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MILITARY RHETORIC
IN THE DESCRIPTION OF WOMEN'S BEHAVIOR
ON THE BASIS OF CICERO'S AND LIVY'S SELECTED TEXTS

According to rhetorical theory, the aim of every speech is to convince the audience to support the cause of which the speaker is an advocate. In the case of a court speech (*genus iudiciale*), the aim will be to convince the judges of the defendant's guilt (in the case of *accusatio*) or innocence (in the case of *defensio*). In an advisory speech (*deliberativum*), the politician delivering his text will try to persuade the audience (the senate or a popular assembly) to vote for (*suasio*) or against (*dissuasio*) the motion submitted. The situation will be similar in the case of the third type of speech—epideictic (*demonstrativum*).

In the present article I will analyze fragments of two texts of different provenance, representing different kinds of oration (*dissuasio* and *defensio*). It is somewhat difficult to locate them chronologically, since on the one hand we are dealing with a speech delivered in a specific historical setting, and on the other—with a literary genre involving a fictitious speech (*sermocinatio*) in place of an oration confirmed by sources. The aim of the article is to show the way of using the artistic argument¹ in descriptions of

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¹ The term “artistic argument,” used interchangeably with “elocutionary argument,” is a simplified translation of the Latin *argumentum artificiale*, which means argumentation that does not include judges' decisions, oaths, documents, witness testimonies, and evidence extracted by torture. This “artistic” type includes a broad array of arguments provided by rhetorical theory. Heinrich

women's behaviors—which is the same in the two texts, despite the different circumstances in which these works were created.

The artistic (elocutionary) argument mentioned above concerns the military phraseology used in both texts to describe women's behavior. In the Roman tradition, each of the sexes had a particular sphere reserved for it, along with its cultural attributes. Men found fulfillment in the public sphere, in the Forum and on the battlefield, whereas women found it in the privacy of their homes, in the company of slaves, spinning wool, and patiently waiting for the return of their husbands, fathers, brothers, or sons. The images of *mater familias* that appear in Roman literature usually embody typically feminine virtues, such as *pietas* (obedience to relatives), *castitas* (fidelity and chastity of morals),² and *frugalitas* (thrift). Apart from these three basic *virtutes*, reticence and diligence were frequently added. All the above typological characteristics were embodied by Lucretia, the wife of Lucius Tarquinius Collatinus, described in the first book of *Ab urbe condita*³ (AUC 1.57–58) by the Augustan historian Titus Livius (Livy). As is known, the writer successfully took part in the program of “moral revival” consistently implemented by the princeps. Although the idealized picture of the Roman family dominant in literary sources was far from reality, it was nevertheless well-established in culture and was often invoked in Roman literature, permeated with didacticism. Also rhetorical argumentation often (particularly in *argumenta ad personam*) resorted to the analysis of character traits consistent with the ideal (in praise—*laus*) or contrary to it (in reprimand—*vituperatio*). The surviving texts, both oratorical and historical, provide ample evidence that the pattern applied in characterizing the representatives of both groups was relatively simple. If a person pursued the virtues attributed to a given sex by *mores maiorum*, he or she gained approval. Otherwise, the person was reprimanded. As shown in the surviving texts by classical authors, a charge very often used in criticism against men was that of “effeminacy.” The term *effeminatus* was employed in concise characterizations of individuals as well as entire groups. Likewise, in Polish, the invective

LAUSBERG writes about this issue at greater length in his *Handbook of Literary Rhetoric* [Polish edition: *Retoryka literacka. Podstawy wiedzy o literaturze*, trans., ed., and introd. Albert Gorzkowski (Bydgoszcz: Homini, 2002), 210–215].

² In Roman culture, a woman who remained a widow after her first husband's death (*univira*) enjoyed greater respect than one who remarried once or more than once, even if the latter brought further Roman soldiers into the world.

³ *Livi, Titi, Ab urbe condita: Libri Pars I, lib. I–VI*. Editio altera, quam curavit Mauritius Müller (Lipsiae: In aedibus B.G. Teubneri, 1910).

zniewieściaty (effeminate) could be used in various situations, but always with pejorative overtones. In the context of the above words it seems enough to cite two sentences from Gaius Julius Caesar's *Commentarii rerum gestarum belli Gallici*. In his positive characterization of the most valiant tribes, the Roman author attributes their valor and the strictness of their morals to the fact that they lived far away from civilization, whose products destroy people's morale and weaken the body. In this way he writes about the Belgians:

Minimeque ad eos mercatores saepe commeant atque ea quae ad effeminandos animos pertinent important... (Caes., *Gal.* 1.3)

and about the Suebi (Suevians):

Vinum ad se omnino importari non patiuntur, quod ea re ad laborem ferendum remollescere homines atque effeminari arbitrantur. (Caes., *Gal.* 4.2)⁴

Let the verbal joke cited by Marcus Tullius Cicero in Book 2 of *De oratore* serve as an example of the use of feminine typological characteristics in criticism against a man:

... cum Q. Opimius consularis, qui adolescentulus male audisset, festivo homini Decio, qui videretur mollior nec esset, dixisset: quid tu Decilla mea? Quando ad me venis cum tua colu et lana? „non pol” inquit „audeo. Nam me ad famosas vetuit mater accedere. (Cic., *de Orat.* 2.277)

The above witty dialogue between men very aptly illustrates the use of typically feminine attributes (distaff and wool) and behaviors (a “decent” girl avoids women of doubtful reputation) in an attempt to ridicule the adversary.⁵ The use of masculine characteristics in the criticism of women is less frequent, because characterizations of female figures were not often found in the male-dominated Roman literature. Yet, even these short invectives against specific representatives of the sex whose sphere of activity is *domus Romana* support the thesis that phraseology characteristically used in descriptions of the opposite sex were employed in criticism. In his descrip-

⁴ *Caii Iulii Caesaris Commentarii*, vol. I: *Commentarii belli Gallici*, ed. Alfred Klotz (Lipsiae: In aedibus B.G. Teubneri, 1921).

