On the Margins of Manhood:
Examining Physical Gender Atypicality Among Men in Imperial Roman Society

by

Allie MacIlroy

B.A., University of Victoria, 2019

A Thesis Submitted in Partial Fulfillment of the
Requirements for the Degree of

MASTER OF ARTS

in the Department of Greek and Roman Studies

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University of Victoria

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We acknowledge and respect the lək̓ʷəŋən peoples on whose traditional territory the university stands and the Songhees, Esquimalt and W̱SÁNEĆ peoples whose historical relationships with the land continue to this day.

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Abstract

Ancient Greek and Roman medical texts naturalized gender dimorphism, which included only normative male and female bodies. Yet there are representations of gender atypical bodies and identities in Greco-Roman literature and material culture. The Roman juristic tradition reveals that gender nonconforming people such as infertile men, eunuchs, and (presumably) some intersex people were considered to be citizen men in the practical context of family law—so long as they sufficiently "passed" as men. Thus, the purpose of this thesis is to broaden our understanding of masculinity, marginalization, and gender (non)conformity for men in imperial Roman society.

I use an intersectional approach similar to modern transgender theory to examine how authoritative writers labeled, categorized, and discriminated against gender atypical men whose bodies did not fully adhere to the idealized gender binary. I examine literary and material sources representing people with gender nonconforming bodies and identities who could have been considered to be citizen men in Roman legal contexts. People referred to as *castrati, eunuchi, spadones,* and *hermaphroditi* are the primary focus of my research. The sources that I analyse in this thesis reveal that, in the Roman masculine imagination, the category of "man" included a complex spectrum of nonnormatively gendered bodies, expressions, and experiences. Ultimately, I conclude that there was a range of both accommodating and discriminatory attitudes towards gender nonconforming men in imperial Roman literature.

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Acknowledgements

The completion of this thesis would not have been possible without the support of my friends, family, cohort, and many UVic faculty members. First, I would like to express my endless gratitude to Dr. Mark Nugent for all his guidance, patience, and encouragement during this project. I am so thankful for the skills he has given me in literary analysis, professionalism, writing, and pedagogy over the years—it has been an honour to have him as a mentor.

I would like to thank the administration and faculty of the Department of Greek and Roman Studies. The support that I have received from our department during my two degrees means everything to me, both professionally and personally. I do not think that I would have been able to complete this thesis without an office to fill with books and sticky notes, so I am grateful for that, too. I wish to thank my cohort for all their reassurance during my writing process. Staying in the department for hours on end would not have been so enjoyable without our effortless comradery.

I have a difficult time expressing how grateful I am for my closest friends, who apparently developed a habit of checking in on me when I needed them most. In particular, I would like to thank Sarah Kahale for her company during our many work/writing sessions. I extend my deepest gratitude to the friends who fed me, kept me caffeinated, or managed to get me outside once in a while, whether I liked it or not. Finally, I am thankful for my family for their warmth and unwavering faith in me.

Introduction

The human body is an extraordinary site of social crisis. Each society's medical practice seeks to organize bodies into conceptual categories that are comprehensible in the context of its established social hierarchies. The medically gendered body is a vital example of this phenomenon. As Judith Butler (2004) argues, "to understand gender as a historical category," we must recognize that "gender, understood as one way of culturally configuring a body, is open to a continual remaking, and that 'anatomy' and 'sex' are not without cultural framing."[1] Thus, "configurations" of anatomical sex are neither historically universal nor immutable: they are culturally specific, highly gendered concepts. Being male, female, or sexually ambiguous only means something in relation to "time and place."[2] Yet when the voices of authority in a culture try to "configure" bodies to reflect their social hierarchies, it becomes apparent how gender dimorphism—which includes only "perfectly" male or female bodies—is forcibly naturalized in order to suit cultural ideologies. In reality, human bodies are far more diverse than the gendered binaries and hierarchies we construct for them.

In ancient Greek and Roman historical contexts, medically naturalized gender consisted exclusively of the categories "male" and "female." This binary reflected the (historical) social roles of "man" and "woman." As a result, Greco-Roman medical discourse organized and configured the gendered body as best suited the cultural categories of man and woman. This process of configuration substantially incorporated the constructs of masculinity and femininity

[1] From Butler's *Undoing Gender* (2004: 9-10). Butler's work challenges the naturalized binary between male and female biological sex, as well as the conceptual divide between "gender" and "sex," especially in historical contexts.
[2] Dreger (2000: 10). Dean-Jones (1991: 111) likewise argues that "although, as a society develops, this mythological expression [of distinction between the sexes] can appear allegorical at best, the deeply implanted cultural belief that men and women are radically different can condition the interpretation of empirical evidence so that science, in its turn, supports the belief that perceived differences between men and women are a result of biology rather than social conditioning."

that comprised this binary; this could include such aspects as bodily functions, appearance, and behaviour. Therefore, people who did not fall into this binary—who exhibited gender atypicality in some way, meaning that they did not normatively fit into the ideological categories of "male" and "female," "man and "woman"— were considered *unnatural* in Greco-Roman medical configurations of the body. Even so, people with gender atypical bodies, appearances, and behaviours existed and functioned *within* the gender binary of imperial Roman society much as they do in modern societies today. What it meant to be gender atypical in these specific socio-historical contexts, however, was different from modern Western culture.

In this thesis, I examine men and representations of men in imperial Roman literature and society who exhibited varying degrees of gender atypicality. In particular, I consider how the spectrum of gender nonconforming bodies that Roman juristic discourse included in the category of "man" complicates conceptions of gender dimorphism that the Greco-Roman medical record sought to naturalize and perpetuate. My analysis focuses on when a Roman man's body was or was not considered man *enough* in medical, legal, literary, and social contexts.

This topic requires engagement with a range of literary evidence (as well as brief reference to some material evidence). I draw upon both Greek and Latin sources primarily from the first century BCE to the third century CE (c.50 BCE - 299 CE), with a few important exceptions.[3] From these sources, I seek to illuminate intersections among gender, sexuality, and the body in Roman ideologies of masculinity. This multifaceted approach will allow me to explore the following questions in-depth: *What if a person's body did not fully adhere to their assigned gender at birth? What if their masculine gender identity suddenly became*

[3] These exceptions occur mostly in medical and legal contexts, given that many of the principal texts from these corpuses were written outside of my thesis' historical timeline. Historically, Greek cultural influence was deeply ingrained in Roman culture, and Greek literature was widely circulated in the Roman Empire. Thus, my inclusion of Latin *and* Greek literature is essential for this thesis.

physiognomically incomprehensible? Which bodies did Romans accept as "man enough"? When was a Roman man no longer considered a man? The answers to these questions yield surprising results: in sum, a spectrum of gender atypical bodies and behaviours was recognized on the slippery hierarchy of Roman masculinity, albeit in varying degrees and not without discrimination.

The study of the gendered body in the ancient Mediterranean has been an active field in Classics since the 1990s. Much of the recent scholarship on this topic continues to take a primarily Butlerian theoretical approach; this has resulted in numerous studies that challenge the firm dichotomy between our modern conceptions of "biological sex" and "performative gender" in Greco-Roman contexts. Prior to Butler's work, Michel Foucault (1978, 1980, 1985, 1986, 2021) examined how we cannot always apply modern categories of gender and sexual identity in historical contexts prior to the twentieth century. In Greco-Roman thought, for example, ideologies concerning anatomical variation, sexual deviance, and atypical gender performance were deeply interconnected in constructions of identity. Virtually all of the sources I examine in this thesis describe gender atypical people through the language of masculinity, femininity, and—most prominently in the case of Roman men—effeminacy. What exactly these terms meant, however, was specific to their original socio-historical and literary contexts. In my theoretical approach, I draw inspiration from Foucault's foundational "social constructivist view of history."[4] Butler's works are also essential to my theoretical framework, as is evident from my opening paragraph. Nonetheless, a more multifaceted theoretical approach that builds on Butler's and Foucault's work is necessary for this project. An intersectional approach derived from

[4] Quote is from Valentine (2007: 30).

modern transgender theory is useful when examining Greco-Roman conceptions of gender atypicality.

Modern transgender theory has been building on Butler's intersectional framework, but with varied approaches to the study of gender diversity. Some of the most recent Western transgender theory does not seek to impose the modern gender identity of "transgender" (as an umbrella term for gender variance and diversity, whether or not gender "transition" is involved) universally onto people from other social and historical contexts.[5] In Jack Halberstam's recent approach (2018), for example, "trans*" is a useful theoretical framework for exploring gender variation "specifically because it holds open the meaning of the term 'trans' and refuses to deliver certainty through the act of naming."[6] Likewise, I will not be using this theoretical lens to search for representations of people in Greek and Latin literature that might fit modern "transgender" identities. Instead, I apply transgender theory following Susan Stryker's (2006) definition of the term:

> "Most broadly conceived, the field of transgender studies is concerned with anything that disrupts, denaturalizes, rearticulates, and makes visible the normative linkages we generally assume to exist between the biological specificity of the sexually differentiated human body, the social roles and statuses that a particular form of body is expected to occupy, the subjectively experienced relationship between a gendered sense of self and social expectations of gender-

[5] See Valentine (2007: 30-65), Stryker (2006: 3), Devun and Totorici (2018: 534), and Halberstam (2018) for problems with attempting to trace a universal "trans" identity throughout history.

[6] Which is to say, trans(gender) theory does not impose modern or foreign terminology and/or identities onto gender atypical groups or individuals universally. The quote is from Halberstam (2018: 3). Devun and Totorici (2018: 534) use the concept of "trans*historicity as an interpretive prism" to decipher what gender, sexual, and bodily atypicality meant in different socio-historical contexts.

role performance, and the cultural mechanisms that work to sustain or thwart specific configurations of gendered personhood."[7]

The "specific configurations of gendered personhood" I examine in this thesis were highly complex and are sometimes not fully accessible to us. Like David Valentine (2007), then, I hesitate to impose a sense of transgender or gender atypical "community" onto the people (and representations of people) that I will be examining in this thesis.[8] Doing so could result in erasing the nuances of and intersections between the labels, identities, and even invective applied to these individuals by Roman writers. As Valentine rightly points out, "Whether geographically bounded or not, community is not a natural fact but an achievement, a process that does not happen without the exercise of agency and power."[9] As will become evident in this thesis, the people I examine often did not speak for themselves. If these people were able to exercise the "agency and power" to formulate communities of nonnormative gender identities, evidence of this did not survive.

