase *'inter arma enim silent leges'*¹⁵. **'For amongst [times of] war, the laws fall mute.'** Whilst his defence was ultimately unsuccessful, likely due to the extreme public pressure from Clodius supporters, this was a concession from a traditionalist that the laws and therefore the structure of Rome was unbalanced by Clodius's actions. Imagining such a state of civil unrest, perhaps comparable to war-torn states we can observe today, it becomes more understandable that a public defined by their hatred of kings would eventually accept the stabilising reign of the 'serene' Augustus; as Lucan later noted *'cum domino pax ista venit.'*¹⁶ **'This peace came with a master.'**

¹³ Cicero. *De Re Publica*. Book 5.6

¹⁴ Billows, Richard A. *Julius Caesar: The Colossus of Rome*. Routledge, 2011. p167

¹⁵ Cicero *Pro Milone*. 4.11.

¹⁶ Lucan. *Pharsalia*. 1.670

Alternatively, such a reading of the fall of the Republic may be unfair on Rome's populace, overstating their passiveness. There had been previous revolutionaries; Clodius himself had stood against the unsuccessful coup of Catilina (a disenfranchised aristocrat, deep in debt himself, who had tapped into the public's desires by promising to overthrow their debtors). But Clodius's flame burned brighter and longer and unlike the others, his support was not just of ex-soldiers; Cicero wrote despairingly to Atticus in his letters as early as 59BC '*populares isti iam etiam modestos homines sibilare docuerunt.*'¹⁷ **'These populists have taught even quiet men to hiss.'** Clodius tapped into the need of the disenfranchised to feel powerful – in treating the plebeians as important political actors he only highlighted that no one in the 'establishment' had. Their resentment at the state and its control by the senators only grew as grain shortages – in reality caused by Clodius's own '*Lex Clodia Frumentaria*' which distributed free grain to the poor at an unfeasible rate– became rife. Additionally, his sway was drawn from his larger than life identity. In a world of puritan 'Cato's and hypocritical 'Verres'es, Clodius was a maverick. His invasion of the Bona Dea festival was perhaps something many would have liked to do – a blatant disregard of the establishment and its rules. His escape from punishment afterwards made him a hero and when he openly rejected his patrician roots, becoming adopted by a plebeian family, he became the *people's* hero. His larger than life identity was one that could not be put down; his cross-dressing and rumoured sexual promiscuity only made him more famous. According to Edwards, his memorable character created a 'potency' to his political influence and enabled it to continue upsetting the Republic long after his death.¹⁸

This potency makes Clodius a unique character within the first century BC. Citizens like Catilina had been accused of plotting to overthrow the Senate before, and must even have had a degree of public support to be a threat - but this support soon dissolved in the aftermath of his downfall, if the numerous copies of Cicero's *In Catilinam* can be taken as an estimate of his overthrower's popularity. By contrast, Clodius' death caused so much anger and chaos that it can be cited as the conclusive reason that Pompey was given the emergency role of sole consul to ensure order.¹⁹ This in itself can be taken to have provoked the civil war, as such a move inflamed Caesar's sense of *dignitas*, and therefore some suggest that it was due to this slight that he declared war. Even out with this, the arson attack on the Senate by the masses and subsequent cremation of Clodius's body in the flames of the Senate is highly symbolic of his influence as a whole. This act of aggression by the public can be seen as the final proof of their

¹⁷ Cicero. *Ad Atticum* 2.9

¹⁸ Edwards, Catharine. *The Politics of Immorality in Ancient Rome*. Cambridge University Press, 2002. p47

¹⁹ Gruen, Erich. *The Last Generation of the Roman Republic*. University of California Press, 1976. p233

disillusionment with the principles of the Republic in response to the fact that it was the Senate's men that killed the people's hero. Clodius's popularity created a legacy within society that changed it forever, ensuring that the Republic had no hope for its continued existence.