⁵ The category of *Vir effeminatus* is explored at greater length in Anthony CORBEILL, “Dining Deviants in Roman Political Invective,” in *Roman Sexualities*, ed. Judith P. Hallet and Marilyn B. Skinner (Princeton: Princeton University Press, 1997), 98–128.

tion of Sempronia, a participant in the Catiline conspiracy, Sallustius writes that she acted with masculine audacity (*virilis audacia*).⁶ Because the information appears in the first sentence, the reader knows in advance that the description will be a reprimand (*vituperatio*). Marcus Velleius Paterculus writes in a similar way about Fulvia, Mark Antony's wife, an ambitious and politically active woman:

Uxor Antonii Fulvia, nihil muliebre praeter corpus gerens, omnia armis tumultuque miscebat (2.74.76).⁷

In his brief invective against the Roman woman, the historian employed the above-mentioned transfer of Fulvia's activity into the male domain (*armis tumultu*) in order to accomplish the negative characterization of this "masculine matron." Male writers were rarely interested in women as objects of description. They usually sketched portraits of Roman women in order to create examples of feminine virtues and vices that would serve as an aid for *patres familias* in raising a citizen's perfect wife. This adds special value to the surviving texts by eminent rhetors who described women's negative behaviors using by means of military phraseology, usually employed for describing men.

The relations in the Roman home were regulated by the Law of 12 Tables. In the mentality of the Roman citizen living in the Republic, the proper functioning of the private sphere, the performance of the tradition-defined role by every member of *familiae*,⁸ guaranteed peace and order in the public sphere and thereby the security of the Republic. This made adherence to the principles of proper functioning of the private sphere so important for Roman writers, many of whom were active politicians as well. What depended on the attitude of *mater familias* and on her performance of the duties defined by ancestors (*mores maiorum*) was not only the happiness of the hearth and home but also, as a consequence, the very existence of Rome. It was not without reason that one of the oldest cults was that of Vesta, represented simply by the ever-burning flame on the altar of a small temple in the Fo-

⁶ Caius SALLUSTIUS CRISPUS, *Catilina. Iugurtha. Fragmenta ampliora*, ed. Alphonsus Kurfess (Lipsae: In aedibus B.G. Teubneri, 1976), 25.1.

⁷ Velleius PATERCULUS, *Ad M. Vinicium consullem libri duo*, ed. Maria Elefante (Hildesheim, Olms, 1997).

⁸ On the perfect *familia Romana* and its role in culture, see: Karl-Joachim HOLKESKAMP, "Under Roman roofs: Family, House, and Household," in *The Cambridge Companion to the Roman Republic*, ed. Harriet I. Flower (Cambridge: Cambridge University Press, 2006), 113–137.

rum. The virgin priestesses guarding it—the vestals, chosen from the best families and only from those where both parents were alive, represented two most important feminine virtues: *pudicitia* and *castitas*. If they violated these virtues, the vestals faced a humiliating trial and then shameful death.⁹ Admittedly, a Roman matron did not need to fear such severe punishments for disobedience, although some of the Laws of the 12 Tables allowed husbands to mete out even death penalty (*ius vitae necisque*) to those wife who violated the established order of *domus Romana*. In the historical period, however, punishments as severe as this were not applied. Instead, women were constantly reminded of their place in society, and any infringement was stigmatized. The criticism of behaviors incompatible with tradition (*mores maiorum*) was limited to stereotypical reprimand. Nevertheless, in a few cases, writers broke with the convention and produced descriptions of women surprising enough to deserve a closer look.

The first of the analyzed texts is a speech by Marcus Porcius Cato, a consul in 195 BC, from Book 34 of Titus Livius' *Ab urbe condita*. The future censor delivered a fiery *dissuasio* in the debate on repealing the Oppian law (*Lex Oppia*)—a law enacted in 215 BC and directed against women's superfluous luxury.¹⁰ In this case, the author of Cato's address is an Augustan historian, who used the fact, reported by Ennius, that the consul spoke against the motion submitted by Tribunes Marcus Fundanius and Lucius Valerius.¹¹ It is not known how close Livy's text is to the famous censor's original argumentation. No such doubts exist, by contrast, in the case of the other speech—namely, Marcus Tullius Cicero's *defensio* delivered at the beginning of April 56 BC during the trial of Marcus Caelius Rufus, accused, among other things, of appropriating Clodia Metelli's gold and attempting to poison her. They also differ in that in the case of the historian's text Cato speaks of women in general, whereas Cicero attacks a particular one—sister of the tribune of the people in 58 BC and Marcus Caelius' former lover. Some scholars suspect that, when defending the Oppian law so ardently, the consul of 195 BC had a particular women in mind—one whose behavior

⁹ For more information on the cult of Vesta, see: Phyllis CULHAM, "Women in Religion in the Roman Republic," in *The Cambridge Companion to the Roman Republic*, 142–143.

¹⁰ The law and the circumstances in which the speech was delivered are discussed at greater length in: Agnieszka DZIUBA, "'Nec Hercules contra plures.' Literacki aspekt Liwiańskiej debaty nad zniesieniem Lex Oppia (AUC 34, 1–8)", *Roczniki Humanistyczne* 58–59 (2010–2011): 73–87.

¹¹ In his commentary on this fragment of Livy's Book 34, John Briscoe cites a study by J. Paschovski, who proved beyond doubt the non-authenticity of Cato's speech in Livy's text. John BRISCOE, *A Commentary on Livy Books XXIV–XXXVII* (Oxford: Clarendon, 1981), 40–42.

worried the conservative defender of *mores maiorum*.¹² Aemilia Tertia, the wife of Publius Cornelius Scipio Africanus, had been mentioned in this context already by Polybius, Livy, and Valerius Maximus. Whereas the last of these authors writes about her mainly in anecdote,¹³ both Polybius and the Patavian mention the fact that she stood out from the crowd with the richness of her attire, the magnificence of her jewelry, and the size of her retinue (Pol. 31.26.3–5). Africanus' wife displayed her wealth intelligently, without violating the strict *mores maiorum*. As noted by Polybius, she did this mainly during religious processions, which were the only public appearances of women tolerated by tradition and law. Howard Hayes Scullard, a biographer of the vanquisher of Hannibal, believes that Cato's speech against repealing *Lex Oppia* is not only an attack on the new way of living brought from the East by Scipio and Flaminius; it also conveys dissatisfaction with the affluence conspicuously displayed by Aemilia.¹⁴