It is crucial to bear in mind that the accounts of these peoples' existences come from the perspective of *exclusively* male writers from around the Mediterranean, most of whom were writing either in Rome or, at the very least, in the context of imperial Roman hegemony. Following Adkins' (2020) approach, we cannot analyse these texts without acknowledging "the politics of representation," which is to say that these authors' ability to define the realities of groups of people, "to impose meaning, to shape reality to one's own image, is a marker of power."[10] Thus, issues of masculine social dominance, literary authority and representation,

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[7] Stryker (2006: 3).
[8] See Valentine (2007: 71-4) for this issue in the context of anthropological approaches to studying modern transgender "communities."
[9] Valentine (2007: 73).
[10] Adkins (2020: 168).

imperial conquest, sexual mores, class, ethnicity, the "politics" of representing individuals and groups, and (bodily) gender atypicality in the Greco-Roman masculine imagination will all remain equally important aspects of my intersectional approach in this thesis. In sum, I will be using an intersectional approach akin to modern transgender theory to highlight the nuances of what gender atypicality meant for Roman men, especially those who were considered "anatomically androgynous" or "eunuchs," terms which I explain further in this introduction and in subsequent chapters.

In Chapter One, I examine "configurations" of the gendered body in the Greco-Roman medical corpus. Scholars such as Brooke Holmes (2019, 2012) and Helen King (2013) have made clear the difficulties in comparing our own "modern" conceptualizations of anatomical sex, sexuality, and gender to those of Greek and Roman cultures.[11] Additionally, these two scholars have argued successfully—against Thomas Laqueur's (1990) reductive "one-sex" versus "two-sex" theory—that there was no sole authoritative theory, text, or author that summarized how the Greeks and Romans conceptualized anatomical gender.[12] King (2013) in particular has established that ancient anatomical theory is more complex than Laqueur's theories suggest. As a result, this "one-sex versus two-sex" or "King versus Laqueur" controversy has dominated scholarship on Greco-Roman conceptions of the body and sexual difference.

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[11] Holmes' (2012: 11-13) use of "ancients" and "moderns" problematizes the blanketing nature of these terms in comparisons between Greco-Roman antiquity and more modern Western cultures. My research builds primarily on the scholarship of Sukava (2020), Hanson (1990, 1991), Dean-Jones (1991, 1994), Flemming (2000), Holmes (2010, 2012, 2014, 2019), and King (2013).

[12] In his 1990 publication *Making Sex: Body and Gender from the Greeks to Freud*, Laqueur argued that ancient understandings of anatomical sex (up until the Enlightenment Period) were dominated by the "one-sex" model until the later, or "modern," acceptance of the "two-sex" model. Laqueur defined his "one-sex" model as: "at least two genders correspond to but one sex, where the boundaries between male and female are of degree and not of kind," with the degree of difference between the two responding to heat and moisture. In short, Laqueur's theory considers *only* whether it was generally accepted among "the ancients" that females were thought to have male genitalia flipped inside out, or whether the two sexes were considered entirely separate anatomically. See Laqueur (1990: 11) on Galen *De Usu Part.* 14.2.296-299. See King (2013: 2, 73-74) for her rebuttal.

In this chapter, I explore how voices of medical authority have shaped our understandings of ancient anatomy and physiology, but I place particular emphasis on the ways in which gendered discourse (that is, the language of Greek and Roman masculinity and femininity as deployed by exclusively male writers) permeated these "configurations" of the human body. To do so, I begin Chapter One by contextualizing ancient conceptions of the body in relation to religious concerns with pollution. After this, I examine the problem of medical authority by acknowledging how philosophical theories concerning ontology (the existence and nature of things) and teleology (the greater or ultimate "purpose" of things) often shaped Greco-Roman medical "configurations" of the human body.

Lastly, I conduct an experiment in order to reveal the ways in which medical authorities deployed the language of pollution, philosophical models, and deeply gendered ideologies in their discourse on anatomy (i.e., the parts of the body) and physiology (bodily functions). In this experiment, I use some of the most influential ancient medical authorities' writings to "configure" an idealized male and female body. This highly selective process is intended to reveal the problem of medical authority, as well as the deeply gendered ways in which ancient medical authors naturalized the "male/female" binary to suit their social hierarchies and cultural ideologies: namely the heteronormative, reproductive imperative. In addition, Chapter One builds on the research of King (2013), Holmes (2019, 2012), and Sukava (2020) to illuminate the ways in which ancient anatomical theory at times allows for the (at the very least hypothetical) existence of gender atypical bodies. I conclude the chapter by arguing that it is crucial to step outside the rigid strictures of medical taxonomy (i.e. systems of classification and definition) in order to shed light on the possible realities of gender atypical bodies that medical literature often fails to acknowledge, which is the greater purpose of this thesis.

In Chapter Two, I discuss the spectrum of men's bodies featured in Roman legal discourse.[13] This chapter builds primarily on Gardner's (1998a) research, which has established that what "made a man" in the context of Roman family law was surprisingly complex. Gardner has shown that the Roman juristic discourse surrounding men's bodies was concerned primarily with virility (generative ability), the completeness of their male genitalia, and whether or not they had undergone castration.

As Gardner's research has demonstrated, Roman family law was the only legal context in which this particular discourse on men's bodies arose. This was due to the crucial importance of the legal power (*patria potestas*) of the male head of household (the *paterfamilias*) over his dependents in Roman family law. In Roman family law, the jurists thought it necessary to deliberate over which men were fit to take on this role in the following contexts: puberty and the age of legality, marriage eligibility, adoption and adrogation (the Roman practice of formally "adopting" a legally independent person), wills and inheritance, and lastly, the appointment of heirs.

For the greater purpose of my argument, Chapter Two serves to challenge the universality of the Greco-Roman medical discourse that constructed a normatively dimorphic male/female binary. The Greco-Roman medical tradition erased and ignored gender nonconforming bodies. Yet it becomes clear that, in the practical contexts of family law, Roman jurists struggled both to differentiate between (and label) gender nonconforming bodies and to force them into the gendered social category of "Roman citizen man." In Roman legal thought, therefore, the

[13] To examine the corpus of Roman legal literature—which was not compiled until the fifth and sixth centuries CE—I apply Matthews' (2006) multifaceted approach, which acknowledges the difficulties (though not impossibilities) of extracting Roman social history from legal literature.

category of "man" featured a complex spectrum of bodies, both anatomically and physiologically.

Most importantly, this chapter introduces the spectrum of gender atypical bodies recognized in the juristic tradition: this included infertile men (who were referred to as *spadones* or *eunuchi*, two of the Latin terms for uncastrated yet infertile "eunuchs"), men deemed anatomically androgynous (whom the jurists labeled *hermaphroditi*, and were presumably intersex in some way and/or underwent some kind of gender transition), and castrated eunuchs (referred to as *castrati*, literally "those who have been castrated"). In the subsequent two chapters of this thesis, I apply my intersectional approach (1) to illuminate the culturally specific nuances behind these Latin terms and (2) to consider how these men could have functioned in imperial Roman society.

Chapter Three examines the connotations of the term *hermaphroditus* in Greco-Roman literature. As I introduced above, often this term was used to signify someone born (or who "suddenly" became) anatomically androgynous. In modern Western science, we apply the term "intersex" to people who exhibit variations in male and female genitalia (primary sexual characteristics), and/or androgen hormones (which can result in varying—often deeply gendered—physical attributes such as body hair, tone of voice, muscle development, and overall level of body fat, which often are referred to as "secondary sexual characteristics"). In the Greco-Roman imagination, the term *hermaphroditus* could refer to someone born with what was considered "androgynous" genitalia—in fact, some sources refer to them as *androgynos* ("man-woman").[14] However, this chapter establishes that Greek and Roman sources on "androgynous" births were often too anatomically vague for us to determine intersex variations. Furthermore,

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[14] *Androgynos* was also a common term in Greek invective to denote male effeminacy more generally, which I discuss briefly in Chapter Three.

the term *hermaphroditus* (and the corresponding Greek term *androgynos*) was also applied to "spontaneous sex-changers," which appeared in Greek and Latin literature exclusively in cases of female-to-male gender transition.

I approach these instances of bodily gender atypicality through the theoretical lens of modern intersex, namely from scholars such as Fausto-Sterling (2000), Harper (2007), and Dreger (1998), but recognizing that this modern term cannot always be applied in ancient Greco-Roman social and literary contexts. Additionally, this chapter is dependent on the research of Classicists such as Brisson (2002), Delcourt (1961), Garland (1995), and Shannon-Henderson (2020), who have documented and examined instances of intersex births and "spontaneous sex change" narratives in Greco-Roman literature. Through my intersectional approach, I strive to move away from modern conceptions of "intersex" and "gender transition" in order to examine what representations of congenital *hermaphroditi* and "spontaneous sex-changers" meant in their specific literary, social, and ideological contexts. The sources that I examine in Chapter Three exhibit an awareness of a cultural shift in attitudes toward the bodies of *hermaphroditi:* from *prodigia* ("prodigies; religiously polluting things"), to *mirabilia* ("marvels") and *deliciae* ("delights, entertainments"). I argue that such a shift in ideology would have had a noticeable impact on the social integration of people with gender atypical bodies, which was likewise reflected in later juristic opinions on legal rights for men considered *hermaphroditi*.

In the fourth and final chapter of this thesis, I examine the complex social and literary connotations of the Latin terms for uncastrated eunuchs (*spadones* and *eunuchi*) and castrated eunuchs (*castrati*).[15] I consider the connotations of these terms in the context of Roman

[15] In this chapter, I expand upon the research of scholars such as Stevenson (1995), Latham (2012), Rauhala (2017), Bullough (2002), Edwards (1993), Gleason (1995), Williams (2010), Adkins (2020), Walters (1997), Tougher (2002), Scholz (2001), and Vout (2007).

masculine invective, which was vital in the "politics of representation" present in literary representations of eunuchs, castrated or otherwise.[16] In this chapter, I argue that "eunuchs" referred to a range of gender atypical people who were present and functioned at multiple social strata of Roman society—as slaves, imperial favourites, members of an important priesthood, and even a notoriously successful orator.

In this thesis, I examine a wide range of evidence through an intersectional, transgender lens in order to establish how ancient writers represented and labeled gender atypical bodies within the firmly established gender binary of Roman society. My overarching conclusion is that the bodily gender hierarchy of imperial Roman society was not as simple as "male," "female," or "other." In fact, the types of bodies that could "make a man" in the Roman masculine imagination were surprisingly complex and resulted in abundant discourse on the hierarchy of men's bodies. The functional flexibility of masculinity proposed by the Roman jurists, however, could not be separated from stigma and ideologies surrounding effeminacy imposed on these gender-nonconforming Roman men. Without these people's voices and self-identifications to guide us, it is important to interrogate the "politics of representation" behind the voices of authority that labeled, represented, and discriminated against them.

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[16] Adkins (2020: 168).