In 1939, Syme published a highly contended but undoubtedly highly influential work – ‘*The Roman Revolution*’. Within this he put forward a view contrary to that of this essay, hypothesising that the Republic's collapse was ‘*inevitable*’ since ‘*the system that controlled the Republic had outlived its usefulness*’.²⁰ Indeed, when Rome's political system was first introduced it was to govern a small and provincial city. After the three Punic Wars, which climaxed in Rome's raising of Carthage in 146BC, their empire expanded to territories outside Italy, its wealth – evidenced by an explosion of well-built roads across these lands – boomed and Rome's political system was faced with the demands that came from governing the Mediterranean's greatest superpower. Even as its imperial power grew, Rome's political system became narrower; in the 80s BC Sulla passed legislation that diminished the role of Tribune of the Plebs to the extent that all real control rested in the Senate, with the effect of wrenching power from the hands of everyday citizens.²¹ This could only be an effective form of governance had the ruling classes resembled that of Plato's Republic, having the intelligence and selflessness to be willing to put the needs of the whole state above their own; however the aristocracy of Rome could not be said to share these characteristics. Because access to the Senate was a birth right from Rome's class system, rather than a meritocracy, and there was no system of accountability for senators to be removed, a laziness was allowed to pervade the Senate. In a way, this must have been worse even than the Empire's imperial family because senators as part of a group lacked a singular person of authority and so did not necessarily feel individually culpable for the actions of the Senate. This inherent sloth became deadly on a large scale, especially as individuals were allocated to be sent to rule colonies on behalf of Rome as praetor. Often, they ruled people who were not full Roman citizens and so did not have the same rights; because of this, exploitation was easy and corruption rife. Whilst the *Lex Calpurnia* of 49BC attempted to reduce this by establishing permanent courts for bribery, these were ineffective as the courts were often presided over by the same official that the allegation was laid against. Woolf questions whether ‘*the activities of Caesar, Pompey and Crassus did not arouse more opposition outside the senatorial elite [because] the system they had overthrown was clearly badly broken already*’ as ‘*there was an incoherence built into any system that worked by delegating the power to make major decision to individuals without imposing on them any discipline*’.²²

²⁰ Syme, Ronald. *The Roman Revolution*. OUP Oxford, 2002. p9.

²¹ Abbott, Frank Frost. *A History and Description of Roman Political Institutions*. BiblioBazaar, 2016. p103

²² Woolf, Greg. *Rome: An Empire's Story*. Oxford University Press, 2012. p136.

Of course, as money began to rapidly flow into Rome, it predominantly benefitted the ruling classes rather than the soldiers below them. At the same time as the wealth of small proportion of citizens boomed, it was the plebeian class that was expected to bear the burden of Rome's expanding Empire. The heavy tithes that were enforced to finance Rome's war were exploited by corrupt *publicani* (tax collectors) from the aristocracy, so that citizens had even less wealth of their own. Plebeian soldiers were not only unrewarded for their work for Rome, but ultimately disadvantaged by it due to the legacy of the Second Punic Wars as after these long campaigns, soldiers often had to sell their farms at a discounted rate to settle debts built up during their time away. These were bought up by landed aristocracy at cheap rates and farmers were replaced by cheap slave labour – another product of Rome's growing empire. This created masses of unemployed citizens, no longer able to support themselves within Rome's society, and so without rural property came, homeless, to the city itself. In these ways, the spread of Rome's empire catalysed a descent of the state into a badly run and socially fractured Republic. Syme would argue that it was these structural failings which created a mood of dissatisfaction amongst citizens and therefore that Clodius's importance is severely reduced. However, even with the discontented public mood that existed, it was only Clodius that was able to put this to the state-shattering use we have observed. His importance in the fall of the Republic remains undiminished within this area.

The other major aspect of the Republic's structure to consider was her relationship with her military establishments – something shaped by Marius's army reforms at the end of the second century BC. Significantly he altered the property requirements of entry to allow men from the lower classes to enter the force, allowing the army to become a body not for the elites to perform civic duty but for the ambitious poor to rise socially and economically with the prospect of raid loot, changing the hierarchy structure within Rome. Furthermore, this ambition, along with Marius's reforming of the army to fit a cohort system, meant that whilst the army became a more effective fighting body, the loyalties of the army switched from the state to their commanders. Beard confirms that '*when the soldiers of Julius Caesar followed their leader and invaded the city of Rome, it was partly because of the relationships between legions and commanders forged by Marius*'.²³ Indeed the reforms were what allowed him to have access to his army which increased his stature and pride. His *dignitas*, built up by this, led him to start a civil war and the intense loyalty of his men ensured that he would win. However, as Beard's use of the word 'partly' acknowledges, whilst this analysis of Marius Reforms' reveal the weaknesses of the Roman Republic which was undoubtedly important, it does not undermine the political importance of other actors too; after