It does not follow from Livy's text of Cato's speech that the consul attacks one particular person—quite the contrary. The sharp words addressed to fathers of families about those in their charge are meant, above all, to stir the minds and stimulate the inert *patres familias* to take action. The politician wants to force his audience to put in order those matters in families that have got out of their control. Cato's intention seems to have been not to insult the women who took to the streets to call on the citizens to repeal the law that restricted their right to display their affluence with their clothes, but to induce men to act and take control of their families before it was too late, which the politician says openly:

Si in sua quisque nostrum matre familiae, Quirites, ius et maiestatem viri retinere instituisset, minus cum universis feminis negotii haberemus. (AUC 34.2.1)

Cato resorts to a variety of arguments to convince his audience of the danger that giving in to women carries with it. Only one type of this argumentation is under discussion here: the use of arguments *ad personam* in the text—in this case, the description of women and their behavior by means of military vocabulary. Without the consul's original speech, it is impossible to responsibly decide whether it was Cato who employed this kind of style or whether it was Livy's work. What may argue in favor of the latter is the fact

¹² Richard A. BAUMAN, *Women and Politics in Ancient Rome* (London–New York: Routledge, 2003), 33–34.

¹³ VALERIUS MAXIMUS, *Factorum et dictorum memorabilium libri novem*, IX, 6.7.1.

¹⁴ Howard Hayes SCULLARD, *Scipio Africanus. Soldier and Politician* (Cornell: Cornell University Press, 1970), 188.

that, in his remarks introducing the politician's speech and describing women's behavior in the streets of Rome leading to the Forum, the historian used the verb *obsidere* (AUC 34.1.5), associated with besieging cities, which is a military activity. By writing:

Matronae [. . .] omnis vias urbis aditusque in forum obsidebant... (AUC 34.1.5)

he draws a picture of two feuding parties. The warring party is women, who are aggressors against the aggrieved, male party. The women occupying passages to the Forum—the venue of men's typical activity—deserve to be stigmatized because they have overstepped the border set for them by the ancestors' laws. This makes them not only aggressors but also rebels:

Nulla nec auctoritate nec verecundia [. . .] nec imperio virorum contineri poterant (ibid.)

The above sentence reveals the historian's attitude to the women's attitude, even though Livy does not openly articulate his disapproval. The writer has Cato speak on his behalf, and Cato uses military phraseology to describe women's behavior from the very first lines. The orator starts his disquisition in quite a catastrophic tone, informing the audience that their first bastion has fallen, as women have defeated men in the private sphere:

Nunc domi victa libertas nostra impotentia muliebri (AUC 34.2.2)

The above fragment of a sentence, however concise, very strongly resembles a historiographic narrative from a battlefield. The speaker, who would, in his old age, set about writing *Origines*, a rather unique historical work, starts the sentence with chronology (*nunc*) and topography (*domi*) and then proceeds to the account of events (*victa libertas*). He also identifies the efficient cause (*impotentia muliebris*).¹⁵ The *libertas* that he mentions is liberty stemming from the power that the *pater familias* nominally wields. When women went out into the streets in order to persuade men to vote for the repeal of a law, they broke the time-honored principle that allowed them to

¹⁵ Livy's rhetorical skills should be appreciated at this point. The noun *impotentia* conveys bitter irony about men's attitude, as *im-potentia* literally means *non-power, lack of strength*. *Potentia* is the strength that determines the position of *pater familias* in the family. The wife, subordinate to him, did not have this power, but she was the one who prevailed. Therefore, if the quoted phrase is understood literally as *liberty defeated by female weakness*, the striking power of these words will be greater because it will be directly defined.

address requests only to the fathers of their own families. Livy himself escalates indignation over this fact, writing straightforwardly that they had the audacity to accost officials who represented the majesty of the Republic:

Iam et consules praetoresque et alios magistratus adire et rogare audebant (AUC 34.1.7)

Cato consciously starts his speech with a hyperbole of *victa libertas* in order to shock the members of his audience and make them favorably disposed towards the arguments that will appear further in the oration. The previously quoted fragment of the consul's speech has its continuation, in which the official warns the men that the defeat they suffer at home will have its consequences in politics, because it will not be easy to get the female opponents under control once success has made them audacious:

... hic quoque in foro obteritur et calcatur... (AUC 34.2.2)

Although the verbs used in this sentence are not directly associated with combat, they indirectly seem to transport the reader to the battlefield. Both of them mean more or less the same: “trampling” or “crushing”; they can therefore be treated as synonyms whose purpose is to underscore the activity being described. It is worth noting that the verb *calcare* brings to mind associations with *calcar*, *calcaris*, meaning a spur used to tame a skittish horse. Cato addresses all the men assembled in the Forum, including the equites, who served in the cavalry. This is why this kind of word appears in Cato's argumentation—besides other, more vivid equestrian expressions. Appealing to the audience to curb women's impudence, the consul exclaims: *dote frenos impotenti natura* (AUC 34.2.13), using the metaphor of putting reins (i.e., a bit) on the unbridled female nature. Also the consul's antagonist, Plebeian Tribune Lucius Valerius, an advocate of repealing the Oppian law, appeals to men's sense of justice, arguing that, since their horses are richly harnessed, also their wives should be allowed to dress up in gold and purple:

... et equus tuus speciosius instratus erit quam uxor vestita (AUC 34.7.3–4)

It seems that, in the culture dominated by men and their interests, the use of equestrian metaphors to describe women was neither shocking nor disagreeable to women themselves. Further sentences of Cato's speech refer to a mythological *exemplum*—namely, to the events that allegedly took place

on Lemnos, where women murdered men.¹⁶ The speaker makes a clear antagonistic distinction between the sexes (...*virorum omne genus*—AUC 34.2.2). He kindles indignation in the audience by skillfully using expressions with negative connotations to refer to women's activity. By speaking of *coniuratio muliebris* (ibid.), Cato suggests to the men that there is some kind of conspiracy against their sex. The suggestion becomes stronger in the lines that follow, when the consul mentions the troublemakers' secret meetings and councils:

Ab nullo genere non summum periculum est, si coetus et concilia et secretas consultationes esse sinas (AUC 34.2.4).