Chapter One: The Body as Crisis

This chapter introduces conceptions of the gendered body in Greco-Roman medical and peri-medical discourse, to which I will be referring constantly in this thesis. I begin this chapter with a brief discussion on how Greco-Roman religious conceptions of pollution often tainted medical conceptions of the body, affected notions of health and illness, and prevented widespread practices of dissection and surgical intervention. This context is essential for an understanding of ancient conceptions and representations of gender nonconforming bodies. Next, I address the issue of authority in ancient medical texts in order to draw awareness to the "politics of representation" in ancient medical practice—which is to say, who was treating people and labeling bodies, and who determined which (gendered) bodies were more polluted than others. Then, I perform an experiment in order to witness firsthand how a culture "configures" the gendered body, to quote Judith Butler (2004).[17] I use dominant theories and observations from influential (peri-)medical texts to configure the human body through the lens of the gender binary that was recognizable to and perpetuated by Greek and Roman cultures: first a woman's, then a man's. In doing so, I analyse how these authoritative texts both naturalized and made fluid the gender binary through their descriptions of the physical body. Through this experimental approach, I hope to introduce both: (1) the constructions of masculinity and femininity that shaped conceptions of the ideal body for a citizen man in later Roman law and beyond, and (2) the "fluidity and fixity" of bodily gender in Greco-Roman discourse.

[17] Butler (2004: 9-10).

Ancient Medicine and Religious Conceptions of Pollution

Medical inquiry and practice were markedly Greek pursuits in the Roman imagination.[18] Thus, many of the authoritative texts that I examine in this chapter, and my analysis of ancient medicine more broadly, come from a predominantly Greek perspective. From the fifth century BCE onwards, the medical environment of the Greco-Roman Mediterranean was diverse: it included public and private medical practice, healing magic (especially at the religious healing sanctuaries of the god of medicine, Asklepios), what we might call "folk" medicine, midwifery, and the teachings of various schools of thought at massive centres of learning (such as at Kos, Alexandria, and Pergamum).[19] This rich medical environment reached even newer heights during the time of the Alexandrian anatomists, who performed dissection and vivisection on both humans and animals in the name of anatomical and physiological inquiry. Yet cutting into the human body (while dead or alive) was not an ideal pursuit for physicians in Classical Greek, Hellenistic, or Roman history.[20] The short-lived practice of human dissection—followed by its immediate cessation after the third century BCE—continues to perplex scholars of ancient medicine to this day.

Whether due to derision from competing practitioners, religious concerns, moral revulsion, or lack of opportunity, there is no evidence for the practice of human dissection beyond the lifetimes of the Alexandrian physicians Herophilus (c.330-260 BCE) and Erasistratus (c.315-240 BCE). As renowned as the anatomists were, later critics such as the encyclopedist Celsus (c.14-37 CE, writing in Latin) could not overlook these disturbing experiments: he

[18] This is ideology—in practice, there were various types of Roman medical practitioners. See Scarborough (1969), Nutton (2004: 157-186, 273-309), Jackson (1988), Flemming (2000), and von Staden (1996).
[19] Nutton (2004) provides an in-depth history of ancient medical practice.
[20] See further von Staden (1992b, 1989, 1975) and Flemming (2005).

considered dissection a superfluous, unnecessary, and ethically problematic task of medical "cut-throats."[21] The Hippocratic texts (c. fifth and fourth centuries BCE), for example, do not mention cutting into bodies post-mortem. Furthermore, not even Aristotle's belief that the body was emptied of the soul after death could bring him to document any practice human dissection, nor did he admit to condoning it.[22] He did, however, perform dissections on animals.[23] This overarching cultural aversion to human dissection—and the resulting lack of anatomical knowledge—impacted ancient "configurations" of the gendered human body.

In Classical Greek culture, the dissection of human cadavers was neither socially nor religiously acceptable because of beliefs surrounding pollution and the sacred handling of the body in burial practices.[24] The human body itself was a site of potential religious pollution in the Greek imagination, especially in the contexts of birth, disease, and death.[25] Parker (1983) argues that the notion of pollution "is not irrelevant even to historian of science, since the Hippocratic doctor, in seeing 'impurity' as a cause and symptom of disease, is an heir to the prophet or oracle."[26] As a result, ancient medical discourse on the gendered body was often laced with the

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[21] Celsus, *Med*. proem. 40-44. See also Flemming (2005: 455).
[22] Aristotle, *On the Parts of Animals* 1.641A, 19-210. See further Phillips (1987: 25), which includes discussion of Aristotle's *Frag*. B 5-7 from *History of Animals* 3.2.412a-b. Aristotle's physiology was based primarily on animal dissection. Despite Aristotle's intensive studies of animal anatomy through dissection, it is clear from his failure to pick up on even the visible differentiation between the vaginal and urethral openings that his conceptions of human anatomy were inhibited by his lack of human examination [Dean-Jones (1991: 127) discussing Aristotle, *On the Parts of Animals* 689a6-9].
[23] See von Staden (1975: 184, n.40). The dissection of animals drifted in and out of popular practice among medical writers. During the Second Sophistic, Galen (c.129-216 CE)—the renowned gladiator physician from Pergamum who became the court physician to Marcus Aurelius—for example, wrote the first text on the practice of animal dissection. He was known even to have performed them live, and utilized his knowledge of large apes and pigs to further his own theories on human anatomy. See further May (1968: 20-25) and Mattern (2008: 9). Von Staden (1975: 185) points out that "the use of an experimental method tends to disappear rapidly from medical research after the third century B.C.E. and only surfaces significantly again in the second century C.E. in the works of Galen."
[24] See Parker (1983: 1-73, 144-190; especially 207-234).
[25] See Kearns (2010: 105) for sources on sex with women and women giving birth as common sources of pollution.
[26] Parker (1983: 2). He continues on to add that "The origin of disease raises the more general question of how the early Greeks, individually and collectively, responded to the afflictions that befell them." See also Kearns (2010: 101-114) for the connections between pollution, death, and birth in Greek religion.

language of pollution. For example, both the processes of birth and even sexual intercourse with a woman were thought to be causes of religious pollution in Greek thought, both of which required subsequent purification.[27] Conceptions of pollution also influenced the Roman natural historian Pliny the Elder's (c.23-79 CE) descriptions of women's bodies: he reported various mystifying (but predominantly medical) uses of women's body fluids such as milk and menstrual blood, both with positive and negative effects.[28] The atypically gendered body, too, was thought of as an inherent site of religious pollution, as is evident in (early) Roman expiations of anatomically "androgynous" births, which I examine further in Chapter Three of this thesis.[29] These gendered beliefs on bodily pollution affected the treatment of people with atypically gendered bodies in Greece and Rome. I will refer back to this issue in my discussions of castration practices and gender "corrective" surgeries in Chapter Three and Four.

Greek and Roman medical authors provide extensive discussions on whether it was morally and religiously acceptable to surgically alter—or otherwise cut open—the human body in the name of medical exploration and intervention. These authoritative voices also determined whose bodies were represented in medical texts. Thus, it is important to address the problem of authority in the context of medical "configurations" of the gendered body. The questions I address in the following sections are: *Who were these authoritative medical practitioners and theorists? Who, therefore, had the authority to decide which bodies were ideal, sources of*

[27] See Kearns (2010: 105) for sources on sex with women and women giving birth as common sources of pollution in Greek religious contexts.

[28] Plin. *HN* 28.70-87. These quotes were derived from Pliny's mostly Roman sources and long-standing traditions of Roman "folk medicine"; see also Scarborough (1969). I discuss these passages from Pliny further in the third section of this chapter. See Richlin (2014) for polluting factors in women's bodies and medical uses of their bodily fluids (such as menstrual fluid, milk, and spit, etc.). See Parker (1983: 32-73), von Staden (1992a, 1991), Kearns (2010: 101-14), and Carson (1990) for the ideological link between birth, death, religious conceptions of pollution, and the female body.

[29] See MacBain (1982) and Rüpke (2011: 295, 297-8) for the expiation of *hermaphroditi* in Roman religious practice. These killings were a matter of civic concern, and they were performed by Etruscan diviners called *haruspices*.

pollution, or more susceptible to pollution than others? Why are their theories so influential to our understandings of ancient conceptions of the body?

Authorities on Bodies

When analysing ancient conceptions of the body, it is important to keep in mind that medical practice was far from standardized in the Greek and Roman world, as I mentioned briefly above. As a result, our understandings of conceptions of the body in the ancient Mediterranean come from various sources spanning several centuries, including philosophers, anatomists, practicing physicians, natural historians, and other peri-medical authors. Men's voices dominated debates about the validity of different theories, a tendency which determined whose contributions were erased from the written medical record entirely.[30]

In order to examine ideologies surrounding ancient medical authority and conceptions of human anatomy, it is necessary first to acknowledge medicine's philosophical origins. Early Greek theories on human anatomy arose primarily from philosophical inquiry; these theories date back to the predecessors and contemporaries of Socrates, around the beginning of the fifth century BCE.[31] Both Empedocles (c. 495-435 BCE) and Democritus (c. 460-370 BCE), for example, conceptualized the body through an ontological lens. Empedocles focused on the natural elements (earth, air, fire, and water), and Democritus' theories reflected the origins of atomic theory.[32] Very few texts in this early period of Greek history—not even Empedocles and

[30] For example, despite the prolific work of female physicians and midwives, we know about their work exclusively through epitaphs and the writings of male authors (most notably Soranus in his gynaecological treatise). See Plant (2004: 5).
[31] See further Nutton (2004: 44) for an expansive documentation of Pre-Socratic medical treatises. See also Longrigg (1993) and Lloyd (1975).
[32] See Nutton (2004: 45-48) and Phillips (1987: 26).

Democritus—were concerned primarily with medicine, let alone anatomy or physiology.[33] Thus, philosophy and the pursuit of anatomical understanding were virtually indistinguishable in Archaic and Classical Greek texts until the late fifth century BCE. The disciplinary division was predominantly popularized by the Hippocratics.

Given the closely-knit relationship between philosophical theory and medicine, many classical Greek inquiries into various branches of medical studies were undertaken through ontological and teleological speculation.[34] As a result, sometimes anatomical and physiological inquiry did not necessarily coincide with actual structures and workings of the human body.[35] From the fifth century BCE on, however, the human body—ailments and all—began to emerge as a focus of inquiry among medical writers.[36] With its emergence, as Brooke Holmes (2010) argues, came "the potential for conceptual and cultural disruption."[37] In reality, delving into the inner workings of the physical body was a challenge for ancient medical writers and practitioners: to some, it was a "cut-throat" game, both literally and figuratively. In addition to

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[33] Early Greek anatomical musings were mainly theoretical and served as internal projections of the authors' theories concerning the workings of the external natural world. The first physiological observations in Greek natural philosophy, summarized briefly by Diogenes Laertius in the third century CE, are said to have been compiled by Alcmaeon of Croton (c. 450 BCE). Unfortunately, very few fragments of texts attributed to Alcmaeon were left behind, and little is known of the practical methods that led to his physiological findings. Even so, the work of Alcmaeon was still a product of natural philosophy inherently, and cannot be defined as wholly relating to medicine, at least according to Diogenes. For Alcmaeon of Croton's observations, see Diogenes Laertius, *Lives of Eminent Philosophers 8.5: Alcmaeon*, Jackson (1988: 17), and especially Lloyd (1975). See Celsus *Med. proem*. 7-10. Phillips (1987: 14-15) also remarks on this distinction.