²³ Beard, Mary. *SPQR: A History of Ancient Rome*. Profile Books LTD, 2015. p268.

all, Clodius still had to ensure that Caesar had access to the army in the first place. Furthermore, even with the civil war, the republic may have survived were the public not so willing to embrace a single leader after the fight and this was due to the destabilisation and inspiration from Clodius as a social revolutionary. Therefore, whilst Syme – and indeed the later classicists he inspired – present an ‘*extremely persuasive and interesting*’ case²⁴, this essay can only take the view of the earlier cited Gruen, who in her most famous book, consciously rejects Syme’s theory and reminds us that it is the personalities and people of the Late Republic, including Clodius, who ultimately were responsible for bringing it down.

It must be remembered that just like our political equivalents today, Clodius’s status as a populist who utilised the support of the people, did not mean he acted for the sake of them. Clodius effectively used the public as a tool to disrupt the status quo for his own sake and his own power. Ultimately history shows us that this destabilisation was not one that could be utilised by the disenfranchised and downtrodden ordinary people but by other individuals of great power such as Pompey, Caesar and Octavian, between whom power was passed until Rome was re-stabilised and recreated into an Empire. Could such an outcome have emerged from a more stable society, with a more capable Senate and a less powerful Caesar? This essay concludes that it could not; whilst the Roman Republic has been shown to be an imperfect model, it was not a doomed one. No matter what field of Roman life was considered, it was the irrepressible Clodius that brought an end to the status quo there and so due to his exclusive ability to capitalise on political and social power – a man who it ‘*is simply quite impossible to imagine Roman politics in the 50s without*’²⁵ – he must be recognised as one of the irreplaceable characters within the fall of the Republic.

Bibliography

Primary Sources

Cassius Dio. *Book 38*. Translation;

http://penelope.uchicago.edu/Thayer/e/roman/texts/cassius_dio/38*.html

²⁴ Bowra, Maurice. *Folio Prospectus* 2009. p24

²⁵ Tatum, W. Jeffrey. *The Patrician Tribune: Publius Clodius Pulcher*. UNC Press Books, 2014. p245

Cicero. *Ad Atticum*.

Cicero. *De Haruspicum Responso*.

Cicero. *De Re Publica*.

Cicero. *Pro Milone*.

Lex Clodia de Civibus Romanis Interemptis.

Plutarch. *Caesar*. Translation; Pelling, Christopher. *Plutarch Caesar: Translated with an Introduction and Commentary*. Oup Oxford, 2011.

Secondary Sources

Articles

Bowra, Maurice. *Folio Prospectus 2009*.

Gruen, Enrich. *P. Clodius: Instrument or Independent Agent?* Phoenix, Vol 20, No 2.

Leach, Eleanor Winsor. *Gendering Clodius*. The Classical World, Vol 94, No 4.

Lintott, A.W. *P. Clodius Pulcher – Felix Catilina?* Greece & Rome, Vol. 14. No 2. Marsh, Frank Burr. *The Policy of Clodius from 58 to 56 B.C.*

Books

Abbott, Frank Frost. *A History and Description of Roman Political Institutions*. BiblioBazaar, 2016.

Alston, Richard. *Rome's Revolution: Death of the Republic and Birth of The Empire*. Oxford University Press, 2015.

Beard, Mary. *SPQR: A History of Ancient Rome*. Profile Books LTD, 2015.

Billows, Richard. *Julius Caesar: The Colossus of Rome*. Routledge, 2011.

Dyson, Stephen L. *Rome: A Living History of an Ancient World*. JHU Press, 2010.

Edwards, Catharine. *The Politics of Immorality in Ancient Rome*. Cambridge University Press, 2002.

Fox, Robin Lane. *The Classical World: An Ancient History of Greece and Rome*. Penguin, 2006.

Goldsworthy, Adrian. *Caesar*. Hachette UK, 2013

Gruen, Erich. *The Last Generation of the Roman Republic*. University of California Press, 1976.

Holland, Tom. *Rubicon: The Triumph and Tragedy of the Roman Republic*. Abacus, 2004.

Syme, Ronald. *The Roman Revolution*. OUP Oxford, 2002.

Tatum, W. Jeffrey. *The Patrician Tribune: Publius Clodius Pulcher*. UNC Press Books, 2014.

Woolf, Greg. *Rome: An Empire's Story*. Oxford University Press, 2012.