What we are dealing with here is rhetorical enhancement, constructed by means of polysyndetonic synonymy (*coetus, concilia, consultationes*) and a repetition of the noun *genus*, which is meant to remind the audience about the ongoing conflict of the sexes. The listeners' imagination is additionally influenced by the information about the great danger (*summum periculum*) faced by the public sphere dominated by women. Both *coetus* and *concilia* are concepts from the field of politics—again, a field of male activity. Introducing these terms to describe women's behavior, Livy clearly has Cato threaten men with the possibility of the opposite sex depriving them of what has been natural to them so far. What is more, the speaker escalates tension, as soon afterwards he speaks of women's secession:

Si feminas ad concitandas tribunicias seditiones iam adduxistis; nobis, si, ut plebis quondam, sic nunc mulierum secessione leges accipiendae sunt (AUC 34.2.7–8).

This is clearly a hyperbole, as the women assembled on the streets leading to the Forum were merely persuading men to repeal the law. They had no intention to establish a “feminine Rome” and did not seek to leave the city as plebeians had done in the struggle for their rights.¹⁷ By sketching

¹⁶ The only survivor was King Thoas, saved by his daughter Hypsipyle. See: Robert GRAVES. *Mity greckie*, trans. Henryk Krzeczowski (Warsaw: Państwowy Instytut Wydawniczy, 1967), 494–497.

¹⁷ What remains a separate issue is the ability to organize group events. In the surviving books of *Ab urbe condita* there is evidence that the protest against *Lex Oppia* was not women's first initiative. The one that should be regarded as the earliest is the intervention of the Sabine women, who reconciled their feuding husbands and fathers on the battlefield (AUC 1.13.4). Another one, also considered legendary, is the supplicatory procession of Roman matrons led by Coriolanus' mother and wife (Veturia and Volumnia), whose aim was to dissuade the former dictator from attacking Rome (AUC 2.40). A historical event of this kind was women's organized

the picture of women in battle zeal, separating from men, the speaker suggests not only their emancipation from masculine power but also the end of the family as the basic cell of every society. According to Cato, women's secession is not a peaceful act but one that includes a component of rebellion and armed riots, as elsewhere he mentions *seditione muliebris* (AUC 34.3.8). Lucius Valerius, the consul's antagonist mentioned above, is aware of the rhetoric exaggeration applied by the preceding speaker in the description of women's behavior, as he says straightforwardly:

Coetum et seditionem et interdum secessionem muliebrem appellavit [...] verba magna, quae rei augendae causa conquirantur... (34.5.5–6)

The exaggeration used by Livy certainly serves the purpose of directly characterizing the orator himself. Both the Patavian rhetor and other authors interested in the great censor¹⁸ describe Cato as a man of constant views, a consistent defender of *mores maiorum*, a fundamentalist and nonconformist, averse to all novelties.¹⁹ This picture, painted by authors living in various epochs, is an inherent part of the above-mentioned policy of the restoration of morals and return to the old virtues, initiated and enthusiastically promoted by Augustus and implemented, among others, by Livy—hence the strong words in the conservative politician's mouth. Cato skillfully whips up the atmosphere of fear induced in the audience by means of the previously used vocabulary describing women's behavior, introducing the verb *expugnare* (AUC 34.3.1) to refer to the outcome of their activities, which clearly predicts the success of the group of matrons in what is otherwise a public issue. The vision of men defeated by women, previously compared to a military unit (*agmen mulierum*—AUC 34.2.8), is consistent with what is known to contemporary psychology as “fear-based prevention.” Using military metaphors, the consul tries to alarm men with the far-reaching consequences of giving in to women's demands—namely, the loss of dominance

propitiatory ceremony in honor of Juno Regina in 207 BC and the election of twenty-five candidates who were to collect donations from the remaining women for a votive offering to the goddess (AUC 29.37).

¹⁸ Let it suffice to mention Marcus Tullius Cicero's *Cato Maior de senectute*, Cornelius Nepos' *Vita Catonis*, of Cato's Greek biography by Plutarch from the *Vitae paralelae* series.

¹⁹ Phyllis Culham writes that even Plutarch, who lived two and a half centuries after Cato, idealized this figure. Plutarch's censor is an ideal politician, full of ardent affection for the Roman family, fondly and nostalgically remembering the past times and the old values. See: CULHAM, “Women in the Roman Republic,” in *Cambridge Companion to the Roman Republic*, 139–159.

at home. It seems that, for Cato, this meant equal rights, leading to the take-over of power by women first in the domestic sphere and subsequently also in the public sphere:

Exemplo, simul pares esse coeperint, superiores erunt (AUC 34.3.2)

The constant and skillful interweaving of substantive arguments with military metaphors describing women's activities served the purpose of fueling anxiety in the listeners' hearts. In the light of the protagonists' misogynistic monologues preserved in Plautus' comedies,²⁰ it seems that, limiting the criticism of women's behaviors to the condemnation of their boldly speaking their minds in front of men would have been insufficient. Romans were accustomed to women at home being preoccupied not only with organizing slaves' work and weaving on a loom but also speaking their mind on their children's future and the family budget, particularly on matters concerning the management of their daughters' dowry. In this situation, Cato was forced to surprise the audience and interpret women's behavior as hostile military activity—as a struggle between the sexes for the public sphere that had been exclusively male before.