[34] Lang (2012: 259) points out that "The surviving fragments of Herophilus and Erasistratus reveal that both used sophisticated, philosophical-style arguments in issues of epistemology and causation, while the biographical tradition also places them in the same intellectual milieu as philosophers."

[35] Lloyd (1979) points out the "speculative nature" of anatomical theory in a specific passage of the Hippocratic treatise *On Airs, Waters, Places*, wherein, in the usual Hippocratic fashion the author favours a mechanical description (based on the "natural cause," or *phusis*) of the aristocratic Scythians' impotence—suggesting that bleeding from behind the ears will alleviate the condition due to their link to the seminal vessels—as opposed to divine intervention (127-29). See also Hippoc. *Aer*. 1.1.77.10-75.25.

[36] Sukava (2020: 44) argues that "A unifying theme held in these works, and most treatises within the Hippocratic Corpus, is that the human body is primarily a physician's area of control… The author [of the Hippocratic text *On Ancient Medicine*] adds that a physician must limit his attention to aspects of this nature (*physis*) that are relevant to medicine, namely one's regimen."

[37] Holmes (2010: 22).

the gruesome realities of performing surgery before germ theory or anesthesia, there were philosophical and deeply contentious debates about the (im)morality of cutting into the human body, as I discussed above. This had long-lasting effects on how voices of medical authority sought to understand, treat, and taxonomize people's bodies. These cultural and practical concerns likewise impacted how medical practitioners and theorists projected their own authority.

Some ancient authors held the Alexandrian anatomists in high regard for their dissections, regardless of their unpalatable, even religiously taboo medical experimentations. Centuries after the studies performed by the Alexandrian anatomists, for example, as von Staden (1989) points out, "in the opening pages of his *Ars Medica* Galen employs an elaboration of the Herophilean division as if it were his own, or as though it had become so widely accepted that it required neither identification of Herophilus as its author nor any historical introduction or defence."[38] The legacy left behind by Herophilus and Erasistratus provided a rhetorical basis for individual medical writers to project their own authority—either by positioning themselves alongside the anatomists or by rejecting them. Thus, these anatomists created a language of human anatomy that was influential for centuries, even though the dissection of humans was no longer sanctioned or, to some, acceptable whatsoever.[39]

Greek philosophical rhetoric was an important skill used to project medical authority, especially in the competitive medical environment of the Second Sophistic.[40] As a result, some

[38] von Staden (1989: 103).
[39] Flemming (2002: 452) and Celsus, *Med*. proem. 24, emphasize the pervasiveness of Herophilean terminology.
[40] Flemming (2000: 59) stresses the importance of rhetoric in the medical profession. For example, Galen criticizes Thessalus (a layman who presumably started a Methodist medical school) for his anti-Hippocratic views and for claiming that he could teach students everything they needed to know about medicine in six months. It is unclear whether Thessalus was a real person or an example of an amateur doctor archetype. Nevertheless, this rhetorical attack takes up the entire first book of his treatise *Method of Medicine*. Galen rhetorically sets himself apart from Erasistratus and even Herophilus in his *Method of Medicine*, too (1.5K-6K).

contending philosophers' and practitioners' theories divided themselves into schools of thought (or sects), even within the Hippocratic corpus alone.[41] Early Greek medical practice eventually contributed to the division of practitioners and theorists under the Roman Empire into four dominating sects: the Empiricists, Dogmatics, Methodists, and Pneumatics.[42] For these sects in particular, either aligning oneself with or setting oneself apart from the Alexandrian anatomists became a key aspect of projecting personal authority in the intellectual sphere of anatomical inquiry and medical practice.[43] Thus, texts surrounding the proper etiquette, patient care, and ethics of physicians were written alongside philosophical and medical treatises from the Hippocratics onwards.[44] Even for those who were not experienced in hands-on examination of the human body, argument was just as important as accuracy—occasionally the former overshadowed the latter.[45]

When examining the authoritative texts of Greco-Roman medicine, it is important to bear in mind that the voices of prominent physicians (such as the anatomists) provided lenses and taxonomies for organizing, defining, and "configuring" the gendered body for centuries to come. Yet even though authoritative physicians such as "Erasistratus… and indeed Herophilus, may

[41] Such as the Cnidian and Coan schools, for example.
[42] Jackson (1988: 30-35).
[43] Flemming (2005: 451). A crucial dividing factor between these sects was their opinions on the ethics and necessity of anatomical studies, especially dissection. Those adhering to the Empiric sect strongly opposed the study of anatomy through dissection: they considered efforts to understand the inner functions of the human body fruitless and unanswerable. The rational Dogmatics, in contrast, believed that revealing the inner workings of the human body was vital to the ability to heal it, and theoretically condoned the idea of dissection, mostly without ever attempting dissection themselves. The Methodists rejected dependence on humoral pathology, and instead prescribed practical, universal regimens. The Pneumatics (whose affinity for the *pneuma* derived from the theories of Aristotle and Erasistratus) sought to oppose the Methodists' rejection of the humors because they believed that they were necessary to obtain optimal health by circulating the *pneuma* through the body. After the experiments done in Alexandria in the 3rd century, von Staden (1975: 192) points out that the dominating Empiricists were "neither motived by causal explanation nor by a desire to generalize any hypothesis, but rather by the practical question 'What will work in this particular case right now?'—and the answer is uniformly simple: 'Let us try whatever worked in a similar case.'"
[44] Lloyd (1979: 39).
[45] Galen laments that "Nowadays, however, noble rivalry has perished, or rather only a small and faint part of it still exists among men. Worthless contention is dominant and there is nobody who will avert or remedy it" (*Method of Medicine* 1.1.7k., trans. I. Johnston et al.).

have provided some new answers to old questions" in their "configurations" of the body, as Flemming (2000) points out, "they rarely thought to change the questions."[46] As a result, authoritative Greco-Roman medical texts both predating and following the Alexandrian anatomists inevitably impacted gendered conceptions of anatomical and physiological difference in Roman culture. The voices of these prolific authors have shaped our understandings of ancient medical authority today, too.

In this thesis, I examine when a Roman citizen man's body was considered man *enough* in social and literary contexts. In order to examine how ideologies surrounding masculinity influenced how Romans "configured" men's bodies, first we must examine constructions of femininity in women's bodies and, therefore, what a Roman man was *not* meant to resemble physically. In the following two sections, I have selectively chosen both influential and anecdotal theories from various ancient writers to construct a woman's body, then a man's. In doing so, I seek to allow us to witness firsthand how these cultures constructed and perpetuated their own perceptions of the gendered body, so that we can be mindful of the rhetoric that seeks to naturalize the male/female binary within the diverse spectrum of human bodies. Additionally, but more prominently in the following chapters, I hope to add to the argument prevalent in recent scholarship that many of these constructions also leave room for a certain level of anatomical and physiological fluidity in the gendered body.

In the following two sections of this chapter, I have chosen passages from influential constructions of the male and female body in Greco-Roman literature. The main sources include: the pathological, anatomical, and physiological theories of the Hippocratic authors, Aristotle, the Alexandrian anatomists, the Greek surgeon Soranus, and Galen—all of whom were among some

[46] Flemming (2005: 452-453).

of the most influential voices in Greco-Roman medical history. The works of influential peri-medical laymen such as the Roman natural historian Pliny the Elder and the Roman encyclopedist Celsus also enrich our understandings of prevalent medical ideologies, theories, and practices across the Mediterranean, and so I have added a few anecdotes from them as well. The majority of these sources are from medical contexts, but I supplement these configurations of the dimorphic gendered body with mythological and philosophical texts briefly. Through this highly selective process of "Fashioning a Woman" and "Making a Man," I intend to demonstrate the ways in which voices of (peri-)medical authority constructed ideal gender dimorphism as a reflection of their own cultures' gender hierarchies and ideologies. Overall, I use this section to illustrate the dangers of relying on medical authority alone to summarize ancient conceptions of the gendered body.

Fashioning a Woman

The earliest Greco-Roman literary construction of the female body comes from an aetiological myth: the origin of the first woman. In Hesiod's *Works and Days,* the first woman in existence, Pandora ("All-Gifts"), was purposefully forged well after the emergence of mortal men.[47] As punishment for the titan Prometheus giving fire to mankind, Zeus ordered the Olympians to create Pandora (and therefore all womankind after her) as an evil (*kakon,* 57) and a misery for men (*pēma andrasin,* 82). Hephaestus molded her body out of clay, gave her a voice, and ensured her form was beautiful like a maiden's (*parthenikēs kalon eidos*, 60-63). Athena taught her to weave (63-64), then "arranged" and "girded" her (*zōse de kai kosmēse*, 72), while

[47] See further Zeitlin (2002), Holmes (2012: 17-27), and Uhlig (2020) for the "construction" of the female body in the myth of Pandora. All translations of Hesiod are my own.

the Graces and Persuasion adorned her with jewelry all over her body (73-75). Aphrodite "poured golden grace, painful desire (*pothon argaleon*) and limb-gnawing cares (*guioborous meledōnas*) on her head" (65-66). Meanwhile Hermes infused her with shamelessness (literally "a dog mind," *kuneon noon*, 67) and a "thievish character" (*epiklopon ēthos*, 67). Before the arrival of woman, we are informed that mankind lived free from "evils and grievous toil and painful diseases" (*ater te kakōn kai ater xalepoio ponoio/ nousōn te argaleōn*, 91-92). Finally, when Pandora opens her jar, all these plights begin to plague mankind (94-105), and forevermore men are forced to spend their lives by women's side and procreate with them to survive (126-142).

Misogynistic traits prevalent in Greco-Roman constructs of femininity are embedded and naturalized in Pandora (and, by extension, all women after her) from the moment she is fashioned: deceptiveness, adornment, wickedness, worry, and passivity. Pandora is given a voice, but she does not speak; the only active role she has is opening a jar of evils and diseases, but she shuts it before hope can escape. According to this aetiological myth, women—and the need to reproduce—are sicknesses (*nosoi*) inflicted upon men. Thus, the concepts of malleability, passivity, conception, and disease were associated with the female body (via Pandora and her jar) from the point of creation.

In his musings on the origin of humans and their desires to procreate, Plato (*Timaeus* 90e-91d) expresses beliefs similar to Hesiod's narratives, but with a closer focus on female anatomy. In Plato's narrative, womankind (and, by extension, the need for humans to reproduce) evolved from men who "were cowardly and passed through life unjustly" (*deiloi kai ton bion adikōs diēlthon*, 90e).[48] The male urge to procreate originated from their "seed" (*sperma*, 91b), whereas

[48] All translations of Plato are my own.

the female's was engrained in their "matrices or wombs" (*mētrai* or *husterai*, 91c). Plato's version of the womb is frenzied for conception and begins to wander through the female body, causing all sorts of ailments until copulation takes place (91d). The author of the Hippocratic treatise *On the Diseases of Women* (1-7), too, lists a variety of illnesses—such as suffocation and suppression of menstruation—that were said to occur in women due to the womb wandering too far up or down the body. Pregnancy, specifically from marital intercourse, was recommended as a treatment, especially for women who had never given birth before.[49]

Plato concludes this section of his dialogue: "And so, it is in this way that women (*gunaikes*) and every female (*to thēlu pan*) have come into being" (91d). Once again, the female body is described as generated after males were already in existence, and it is inherently (morally, to Plato) inferior.[50] Reproduction was a fundamental concern for philosophers, natural historians, and medical authors. Due to the overwhelming focus on the heteronormative reproductive imperative, many ancient constructions of the female body (and understandings of women's health more generally) after Hesiod began with the uterus (*hustera*). Thus, medical and philosophical writers for centuries attributed "feminine" traits embedded in the Hesiodic Pandora to women's uteruses.

To the medical authors, the womb's primary role in the female body was generation.[51] In his extremely influential physiological treatise, *On the Usefulness of the Parts of the Body*, Galen

[49] The animalistic "wandering womb" was not held in popular regard among medical writers and practitioners after the Hippocratics of the fourth and fifth centuries BCE. For more on dropsy, displacement of the womb, and hysterical suffocation, see the following Hippocratic treatises: *Place in Human Anatomy* 47; *Diseases of Women* 2.126, 123; *Nature of Women* 2, 3, 8; *On Virgins*. See also Aretaeus, *On the Causes and Symptoms of Acute Diseases* 2.
[50] The pseudo-Aristotelian *Physiognomica* likewise argues that the female body was inferior to men's in nearly every way, and that weakness, dishonesty, and cowardice were evident in women's bodies (like all female animals, according to this author) from their "moister flesh" to their "daintier feet" (809a38-b, trans. Lefkowitz and Fant).
[51] Ancient medical writers did not fully understand the role of the ovaries as we do today. Herophilus failed to recognize the function of the ovaries in his research—which was criticized by the Alexandrian-trained gynaecologist Soranus—he named them *didymoi* ("twins"), the same term he used to define male testes. See Soranus, *Gyn*. 3.1 for his complaints on the matter. Galen mentions Herophilus' finds from his now lost treatise *On Anatomy* (*On the*

applies a deeply gendered teleological approach to the study of male versus female bodies. Galen's teleology—the study of not only the function, but the greater purpose and importance of parts of the body—echoes the attitudes towards gender roles in Greco-Roman culture. This is to say that, to Galen, rationalizing differences in biological sex was inextricably bound up with ideologies concerning gender and social roles. For example, Galen says: "The female sex does not need any special covering [hair] as protection against the cold, since for the most part women stay within doors, yet they do need long hair on their heads for both protection and ornament, and this need they share with men."[52]

Following his teleological doctrine in this text, Galen describes the womb's primary function as something akin to a city's gate: yielding when necessary, but mostly locking out external substances and retaining material life inside, which is why "Nature made it sinewy and hard."[53] He moves on to explain that the vaginal canal was in charge of closing behind the entrance of semen and contracting around it to keep the *pneuma* (life force) and seed (semen) intact. The womb's purpose, then, was to create a road for the semen to enter. Galen explains this function in the overall shape of the womb: "So do not be surprised when you see in dissections of animals or find in the writings of Herophilus or some other anatomist [discussing the human body] that the neck of the uterus is crooked and winding at all other times, when the semen is not passing in or the fetus passing out."[54]

Dissection of the Uterus 4.5). Essentially, he "affirmed that the uterus is substantially the same as other organs and denied the existence of conditions specific to women other than those directly concerned with reproduction" [Skinner (2014: 197); see also Sor. *Gyn*. 3.3]. This anatomical organization of sexual organs was incredibly influential in Galen's later rhetoric, and, to Flemming (2005: 454) marked the Alexandrians' organizations of the body not as "an anatomy of difference," which supports the Galenic "one-sex" organizational model mentioned above. As a result, often texts did not acknowledge the role of the ovaries in reproduction. For Herophilus as influencing (confirming, for Galen) the 'one-sex' body via the gonads, see King (2013: 39), Flemming (2000: 121), von Staden (1989: 165-9), Lloyd (1999: 108).

[52] Galen, *De Usu. Part.* 11.2.155, trans. M. T. May.

[53] Galen, *De Usu. Part.* 14.2.287-291, trans. M. T. May; quote is from 287.

[54] Galen, *De Usu. Part.* 14.2.290, trans. M. T. May.

Galen is making an assumption in his physiological imagining of the womb: what *else* could it possibly be doing in there besides waiting for conception or childbirth? Is the uterus, essentially, just passively lying dormant in the meantime, folded up and sealed tight until it was time to unfurl to accept semen during heterosexual intercourse? This is a teleological model of the female reproductive system designed to explain its purpose in the human body and, by extension, its purpose in the larger social function of women at the time—ideally, to give birth.

To Aristotle, "a woman is an infertile male": the womb provided solely matter, not any form of generative seed, during conception.[55] In short, he understood the womb as passive matter, even though it contained the developing foetus. Aristotle attributes this to the lack of heat needed to concoct seed into an active generative substance, which he considered inherent to the female body.[56] The author of the Hippocratic treatise *On the Generating Seed and the Nature of the Child* claims that both males and females emitted sperm, and that both sexes contained varying levels of both; whichever was most prominent during conception would determine the sex of the foetus.[57] Female sperm, however, was considered weaker than male sperm in nature, thus a person born with large amounts of female sperm would be female. Once again, the language of weakness and passivity, especially in comparison to the male body, is attributed to and naturalized within the feminine form.

The surgeon and gynaecologist Soranus, however, did not think all people with uteruses were fit for conception necessarily. He believed that:

> "One must judge the majority from the ages of 15 to 40 to be fit for conception, if they are not mannish, compact, and oversturdy, or too flabby and very moist.

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[55] Aristotle, *On Gen.* 727b18. Menstrual fluid was not seminal to Aristotle (*On Gen*. 727a2).
[56] Aristotle, *On Gen.* 727a2-727b18. For Aristotle's discussion of heat, see *On Gen*. 765b8-766a17.
[57] Hippocrates, *On the Generating Seed and the Nature of the Child* 6-8.

> Since the uterus is similar to the whole [body], it will in these cases either be unable, on account of its pronounced hardness, easily to accept the attachment of the seed…"[58]

A certain level of femininity, as opposed to "mannish"-ness or "hardness," was required for a woman to conceive successfully. Softness and moistness—traits commonly attributed to the female body in medical discourse (which I discuss below)—could not be in excess. Ideally, then, a woman's body should not be too masculine *or* too feminine in order to conceive successfully.

This is not to say that reproduction was the sole concern in ancient medical discourse about the womb. For many authors, the womb and its various physiological functions were the basis of women's general healthcare. Menstruation was an important aspect, too. The Hippocratics list a variety of concerns and treatments for the suppression of menstrual flow.[59] Soranus—who was usually somewhat sympathetic to women's experiences during their menstrual cycles—considered menstrual fluids to be inherently pathological.[60] Carson (1990) and von Staden (1992) have discussed the pathologization of women's excretions (specifically menstrual fluids) in ancient medical discourse and literature more broadly. Even further, the womb itself—and by extension, the female body—was inherently a site of concern for religious pollution in the Greek imagination given its fundamental role in the process of birth.[61]

Mystical accounts of the polluting powers of menstrual fluid appear in a handful of texts. In his text *On Dreams*, Aristotle claims that a menstruating woman could make a clean mirror cloud over just by looking at it.[62] The Roman natural historian Pliny the Elder (who was not a

[58] Soranus, *Gyn.* 1.34, trans. O. Temkin.
[59] Hippoc. *Diseases of Women* 1.2, 1.6; *Places in Human Anatomy* 47, and *Epidemics 6.32,* to name a select few.
[60] Soranus, *Gyn*. 1.24-5, 29.
[61] See Parker (1983: 32-73), von Staden (1992a, 1991), Kearns (2010: 101-114), and Carson (1990) for the ideological linkage between birth, death, the female body, and religious conceptions of pollution.
[62] Aristotle, *On Dreams* 459b-460a.

practicing physician by any means) propounded the theory that menstrual fluid was a female equivalent to male semen.[63] His *Natural History* contains fantastically detailed descriptions of the mystical powers of menses: killing crops, rusting iron and bronze, turning wine sour, and (most alarmingly) driving dogs mad and infusing their saliva with poison.[64] Pliny even claims that menstrual fluid was able to divert and prevent storms, ruin the colour purple, kill men if sexual intercourse occurred on a full moon, darken mirrors, and serve as a pesticide in fields.[65] The mystifying powers of other female excretions such as breastmilk and even saliva also appeared in several other medical texts.[66]

The obsessive mystifications of female bodily excretions were related to discourse on wetness and heat. Galen believed that men, women, and children differed in moistness and dryness respectively.[67] The author of the Hippocratic *Diseases of Women* explained that "a woman's flesh is more sponge-like and softer than a man's: since this is so, the woman's body draws moisture both with more speed and in greater quantity from the belly than does the body of a man…" and that a women generally had wetter constitutions because they did not participate in hard work as much as men.[68] The female body, therefore, was considered wet because women were assumed to be less physically active than men. Aristotle, on the other hand, considered the female body to be colder than the male's due to their inability to concoct enough heat to have active seminal fluid.[69] Likewise, Galen argues that "the female is less perfect than the male for one, principal reason—because she is colder; for if among animals the warm one is the more

[63] Plin. *HN* 7.66.
[64] Plin. *HN* 7.64-66.
[65] Plin. *HN* 28.77-79.
[66] For the powers of milk, see Hippoc. *Epidemics* 2.18; Galen, *Method of Medicine* 7.474-475K; and Plin. *HN* 28.72-73. For saliva, see Plin. *HN* 28.76. For scholarship on Pliny's representation of the female body, see Richlin (2014) and King (2007: 34).
[67] Galen, *Method of Medicine* 3.207K.
[68] Hippocrates, *Diseases of Women* 1.1, trans. A. Hanson.
[69] Aristotle, *On the Generation of Animals* 716b.32-3, 765b8.2-3.

active, a colder animal would be less perfect than a warmer."[70] Whether hot or cold or wet, these constitutions resulted from inertia and passivity, which these authors then naturalized as innately female traits.[71]

Often feminine stereotypes surrounding softness, wetness, and pollution influenced these authors' perceptions of female anatomy and physiology *en masse*. In the passages I have discussed above, the female body was ideologically configured thus: it was soft, wet, and either cold or warm; it was a passive receptacle for a foetus; full of potentially polluting fluids; and associated with malleability and disease. As Carson (1990) summarizes, "the female body, the female psyche, the female social life, and the female moral life are penetrable, porous, mutable, and subject to defilement all the time."[72] Thus, female bodies were central to medico-philosophical discourse on dangerous, polluted bodies; they were considered to be on the brink of crisis, constantly under threat of "slippage into the non-ideal."[73] Yet, as I argue toward the end of this chapter and throughout this thesis, this ideological notion of permeability and "slippage into the non-ideal" was not exclusive to the female body, despite the medical tradition's attempts to make it appear so. Primarily, these texts were concerned with the womb, menstruation, and even the qualities of the mythological Pandora in their constructions of the female body. This section has demonstrated how easy it is to pick and choose sources that align with deeply gendered, downright misogynistic ideologies that sought to naturalize Greco-Roman conceptions of femininity in the human body. Now that I have examined what, ideologically,

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[70] Galen, *De Usu. Part.* 14.2.296, trans. M. T. May. Prior to this, Galen discusses the problem of coldness in the female body. He claims that "wrinkles, bends, and twists… contribute greatly to keeping the parts of the uteri from being chilled. For this reason, too, women feel especially cold during their monthly purges and during childbirth; for then the throat of the uteri becomes straight and wide open, and hence, if it were always so, they would always be cold" (14.2.290, trans. M. T. May).
[71] For the argument that this reflects changes in women's social standing in Greece, see Dean-Jones (1994: 20, 249-50).
[72] Carson (1990: 15).
[73] Lee (2015: 46).

made a "woman" in a handful of examples from the masculine imagination, next I will consider what made a "man" through this same lens.