Despite his great commitment to the case and despite his fiery *dissuasio*, using affected military rhetoric, Cato lost and the law imposing restrictions on women was repealed. One may venture the observation that even though the consul's antagonist regarded his rhetoric as merely serving the purpose of exaggerating the issue, the women did achieve success by their activity resembling soldiers' behavior. As Livy himself notes in the conclusion of the episode, on the following day after the debate, a crowd of women went out into the streets and surrounded Tribunes Brutuses' house:

Unoque agmine omnes Brutorum ianuas obsederunt (AUC 34.8.1)

In his description of the situation, the historian uses the words previously employed in Cato's speech—both *agmen* and *obsidere*.²¹

²⁰ See Megadorus' monologue from the comedy titled *Aulularia* (lines 498–502) or the one by the title character of *Epidicus* (lines 223–235).

²¹ Valerius Maximus presents these events in a similar way by, though he does not use the term *agmen*, suggesting women's military organization: "*Quo tempore matronae Brutorum domum ausae sunt obsidere, qui abrogationi legis Oppiae intercedere parati erant*" (*Fact. et dict.* 9.3.20).

As mentioned above, Livy, who uses military rhetoric in his description of women's behaviors, mentions none of the female figures taking part in the events of 195 BC by name. This allows him to use the phrase *agmen mulierum* and accuse the women of besieging the tribunes' house. In his speech in defense of Marcus Caelius Rufus delivered in April 56 BC,²² Marcus Tullius Cicero, directs the edge of his criticism against one woman only. Clodia Metelli, the eldest child of Appius Claudius Pulcher (a consul in 79 BC), stepsister of the famous plebeian tribune of 58 BC, wife of Quintus Metellus Celer (a consul in 60 BC), poet Catullus' muse eulogized by him under a poetic name of Lesbia, is considered to be one of the greatest scandalists of her times. She is commonly regarded as a beautiful but corrupt woman, educated but preferring the pleasures of the bed and the table, not even shrinking from incestuous relations with her brother Publius. What is interesting, the direct source of the majority of scandalous information about Clodia is the text of Cicero's speech. Defending his disciple, who was otherwise known for his dubious morals,²³ and not having credible evidence of his innocence,²⁴ the orator of Arpinum decided to discredit the main witness for the prosecution—Clodia herself. The trial of Caelius, accused of *de vi* by Lucius Sempronius Atratinus (aged just under seventeen at the time), took place during *Ludi Megalenses* (4–10 April),²⁵ when the people of Rome rested after work and indulged in various forms of entertainment, such as watching theatrical performances.²⁶ Because Caelius was accused of attacking the integrity of the republic (*vis contra rem publicam*),²⁷ the trial had to

²² For more on the circumstances of the trial and on Caelius himself, see Józef KORPANTY, *Rzeczpospolita potomków Romulusa* (Warsaw: Czytelnik, 1979), 131–137.

²³ Velleius Paterculus wrote about him thus: “*Vir eloquio animoque Curioni simillimus, sed in utroque perfectior nec minus ingeniose nequam, cum ne modica quidem re servari posset (quippe peior illi res familiaris quam mens erat)*” (Vell. Pat., *Hist.* 2.68.1).

²⁴ As observed by Harold C. Gotoff, *communis opinio* on the charges has it that at least a few of them were true. See: Harold C. GOTOFF, “Cicero's Analysis of the Prosecution Speeches in the *Pro Caelio*: An Exercise in Practical Criticism,” *Classical Philology* 81, no. 2 (1986), 124. Katherine A. Geffcken agrees with Gotoff and writes: “[Caelius] was probably guilty of some of the charges or at least dangerously associated with those who were guilty” (*Comedy in the Pro Caelio, Mnemosyne Supplementum XXX*, Leiden: Brill, 1973, pp. 8–9).

²⁵ A very interesting analysis of the trial and the “festive” background of Cicero's speech is presented by Michele Renee Salzman in her article “Cicero, the Megalenses and the Defense of Caelius,” *The American Journal of Philology* 103, no. 3 (1982): 299–304.

²⁶ Comedies began to be staged during *Ludi Megalenses* in 194 BC. See: Ewa SKWARA, *Historia komedii rzymskiej* (Warsaw: Prószyński i S-ka, 2001), 166.

²⁷ See: Maciej JOŃCA, *Głośne rzymskie procesy karne* (Wrocław: Zakład Narodowy im. Ossolińskich, 2009), 150.

take place without delay, during the holiday, when courts did not normally work. The complex contents of the accusation comprised as many as five charges connected with the unsuccessful diplomatic mission of the Alexandrites headed by the philosopher Dio of Alexandria. The delegation arrived in Rome on behalf of Queen Berenice. Several speeches for the prosecution were delivered during the trial of Caelius. The first speaker was Atratinus; his assistants were Publius Clodius (other than Clodia's brother) and Lucius Herennius Balbus. Defense speeches were delivered by the defendant himself, Marcus Crassus, and Marcus Tullius Cicero as the last speaker. The speech by the Arpinate addressed only the last two charges, precisely those that Clodia Metelli leveled against her former lover, who was eight years her junior. They concerned preparing the murder of Dio and paying the assassins with the gold borrowed from Clodia. The woman claimed that initially she had not been aware what purpose of the loan was for but she worked out the truth after Dio was reported dead (*de Dione*). The second charge against Caelius was the accusation of attempting to poison his former lover when she realized what the money she had lent him was used for (*de veneno in Clodiam parato*). Cicero, who was aware that the judges and the audience present at the trial were weary of the speeches and that perhaps they would rather spend their free time watching comedies, decided to provide them with entertainment at Clodia's expense.²⁸ Known for his characteristic sense of humor and scathing wit, which he used without mercy to fight his equals in politics,²⁹ in this speech he attacked and destroyed the reputation of a woman who could not defend herself. By attacking Clodia in order to discredit her as a person and as a reliable witness, Cicero resorts to a broad array of comic *topoi*.³⁰ One of them is the presentation of a patrician woman as a *dux mulier*, a woman warrior, using her typical weapons and commanding a special kind of army. Although the woman warrior is not represented in the Roman comedy, one may venture the suggestion that Plautian *miles gloriosus*—braggart soldier—is a male equivalent of *dux mulier*.³¹ As early

²⁸ See: GEFFCKEN, *Comedy in the Pro Caelio*, 10–11.