Making a Man

In Hesiod's creation myth, the first, "Golden" race of men (*chruseon*, 109) lived without evils, toil, or diseases (90-93) before the arrival of womankind.[74] They were ageless: "always the same in feet and hands" (*aiei de podas kai cheiras homoioi*, 114), and they always died peacefully (116).[75] Morally, this race was "willing and gentle" (*ethelēmoi hesuchoi*, 118-119). They were "made" (*poiēsan*, 110) by the Olympians, but beyond this, there is no piece-by-piece description of their creation. After the gradual moral decline of the Silver and Bronze races—and the admirable race of demigods—comes the final mortal race of mankind: the morally reprehensible, evil-laden Iron race (176-201). The only descriptions of the human body in this section are ungendered: all humans are born with hair already greying (*geinomenoi poliokrotaphoi telethōsin*, 181), and Shame and Retribution cover their skin with white mantles (*chroa kalon… Aidōs kai Nemesis*, 197-200). The origin of the male human body is nearly absent from Hesiod's aetiological narrative. Although Hesiod's *Works and Days* finds much to reproach in the natures of both mortal men and women generally (180-201), the male body was free from

[74] All translations of Hesiod and Plato are my own.
[75] Whereas in the creation myth at the beginning of Ovid's *Metamorphoses*, "humankind" was created out of clay (*natus homo est…* 1.78-88). There is no gendered language used (i.e., no words indicating "man" or "woman" are used specifically) until the Iron Age, in which husbands and wives long for their spouses' deaths, and wicked stepmothers mix up potions (*inminet exitio vir coniugis, illa mariti,/ lurida terribiles miscent aconita novercae*, 1.146-7). Impiety is the primary moral reproach for Ovid's Iron race (*victa iacet pietas*, 1.149). The two genders are defined clearly in the final race of humankind, when Deucalion and Pyrrha create the "forms" of men and women, respectively (*inque brevi spatio superorum numine saxa/ missa viri manibus faciem traxere virorum/ et de femineo reparata est femina iactu,* 1.395-415). Ovid does place any further focus on demarcating the gendered body, or the need for procreation in this section.

moral and physical pollution in its Golden Age, before the dawn of woman. As a result, Hesiod's creation of the male body is unmarked compared to the marked female body, especially in contrast to the forging of Pandora and womankind. To Hesiod, what makes up a man implies what is wholly natural.

Next, I return to the philosophical origin of mankind and their desire to procreate in Plato's *Timaeus* (90e-91d). In the *Timaeus*, humans that were not cowardly and unjust were inherently male (90e-91a). The arrival of womankind brought the need and desire for procreation, but unlike the female womb, the "living thing" that housed this desire in male bodies was the "seed" (*sperma*, 91b), which the gods drilled into their marrow (91a). The nature of male genitals and "seed", to Plato's speaker, is a "disobedient and self-governing" creature that does not obey reason and "attempts to conquer all because of its raging desires" (*pantōn … epicheirei kratein*, 91b-c). The female womb, on the other hand, desires conception in a passive, internal frenzy, whereas the male seed desires to dominate "all things" (*pantōn*, 91b) outside of itself, specifically during the act of conception. Here, Plato makes male semen, genitalia, and sexual desire the source of (ideologically) masculine traits such as domination and independence. Plato's naturalization of "the masculine" need to dominate "the feminine" during conception is a result of and in contrast to the cowardice and unjustness embodied by womankind.

Plato and Hesiod's aetiological narratives describe and create the human body with the ideological, gendered qualities of femininity and masculinity. A similar phenomenon occurred in works of natural history and medical treatises. Despite the focus that many authors placed on female body fluids and inherently wet constitutions, the male body was not necessarily considered universally drier in comparison. Galen theorized that men had more body hair than women because men had more humoral residues inside them—excess hair growth was caused by

the expulsion of these residues.[76] The Hippocratic author of *On the Nature of the Child* claimed that semen (when agitated) was the primary source of the wetness required for hair growth, which is why males grew more hair than females.[77] Since almost every fluid that could be excreted from male bodies was also present in females (especially in the context of humoral theory), discussions on internal moisture frequently focused on the heavily gendered dichotomies of wetness versus dryness, and activity versus inertia. Fluids such as menses, female "seed," and male "seed" were the focus of discussion in these texts. For example, the author of *On the Nature of the Child* explains the existence of fraternal twins: a foetus conceived in a sinus of the womb containing "thicker and stronger seed" (*gonē pachuterē kai ischuroterē*) will be born male, and one surrounded by "wetter and weaker [seed]" (*hugroterē kai asthenesterē*) will result in a female.[78] Thickness and strength, not dryness, were attributed to male "seed," whereas wetness and weakness signified the female.

Many medical and non-medical authors included the rhetoric of masculine strength in their discussions of conception. In Galen's "one-sex" model of human anatomy, the physician theorizes that both male and female genitalia elongated in preparation for conception during sexual intercourse, one internally (for the latter) and the other externally (for the former).[79] But this model does not represent a hierarchically equal image between the two. In agreement with his predecessor Aristotle, Galen believed that since females could not generate within themselves, their seed was inherently weak and therefore could not be the active force in

[76] Galen, *De Usu. Part.* 11.2.155. Humoral theory refers to the system of thought centered around the regulation of four fluids, or "humors," that were thought to make up each individual's internal constitution: yellow bile, black bile, phlegm, and blood). This approach was not universally accepted among Greco-Roman medical authors. See further Siegel (1968).
[77] Hippoc. *On the Nature of the Child* 20. See further Dean-Jones (1991: 126, 117).
[78] Hippoc. *On the Nature of the Child* 20.
[79] Galen, *De Usu. Part.* 14.2.301.

generation.[80] Only males had the innate ability to heat their seed—concocted out of flowing *pneuma* ("life force") and blood—in the testes to produce generative seminal fluid.[81] To Aristotle, males and females were distinguished by their "ability" and "inability" (*dunamei tini kai adunamia*) respectively, which is to say that only males possessed the ability to concoct *sperma* into the "active principle" (*kinousan prōtēn*).[82] To these two writers, the female body was perceived as weaker because of its lack of active seminal fluid. By extension, male semen was a point of discursive interest not only in the context of conception, but in differentiating between the two sexes.

The discourse surrounding semen and other male bodily fluids, however, did not echo that of women's. In Book 28 of Pliny's *Natural History*, the majority of the medico-magical remedies derived from humans are not necessarily gendered.[83] In contrast to the sections of the work dedicated to the mystical powers derived from women's bodies and their various bodily fluids (as discussed above), Pliny and his sources listed very few remedies derived from men's bodies specifically, and not once in this section does Pliny use the Latin term for "male," *mas*.[84] There are only two times Pliny recommends remedies derived from the bodies of "men" (*viri*): he claims that the hair of men (*virorum*), when combined with vinegar, could be used on dog bites—or mixed with either oil or wine for head wounds—and that the urine of a man (*virilis*) relieves gout (28.66).[85]

[80] Ibid. 14.2.302-306.
[81] Ibid. 14.2.316-317.
[82] Aristotle, *On the Generation of Animals* 765b10-15.
[83] Pliny often used the Latin term *homo* ("human being, person"). For example, he opens this section with the phrase *Incipiemus autem ab homine ipsum sibi exquirente, inmensa statim difficultate obvia* (*HN* 28.4).
[84] Pliny mentions that epileptics could drink gladiators' blood (*HN* 28.4), and that the urine of eunuchs (*spadones*, which could just refer to uncastrated yet infertile men) could counteract infertility drugs (*HN* 28.65).
[85] Plin. *HN* 28.41-66.

In contrast to Pliny's extensive section on the mystical powers of women's bodily fluids (28.70-87), the uses of men's fluids were few and far between, and semen especially did not appear to be a source of medical fascination. Surprisingly, he found the medical use of male semen reprehensible, despite "the very famous writers who declare that the filth of manhood" (*sordes virilitatis*, i.e. semen) "is a remarkable cure against scorpion stings."[86] Pliny's conservatism towards the medical use of semen is understandable in the context of the medical discourse discussed above: a man's semen was an internal source of his inherent masculine strength, normativity, and activeness, a stark contrast to the wetness, weakness, and mystification of women's bodily fluids. If men's bodies were naturally created to contain such a virile substance, expelling semen superfluously—especially for the sake of questionable medical use—could be considered morally reprehensible, or even an act of straying from "natural" masculinity.

Male qualities such as activeness, strength, and naturalness were associated with the male body in discourse beyond conception and bodily fluids, too. For Pliny, the male body was the natural norm from the moment of birth and even after death. He claims that if a woman conceived a male child (*marem*), her delivery would go far more smoothly and painlessly than when giving birth to a female (7.41-42). Further on in this section, he adds that men's corpses (*virorum cadavera*) float on their backs, whereas women's float on their stomachs "as if nature spared their modesty after they died" (*feminarum prona, velut pudori defunctarum parcente natura*, 7.77). Once again, the male body is markedly unextraordinary in comparison to the female body.

[86] Plin. *HN* 28.52.

In Galen's teleological model, even men's hair and ears were a sign of his strength. The physician claims that men do not have large ears like other animals because "such a size would be inconvenient when he covers his head with a close-fitting cap, a helmet, or some other such thing, as he must frequently do."[87] Galen adds that the same can be said for war horses, but women (and children's) ears are not mentioned. Shortly following this section, Galen *does* compare men, women, and children: "for woman, the rest of whose body is always soft and hairless like a child's, the bareness of the face would not be inappropriate, and besides, this animal does not have an august character as the male has and does not need an august form."[88] Although Galen acknowledges that both male and female hair is ornamental on their heads, he claims that "the female sex does not need any special covering [i.e., hair] as protection against the cold, since for the most part women stay within doors, yet they do need long hair on their heads for both protection and ornament, and this need they share with men."[89] Galen's teleological explanation for female hair growth reflects ideal feminine gender roles—he believed that women did not have an "august character" (in contrast to men) and that they remained inside the household.

This rhetoric of male normativity (both physical and moral) likewise is found in Aristotle's works. Dean-Jones (1991) points out that Aristotle's devout belief that females were inherently lesser versions of the human form led him to make the empirically incorrect claims that men have more teeth than women, and "that a man has more sutures in his skull because he has a bigger brain and a bigger brain needs more ventilation."[90] Aristotle's lack of human

[87] Galen, *De Usu. Part.* 11.2.151, trans. M. T. May.
[88] Galen, *De Usu. Part.* 11.2.154, trans. M. T. May.
[89] Galen, *De Usu. Part.* 11.2.155, trans. M. T. May.
[90] Dean-Jones (1991: 126) on Aristotle, *History of Animals* 501b20-24.

dissection becomes apparent in his comparisons of human sexual difference, when ideologies of gender eclipse empirical evidence.

A simultaneous blend of unextraordinary naturalness and physical supremacy—such as anatomical difference, roles in conception, and the physiological hierarchy of bodily fluids and flesh—are consistently attributed to men's bodies in various medical discursive contexts. In some creation narratives, the male body was the natural, original human body until the creation of women and the resulting human desire to reproduce. Dean-Jones (1994) summarizes that "…the surviving texts reflect a high degree of medical anxiety over a woman's capacity to reproduce. Thus men are regarded as the physiological norm, the subject of 'general medicine,' while women, with their unique bodily organs, constitute a special case."[91] But the "physiological norm" of the male body was no more natural than the unnaturalness of the female: it was configured in accordance with prevalent ideologies of masculinity.

In these selective imaginings of the male body, the Greco-Roman man embodied dominance (by taking the active role in sexual intercourse and conception), potency, normativity, and impermeability—all of these traits were configured in contrast to the permeable female form. A man's ability to procreate arose from his innate ability to heat his "seed" into an active, generative force. His firm flesh and helmet-ready head made him fit for physical activity and battle. To some, even the amount of hair on his body (a marker of his masculinity) was dependant on his abundance or lack of semen.[92] What these passages fail to acknowledge, however, is what happens when a man did *not* resemble these ideological physical

[91] Dean-Jones (1994: 110-12). Arehart's (2019) study on the documentation of erectogenic drugs in Greek medicine could not prove that male generative ability was of interest in these contexts. Arousal was the primary focus for many of the passages Arehart examined (which included mostly Imperial Roman writers such as Dioscorides of Anazarbus, Rufus of Ephesus, and Galen).
[92] For ideologies concerning Roman masculinity and men's body hair, see Williams (2010: 129-32, 190, 393).

configurations. What if a man did not have complete male genitalia? Perhaps more importantly, what if he could not ejaculate whatsoever, or he was infertile? If not, could he still be a man? These are the primary questions I seek to explore in various literary and legal texts in this thesis.

Conclusion: Sex and Gender, "Fluidity and Fixity"

Piecing together the "fluids and stuff" that ideally made (or did not make) up a man's versus a woman's body in ancient thought is a complex and highly selective process. It bears witness to the phenomenon of "how a culture configures a body," to return to Butler's approach. Representing and taxonomizing a body in a certain way—by using one authoritative theory or approach in place of another—can shape our understandings of how an individual's body (including the individual themself) was perceived and valued in a particular medico-philosophical and socio-historical context. These ancient configurations of the human body came from only a handful of authoritative sources, but were inextricable from deep-rooted cultural ideologies on gender dimorphism.

The melting pot of medical knowledge and practice from the early ontological philosophers onward resulted in a lack of universally standardized medical practice. There was a vast corpus of literature on human anatomy, physiology, and overall health. How writers considered an individual healthy or unhealthy in accordance with their gender varied from source to source. Although many of the ancient texts mentioned above were influential for centuries around the Mediterranean and beyond, there was no single authoritative voice or method for how "the ancients" as a whole perceived and differentiated human bodies, especially regarding

differences in anatomical sex.[93] Galen and his predecessors acknowledge only sexual dimorphism, but not all ancient conceptions of sexual difference stressed such a firm dichotomy based solely on the parts of the reproductive system. Since the late 1990s, scholarship has taken a turn towards the fluid, focusing both on physiology—including bodily fluids in particular—in place of strictly anatomy and the "spaces for sexual classifications to be complicated" in medical texts.[94] In ancient medical texts, often bodies were organized around physiological processes in an inherently fluctuating hierarchy of fluids, especially for writers adhering to humoral pathology.[95] For example, the author of the Hippocratic treatise *On the Nature of Women* considered fire and water the core elements that made up all living beings: male bodies were thought to have fire-prominent constitutions (with its hot and dry qualities), and females inclined towards water (wet and cold).[96] Furthermore, "ancient Greco-Roman medical writing and popular texts alike embed both sex… and gender in the physical body" through genitalia, reproductive ability, one's internal constitution (including elements and bodily fluids), and physiological phenomena—many of these qualities were subject to fluctuation.[97] In response to these complicated conceptions of the body, Holmes (2012) argues that in order to even begin to summarize ideas of sexual difference in the Greco-Roman literary corpus, "we have to learn to hold together the idea of fixity *and* the idea of fluidity."[98]

Ancient anatomical and physiognomic discourses in various literary genres undeniably were preoccupied with differences between males and females, but perhaps more importantly with the question of what made one male or female *enough*. Greek and Roman social hierarchies

[93] See the Introduction of this thesis and Holmes (2012: 11-13).
[94] See Sukava's sources (2020: 43; 45).
[95] See further Sukava (2020: 44-47) and Dean-Jones (2017: 120).
[96] Prominent in Sections 1, 4, and 27 of Hippoc. *Mul*. See further Sukava (2020: 49).
[97] Holmes (2012: 182).
[98] Holmes (2012: 44), original italics.

were dependant on the firm dichotomies between men and women, girls and boys, young and matured, healthy and ill. Ideologies surrounding these dichotomies shaped many authors' understandings and organizations of the human body to serve Greco-Roman patriarchal social hierarchies. Fausto-Sterling (2000) addresses this issue through Butler's approach:

> "To talk about human sexuality requires a notion of the material. Yet the idea of the material comes to us already tainted, containing within it pre-existing ideas about sexual difference. Butler suggests that we look at the body as a system that simultaneously produces and is produced by social meanings, just as any biological organism always results from the combined and simultaneous actions of nature and nurture."[99]

It is important to reiterate that being male, female, or sexually ambiguous really only means something in relation to "time and place."[100]

The passages I selected above—which illustrated ideal configurations of men's and women's bodies—come from influential, exclusively male voices that have shaped the way we study Greco-Roman understandings of the human body today. As a result, if ancient medicine mostly fails to acknowledge anatomical and physiological variation (whether in primary or secondary sexual characteristics), then all that was left in these texts was therefore, by omission, only the bodies that were considered naturally dimorphic. Yet, as I mentioned above, the diversity of ancient beliefs about configurations of the human body allowed for a level of fluidity, even within the deeply dimorphic gender hierarchy. Bodies are fluid; the dominant voices in a specific social context try to fix them in place. If we look only at specific passages

[99] Fausto-Sterling (2000: 23) on Butler (193).
[100] Dreger (2000: 10).

from a selective group of authoritative sources, we run the risk of allowing these sources to convince us that only the bodies they described were valued or existed whatsoever.

People with intersex variations, however, are not products of fiction. Modern gender theory and medical research has revealed that human bodies naturally do not always adhere "perfectly" to the gendered categories of male and female.[101] In fact, as Chase (2006) emphasizes, recent medical studies suggest that "about one in a hundred births exhibits some anomaly in sex differentiation, and about one in two thousand is different enough to render problematic the question 'Is it a boy or a girl?'"[102] It is both the substantial number of "corrective" surgeries performed on intersex persons at birth and the lack of medical documentation regarding these surgeries that have (and continue to) erase these bodies from modern "configurations" of bodily gender.[103] The strict dichotomy between male and female biological sex in modern (Western) conceptions of the body is not universal. Kessler (2003) has observed that "in the late twentieth century, medical technology has advanced to allow scientists to determine chromosomal and hormonal gender, which is typically taken to be the real, natural, biological gender, usually referred to as 'sex.'"[104] Recent studies have frequently found that intersex conditions such as variants of AIS (Androgen Insensitivity Syndrome), which may not be physically noticeable until after puberty often go undocumented or are difficult to track.[105] As evidenced even in these approximate statistics, it is clear that the "ideal dimorphic body" simply cannot be universal.

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[101] See Preeves (2003), Mak (2012), Kessler (1990a, 1990b), Holmes, M. (2009), Feder (2014), Fausto-Sterling (1997, 2000), Dreger (1998), and Chase (2006).
[102] Chase (2006: 300). In fact, recent studies propose that "deviation from the 'ideal' dimorphic body in the United States may be 1 in 50 of live births, of whom 1-2 in every 1,000 subsequently receive 'corrective' genital surgery…" or "1 in 1,500 to 1 in 2,000 births" [Harper (2007: 4)]. See further Dreger (2000: 3-4).
[103] This is discussed at length (with statistics) in the following publications: Feder (2014), Harper (2007), Holmes (2009), and Dreger (1998).
[104] Kessler (2003: 1).
[105] See Harper (2007: 14, 37, 56-7, 64, 83-5, 105-20, 122, 160, 180).