²⁹ For more on this issue, see: Antony Corbeill, "Ciceronian Invective," in *Brill's Companion to Cicero. Oratory and Rhetoric*, ed. James M. May (Leiden: Brill, 2002), 197–217.

³⁰ A very good analysis of the use of elements of Plautian comedy in the *Pro Caelio* speech can be found in the above-mentioned study by K.A. Geffcken, *Comedy in the Pro Caelio*. An excellent commentary on that speech is provided in R.G. Austin's *M. Tullii Ciceronis pro M. Caelio oratio*, 3rd edition (Oxford: Clarendon Press, 1960).

³¹ Geffcken (*Comedy in the Pro Caelio*, p. 37) refers to the caricature of Clodia as *Miles gloriosa*.

as the introduction of his speech, Cicero suggests that Caelius is the target of attack launched by an “influential harlot”. The original text abounds in military metaphors; the Arpinate says:

Oppugnari autem opibus meretricis (Cic., *Cael.* 1.1)

Both the previously encountered verb *oppugnare* (“to besiege”) and the noun *opes*, *-ium*, which can be translated as “armed forces,” suggest a woman warrior, dominating over the man, since the applied form of the verb is passive infinitive. However, the juxtaposition of *opes* with the adjective *meretricius* (“indecent, specific to a harlot”) clearly insinuates the woman’s interests. It results in the audience interpreting these resources not as armed troops but as the array of skills that a prostitute uses to ensnare a client.³²

The next point in the speech where the orator uses military phraseology to describe Clodia’s behavior is the fictitious speech by Appius Claudius Cokus, a censor in 312 BC, evoked by Cicero in the form of an elaborate prosopopoeia. The stern ancestor figure reprimands the woman for immoral conduct, incompatible with the tradition of *gens Claudia*. He contrasts the services he has rendered Rome with the conduct of the youngest representative of the family:

Ideone ego pacem Pyrrhi diremi, ut tu amorum turpissimorum cotidie foedera ferires, ideo aquam adduxi, ut ea tu incestu uterere, ideo viam munivi, ut eam tu alienis viris comitata celebrares? (Cic., *Cael.* 14.34)

In the above rhetorical question the censor’s achievements are antithetically juxtaposed with Clodia’s conduct. Although the reprimand is not formulated straightforwardly, the power of criticism has been enhanced by means of a simple operation. Cicero derives the woman’s reprehensible conduct directly from the ancestor’s achievements. During his censorship, Appius built an aqueduct (*Aqua Appia*) and a road (*via Appia*), whereas Clodia, after her

³² Cicero’s words should not be understood literally. The Arpinate did not say anywhere in the speech that Clodia was a *meretrix*, a prostitute who took money for her services. No member of the audience would have believed that a rich patrician woman was involved in such practices. Cicero used a very simple rhetorical operation here; namely, by speaking of “means at the prostitute’s disposal,” he insinuated the witness’s immoral conduct. He thereby called the witness’s credibility into question. Katherine Geffcken rightly observes that, by repeated insinuations suggesting Clodia’s immoral life, Cicero consistently tries to degrade the patrician woman in the judges’ eyes so as to make it easier for them to acquit Caelius, who has also been charged with immoral conduct. See: GEFFCKEN, *Comedy in the Pro Caelio*, 27–43.

immoral pastimes, takes a bath in water brought to Rome thanks to Appius and rides with her lovers down the road he built. The first argument concerns the military credit of the old man, who—infirm and blind towards the end of his life—dissuaded the senators from making peace with Pyrrhus (280 BC). In contrast, Clodia, according to the ancestor, “makes alliances for deplorable romances every day.” In this case, Cicero used an expression belonging to the field of politics and military activity to convey the woman’s immoral behavior. It seems, however, that the word *foedera* has been introduced in this sentence in order to increase the contrast between Appius’ achievements in the past and his great-granddaughter’s conduct in the present. Although the cited fragment does not fully represent the use of military phraseology in descriptions of women’s behaviors, which is analyzed here—it is worth noting, if only as evidence of Cicero’s rhetorical mastery.

Military vocabulary applied in order to discredit the female opponent is present in the most important part of the speech: in *refutatio*, in which Cicero counters the arguments of the opposing party:

Duo sunt crimina: una in muliere summorum facionorum, auri, quod sumptum a Clodia dicitur, et veneni, quod eiusdem Clodiae necandae causa parasse Caelium cirminantur (Cic., *Cael.* 21.51)

In refuting both charges, the Arpinate used diverse military phraseology in the context of describing Clodia Metelli’s behavior. The orator tried to refute the first charge—that of lending gold to Caelius—using techniques such as introducing a caricature of the lender, who accused her former lover of using the borrowed valuables to hire assassins to kill the philosopher. In front of his audience’s eyes, Cicero paints a picture Clodia taking out the jewelry to be handed over to Caelius from a hiding place underneath the statue of Venus standing in the patrician woman’s house:

Tune aurum ex armario tuo promere ausa es, tune Venerem illam tuam spoliare ornamentis, spoliatricem ceterorum (Cic., *Cael.* 22.52)

The above fragment of the anaphorically beginning rhetorical question (*tune... tune...*) contains words associated with the military, namely *spoliare* and *spoliatrix*, whose stem derives from *spolium*, *-ii*, meaning armor torn off an enemy, which metaphorically stands for *the spoils of war*. Cicero describes taking the gold out from underneath the statue of Venus as robbing (*spoliare*) the goddess of the spoils taken from lovers. In his text it is the

goddess who is given the name of *spoliatrix*, the one who takes the spoils of war.³³ The target of verbal attack is therefore the statue of the goddess standing in Clodia's house rather than Clodia herself. In this way the speaker insinuates the patrician woman's immoral conduct, unavoidably associated with prostituting herself. Anne Leen rightly observes that the picture of Clodia worshiping Venus *Spoliatrix* splendidly fits in with the caricature of a Roman matron constructed by the Arpinate. Thus described, the goddess in no way resembles the republican Venus, the venerable first mother of the Romans. She rather resembles the naked seductive Aphrodite, the unfaithful wife of Hephaestus, a less important Olympian. A statue more appropriate for a matron would be one of Juno or Vesta.³⁴ Moreover, it is not without reason that the Arpinate used the word *armarium*, which means a *box* but may be associated by the audience with *arma*, *-orum*, meaning weapons (arms). *Armarium* therefore seems to be a term referring to the place where weapons are stored.

While Clodia, who treats presents from lovers as spoils of war, can be interpreted in accordance with the convention of the tragicomic *dux femina*, the next fragment of the speech, in which the Arpinate refutes the charge of attempting to poison Clodia, is a typical farce. Cicero evokes for his audience a picture of a public bath house in which the box with poison was allegedly handed over to Publius Licinius—a friend of Caelius'. Informed about the planned exchange, the potential victim ordered her slaves to prepare an ambush in order to catch the suspects red-handed, at the moment of handing over the box. Unfortunately for Clodia, the ambush failed and the slaves did not take over the package. They could only serve as witnesses for the prosecution, exposing themselves to the orator's scathing attacks. Cicero scornfully describes the slaves' behavior in the bath house using military phraseology. He refers to their group as *mulieraria manus* (a female troop, commanded by a woman—28.66) and ridicules their courage: *virtutem eorum diligentiamque cognoscite* (26.63). He calls the place of action "province" (*provincia*—26.63). Clodia herself is ironically referred to as a potent woman (*mulier potens*—26.62–63). The story about the unsuccessful attempt to take over the box concludes with a virulent metaphor:

³³ This evocative term may have been coined by the orator himself, since the feminine equivalent of the noun *spoliator* occurs only in Cicero, precisely in the speech *Pro Caelio*.

³⁴ Anne LEEN, "Clodia oppugnatrix. The domus motif in Cicero's *Pro Caelio*," *The Classical Journal* 96, no. 2 (2000/2001): 152.

... *fortes viros ab imperatrice in insidiis atque in praesidio balnearum collocatos; ex quibus requiram, quem ad modum latuerint aut ubi, alveusne ille an equus Troianus fuerit, qui tot invictos viros muliebri bellum gerentes tulerit ac texerit?* (Cic., *Cael.* 28.67)

The above lines, delivered by the brilliant orator, should make up to the judges listening to him for the loss of entertainment in the form of watching a comic performance, because both the method of describing Clodia and her slaves and the unsubtle humor excellently correspond to the unsophisticated plot and the rather broad humor of Plautus' famous plays. The patrician woman is portrayed in the analyzed fragment as a *miles gloriosa*, a woman soldier confident in her leadership abilities (*imperatrix*), waging a woman's war and having an army of slaves at her disposal (*fortes, invicti viri*). The expressions used by the orator amused the audience with the very inappropriateness of their use. The surprising and absurd form *imperatrix*, derived from the dignified and menacingly sounding honorary title of *imperator*, was juxtaposed with the ironically used term referring to slaves—*viri* (free men). The terms *fortes* and *invicti* must have sounded equally comic when used with reference to the awkward servants. What added to the comism was the fact that the *muliebri bellum* was set in a bath house. Also, the speaker cannot resist a comment, phrased as a rhetorical question, concerning the place where the slaves took shelter during the skirmish. He wonders whether they hid in the bath or in a "Trojan horse." This amounts to open attack on the witness. By means of irony and virulent humor, Cicero introduces his audience not so much into the world of comedy as into that of the mime³⁵ and burlesque, because he describes, with a certain degree of satisfaction, young naked men's chase in a crowded bath house. Scenes of this kind were more appropriate for unrefined mimes than for comedies aspiring to the status of art. Marcus Tullius Cicero, who was already a veteran of tribunals in 56 BC, having delivered speeches in courts since 81 BC, knew what the audience expected. Being the sixth orator to take the floor, he was aware of the listeners' fatigue and decided to win their favor for the defendant Caelius as well as for himself³⁶ by "drawing" the judges and the listening audience into an intellectual game. There was a comedy taking place before their eyes, which evolved into a more drastic form of stage performance towards the end of the speech—namely into a mime, which was probably meant to keep the audi-

³⁵ On the presence of elements of the mime in Cicero's speech, see: SALZMAN, *Cicero, the Megalenses and the Defense of Caelius*, 301.

³⁶ GEFFCKEN, *Comedy in the Pro Caelio*, 11.

ence interested. The director of the comedy was Cicero himself, the script was suggested by life, and the characters were real people, whose personalities the speaker “adapted” to the roles he had them play. The known facts about Caelius’ life prove what could be suspected: namely, that the real person was a much more complex figure than the orator of Arpinum wanted him to be. Once an innocent youth, he became a tough politician and an uncompromising actor of the final years of the Republic. The historical Caelius does not at all resemble the Caelius created for the purposes of the defense speech.³⁷ And Clodia Metelli, who had high expectations regarding the intellectual level of her lovers, was unable to foresee the consequences of splitting up. While in the case of Caelius she was probably abandoned,³⁸ she was the one who left the poet Catullus. One of Rome’s most outstanding poets took his revenge on the unfaithful woman by writing a series of epigrams, brutally commenting on her conduct.³⁹ As a result, Clodia Metelli has permanently entered culture as the beautiful but unfaithful Lesbia Catulla and the calculating nymphomaniac from Cicero’s speech. She has thus become a victim of her abandoned lover—a brilliant poet, and an aggressive orator, who was already famous for virulent humor in his times.

The texts written by eminent stylists and experienced rhetors that have been analyzed above provide interesting examples of the application of military rhetoric in descriptions of women’s behaviors. It should be stressed that Roman literature of the times of the Republic presented the woman in the context of the sphere specific to her sex. Home (*domus Romana*) was where she had been placed by tradition (*mores maiorum*) and law (*Leges XII tabularum*), and it was with this sphere that all feminine *virtutes* were associated, such as *pudicitia*, *castitas*, and *frugalitas*. It was through the lens of these virtues that good Roman women were described, while evil and immoral ones were presented through the lens of *vitia*, which were in contradiction with the virtues. Stylists proficient in rhetoric, however, did not content themselves with using schemata. Both Cicero and Livy⁴⁰ used military phraseology—quite surprising, as it was far from the description of

³⁷ See: KORPANTY, *Rzeczpospolita potomków Romulusa*, 133–135.

³⁸ As has been rightly observed by T.A. DOREY (“Cicero, Clodia, and the *Pro Caelio*,” *Greece and Rome. Second Series* 5, no. 2 (1958): 178), the fact that it was Caelius who abandoned Clodia is known to us only from Cicero’s speech, which is not a reliable account.

³⁹ For more on this issue, see: Marilyn B. SKINNER, *Clodia Metelli. The Tribune’s Sister* (Oxford: Oxford University Press, 2011), 121–150.

⁴⁰ Livy, who knew Cicero’s speech, may have drawn on his text in the elocutionary aspect of Cato’s speech.

typically feminine activity—in order to impose a certain interpretation of women's behaviors on their target audience. Livy's Cato resorts to military rhetoric in order to alarm the men listening to him. He wants to show how much they may lose by giving in to women's demands. The speaker attacks a group of anonymous matrons, whose behavior, according to the consul, has gone beyond all bounds—both the real bounds, as the women have gone out of home, which is their natural space, and metaphorical ones, because they had the courage to speak out on a political issue and campaign on the streets, approaching strange men. Cato's "warriors" are dangerous opponents, who threaten male dominance in the Republic. The future censor alerts *patres familias* to the possibility of women's emancipation, mentions the struggle of the sexes, and predicts role reversal unless men restrain the ambitions of those in their charge. The military rhetoric in Livy's text is ominous, and Cato is a serious politician who appears to be convinced that the threat posed by women is very real. This behavior, however, makes him an exaggerated character, comic in his relentless nonconformism and somewhat absurd due to his "dead" serious approach to what is otherwise a rather trivial matter.⁴¹ The situation is different in the case of Cicero's speech. In this case, the object of attack is a woman known by name, a member of an old patrician family that rendered great services to the Republic. The speaker describes her behavior in the context of the woman's domain—namely, home. Military phraseology serves the purpose of describing the reprehensible attitude of a *mater Romana* towards other household members (mainly slaves) and unwisely chosen friends (lovers). With her behavior, Clodia breaks the rules that a woman ought to follow in the private sphere. Cicero does not mention his female opponent's political aspirations. His military rhetoric is meant to discredit the woman as a reliable witness for the prosecution. The method that allowed him to achieve this goal consisted in ridiculing Clodia—in ways that included presenting her as a *miles gloriosa*. Whereas the women described by Cato were, according to the speaker, a dangerous adversary who should be reckoned with and treated seriously, Clodia Metelli is a weak and laughable opponent. Her behavior, interpreted through the lens of military phraseology, is only supposed to amuse the audience and provide intellectual entertainment. The paradox visible in the comparison of the two texts is that Marcus Porcius Cato, who induces fear in his audience, becomes

⁴¹ Livy himself writes about the repeal of *Lex Oppia* thus: "*res parva dictu, sed quae studiis in magnum certamen excesserit*" (AUC 34.1.1).

a tragicomic figure, whereas Cicero, who resorts to the same rhetoric as the famous censor in order to grind the witness down and provide the audience tired with the long trial with amusement at her expense, is a menacing figure. Despite the jocular tone of the speech, he is focused, serious, and determined in his effort to destroy Clodia's reputation. While Cato suffered a defeat, in the case of the *Pro Caelio* speech the military rhetoric proved to be effective as an additional tool in the struggle against the opponent. Cicero succeeded—Caelius was acquitted and Clodia Metelli ended up disgraced forever.

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MILITARY RHETORIC IN THE DESCRIPTION OF WOMEN'S BEHAVIOR
ON THE BASIS OF CICERO'S AND LIVY'S SELECTED TEXTS

Summary

The article analyzes the original and rare Roman military phraseology found in surviving works of literature, which is part of the convention of invectives against women. As testified by the surviving fragments of the Law of the Twelve Tables, the Roman civilization divided the sphere of men's activities (politics and war) from the sphere of women's activities (home and family) quite early. Literature imbued with didacticism supported this division by creating archetypal figures of ideal representatives of both genders. In the course of development it worked out a stereotyped phraseology that served the purpose of describing *virtutes feminae* and, separately, men's virtues, corresponding to the spheres ascribed to them. Any breach of the order established by tradition

(*mores maiorum*) and law encountered severe reprimands, which nevertheless remained within the rhetorical convention of *vituperatio*. The two texts by outstanding rhetors that are analyzed here—Cato the Elder’s speech against the repeal of the Oppian law (AUC 34, 2-4) by Livy and Marcus Tullius Cicero’s speech *Pro Caelio*—supply examples of the use of military phraseology, usually used to describe typically male activities, in descriptions of women’s behavior. In the case of Marcus Porcius Cato’s speech, vocabulary belonging to the field of military science (*agmen, expugnare, obsidere, coniuratio, seditio*) serves the purpose of inducing fear in the men listening to him. In this way, by using the threat of power being seized in the republic by women, the consul motivated *patres familias* to act and not to yield to women. In the case of Cicero’s speech, military rhetoric was used to ridicule and embarrass Clodia Metelli as a credible witness for the prosecution in the trial of Marcus Caelius Rufus. Aggressive and at times obscene humor was supposed to divert the listeners’ attention from the defense’s lack of arguments concerning the substance of the trial.

The original military phraseology used by both authors serves definite practical aims. What is more, its artistic dimension is decidedly pushed into the background. Cicero’s and Livy’s surprising idea allows us, on the one hand, to appreciate their ingeniousness in the field of rhetoric and their conscious rejection of conventions; on the other, it helps the contemporary reader of ancient texts realize the fact that men of the period of the Republic found it difficult to keep women within the limits imposed by tradition. They were forced to resort to sophisticated verbal argumentation in order to convince the judges and politicians (in both these groups *patres familias* prevailed) about the real threat posed by the ones in their charge.

Key words: Livy; Cicero; Cato the Elder; Clodia Metelli; rhetoric; speech; woman.

Translated by Piotr Czyżewski



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