Yet even in ancient medical discourse on sexual determination in the development of the fetus, intersex bodies could theoretically exist. Gleason (1990) has pointed out that "the embryology of Hippokrates and Galen envisaged a mingling of male and female seed, in which various proportions were possible: an infant's gender was not an absolute, but a point on a sliding scale, depending on the type of seed that predominated or the temperature of the uterine quadrant in which it lodged."[106] So, if Pliny the Elder believed that male fetuses developed on the right side of the uterus, whereas females developed on the left—what would happen, then, if a fetus developed in the middle of the uterus, or only slightly to the left?[107] Thus, ancient conceptions of biological sex paradoxically were both firmly set (in their established gender binary), as well as fluid and fickle.[108] For example, Gleason (1990) points out a unique case in ancient conception theory: the Hippocratic text *On Regimen* even describes how people with sexually ambiguous genitalia, called *androgynoi*, "are produced when male seed from the female parent overpowers female seed from the male parent."[109]

Yet just because these bodies theoretically *could* exist in some ancient medical conception theory did not mean that ancient medical writers often discussed them at length, or at all—a similar trend exists in our own modern medical practices, as I mentioned above.[110] That is the nature of medicine when it tries to understand and make human bodies recognizable through ontological and teleological lenses specific to its own cultural context. If human bodies—and the people inhabiting them—must have a purpose in a specific societal context (teleology), and must

[106] Gleason (1990: 390-391); Hippocrates, *On Gen* 6.7.479; Galen *Usu. Part.* 2.636-38.
[107] Plin. *HN* 7.37.
[108] See Sukava (2020) for the most recent scholarship on this argument.
[109] Gleason (1990: 394-395); Hippoc. *On Regimen* 28, 6.500-502.
[110] In conjunction with the lack of representations of gender atypical bodies in Greco-Roman medicine, some modern scholars label these bodies as disabled. Graumann (2013) treats intersex conditions as disabilities in Greco-Roman context, but I do not believe this terminology can be applied to the diverse range of opinions and depictions of intersex in literature.

make sense in respect to the way said culture understands the natural world around them (ontology), then the next questions we must ask ourselves are: *What "purpose" of the gendered body are we considering in this specific cultural context? What did these authors consider "natural"?* The simplest answer to these questions is more familiar to us today than we would probably care to admit: the heteronormative, reproductive imperative.[111]

In other Greco-Roman literature, however, conceptions of what "made a man" did not always focus on a man's reproductive ability. As I examine in the following three chapters of this thesis, what "made" a Roman man ideologically was far more complicated than reproductive function and normative male genitalia. Thus, it is important to step away from exclusively medical contexts in order to bear witness to the spectrum of bodily variation evident in Roman conceptions of masculinity. Similar to my experimental, "configurative" approach in this chapter, the remainder of this thesis examines the "politics of representation." In other words, I analyse how ancient voices of (masculine) authority shape our understandings of Roman configurations of bodily gender and ideologies surrounding gender atypicality. The ancient medical record favoured discussions of ideal gender dimorphism, but a hierarchy of atypically gendered bodily variation among men was evident in the practical context of Roman family law.

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[111] For example, Aristotle presents his biological model for the human body (which was extremely influential for centuries) in his treatise *On the Generation of Animals.* The human body—in Aristotle's biology—is configured in accordance with its sole purpose: generation. See further Gaca (2003: 1-94) for more Greek medico-philosophical sources that stress the heteronormative reproductive imperative in the context of sexual ethics.

Chapter Two: Severed Rights? Roman Legal Discourse on Men's Bodies

Body Politics: Source and Authority in Roman Law

Attempts to extract the realities Roman social life from legal compendia often result in more unanswerable questions than concrete insights. Although scholars such as Watson (1995) understand Roman law exclusively as a product of the juristic tradition, Johnston (1999), Frier (2000), and Matthews (2006) have sought to bridge the gap between the content of the Roman legal compendia and Roman social history.[112] Matthews (2006) takes this approach a step further by arguing that the juristic texts should have a presence in both Roman legal and literary history.[113] Matthews argues furthermore that "the Roman Empire, and not just the life of its richest classes, comes to life in these pages… Whether real, or imagined in order to illustrate points of law, such situations are part of the thought-world of the writers, thus part of the history of their society."[114] This is similar to the way Roman social historians must interpret Latin literature in its original historical contexts, as well as how Greco-Roman medical historians seek the realities of medical practice from technical treatises—which is to say: with a grain of salt and by considering authorial programme, medium, and genre.

Thus, deducing the realities of gender atypical people through Roman legal discourse is a frustrating endeavour. It is not, however, fruitless. If we take Matthews' approach, it becomes apparent that, in the "thought-world" of the Roman jurists, distinctions between sterility through castration—as opposed to gradually developed or congenital infertility—were significant factors when determining a Roman man's rights in the context of family law. In order to analyse the

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[112] Watson (1995), Johnston (1999: 9-11), Frier (2000), Matthews (2006: 480).
[113] Matthews (2006: 481-82).
[114] Matthews (2006: 483).

juristic discourse on men's bodies, first it is important to acknowledge the difficulties in extracting historical realities from Roman law, which I summarize for the remainder of this section.

The "cumulative" nature of Roman law derives primarily from its multiple sources.[115] Matthews provides a helpful summary of these sources based on definitions from second and third century CE jurists Gaius and Papinian:

> To Gaius, sources included "laws (*leges*) and plebiscites; then there are *senatus consulta*, imperial edicts and the edicts of other magistrates, especially the praetors and aediles; and the opinions of those jurists who were permitted to 'establish' it (the Latin word is *condere*). His formulation is echoed by the early third-century jurist Papinian: 'the civil law (*ius civile*) is that which comes in the form of statutes, plebiscites, *senatus consulta*, imperial decrees, or authoritative juristic statements' (*D.* 1.1.7)."[116]

Cicero's *Topica* (written in the first century BCE) also lists *mos maiorum* ("ancestral tradition") as a source of civil law (*ius civile*). Borkowski and du Plessis (2005) point out, however, that *mos maiorum* held a notably different meaning in legal contexts by the sixth century CE *Institutes* of Justinian; at which point in history they were considered "local and regional variations on the law of the Roman Empire."[117] This is but one example of the way legal sources evolved and

[115] See Matthews (2006: 484) for this quote. Borkowski and du Plessis (2005: 27) list Cicero's *Topica* 5.28 (first century BCE), Gaius' *Institutes* 1.1.1-7 (second century CE) and Justinian's *Institutes* 1.2 (sixth century CE) as the primary passages that summarize the sources of Roman law.

[116] Matthews (2006: 484). Statutes refer to both written and unwritten laws (*leges*) passed by the citizen legislative bodies, which applied primarily to the citizen body. Plebiscites were legal proposals or resolutions voted on by the plebeian assembly. Their influence in Roman law (the extent to which they could challenge the authority of the senatorial body) varied throughout Roman history, but especially during the late Republic. *Senatus consultum* was, essentially, the advice of the senatorial body to the magistrates—the legal force behind this advice varied in influence throughout Roman history. The Roman senate was an aristocratic class who had their own financial and legislative distinction in Roman society.

[117] Borkowski and du Plessis (2005: 27) in agreement with Robinson (1994: 25-29).

varied in importance over the course of Roman history. These changes were due primarily to fluctuations in the influence of the senatorial body and the role of the emperor during the shift from the Republican constitution to the continuous constitutional reform of the Empire.[118] As a result, it is difficult both to pinpoint actual legal practice in its original historical context and to narrow down voices of legal authority at any specific moment in Roman history.[119]

To further complicate this issue in regard to the historical scope of this thesis, the vast majority of extant legal writings come from second and third century CE jurists (writing during and after the Severan dynasty) such as Ulpian, Gaius, Paulus, Papinian, Modestinus, Javolenus, Cassius, and Labeo, upon whose opinions I will be drawing in this chapter. Furthermore, the content of the second century CE compendium (Gaius' *Institutes*) was again compiled and (potentially) adapted under Christian emperors: during the reign of Theodosius II in the fifth century CE (*Codex Theodosianus*) and the Byzantine emperor Justinian I in the sixth century CE (the *Corpus Iuris Civilis*, which included the *Codex*, *Digest*, *Institutes*, and Ulpian and Paul's *Commentary on the Edict*).[120] In addition, there are problems of interpolation and abbreviation. Despite scholarly efforts, it is virtually impossible to track amendments and interpolations between the second and third century CE jurists' writings and the two later compendia.[121] Johnston (1999) argues that the most commonplace changes that occurred during compilation probably were abbreviations for accessibility, but "it is not very likely that the compilers spent

[118] Borkowski and du Plessis (2005: 27). See further Matthews (2006: 484-86). Notably, Matthews adds that "the last statutory legislation issued by the people is from the time of Nerva in 97 CE, but existing laws, many of them very ancient, continued to underlie the legal processes of the Roman Empire" (2006: 485). See my note above for a definition of the Roman senate.
[119] See further Matthews (2006: 491).
[120] Matthews (2006: 481-82) notes that the Justinianic *Digest* alone—the largest section of the *Corpus Iuris Civilis*—is divided into 50 books, and edited down from 150,000 lines from 3 million lines in 2000 books. As for the use of the compendia, Watson (1995: 42) states that "Gaius's *Institutes*, written around A.D. 161, was apparently the most widely used legal textbook. In the hindsight of Justinian and of later ages it was the textbook par excellence, though there is no evidence that it was highly regarded by the classical jurists."
[121] See further Matthews (2006: 490) and Johnston (1999:17-22).

much time writing new material to insert into the classical texts."[122] Major interpolation and amendments to the juristic discourse was unlikely, but it was up to Theodosian and Justinianic editors—who were compiling these texts in a Christian social context—to determine which legal findings to include in their compendia.

For the purposes of this chapter, it is important to note that the "cumulative" compilations of legal discourse create a sort of atemporality, which presents challenges for scholars attempting to extract social history from law. The majority of the extant Roman legal texts were not compiled until the third century CE. It is therefore often nearly impossible to discern for how long some laws had been in use and relevant throughout centuries of ever-changing political and socio-religious reforms. Thus, the "cumulative" and often atemporal nature of Roman law creates difficulties for my research similar to the corpus of ancient medical texts. For example, Greco-Roman medical authors were responding to and engaging with longstanding traditions and theoretical models for the study of the human body. Given the often (though not necessarily exclusively) theoretical nature of ancient medical inquiry and conceptions of the body, at times it is difficult to extract the realities of medical practice from the rhetorical models of competing medico-philosophical sects. Similarly, we must rely on a limited selection of authoritative voices in Roman legal discourse—the learned opinions of the second and third century CE jurists—to explore possible realities of Roman life.[123]

I do not argue, however, that these writings represent merely inconsequential legal musings and opinions. Instead, once again I follow Matthews (2006), who argues that we must

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[122] Johnston (1999: 18).

[123] According to Matthews (2006: 481-82), "The majority of the jurists whose names occur in the *Digest* lived in the later second and early third centuries, with outliers such as Q. Mucius Scaevola and P. Alfenus Varus from the republican period and Hermogenianus and Aurelius Arcadius Charisius from the late third and early fourth century of the empire."

understand the jurists' input and contributions as essential "for the whole process of change and innovation in the law, whether this was done by procedural intervention by praetors or by substantive changes brought in by emperors."[124] As will become evident in the passages I examine below, these jurists were outlining debates and providing commentaries on (most likely) both longstanding and recent everyday legal practice in the Roman Empire; the jurists' hypothetical discourse in the legal compendia, therefore, should not be considered completely separate from Roman social and legal realities.

This chapter examines the discourse concerning castrated, (presumably) intersex, and otherwise infertile men in Roman family law. It is important to bear in mind that the medically naturalized gender binary of "male" and "female" was ingrained so firmly in Roman culture that the jurists sought to force people with gender nonconforming bodies into the social category of "man" in these practical legal contexts. Gardner (1998a) argues that biological determinism between men and women created distinctions between gender roles that were deeply ingrained in legal contexts to the degree that "perceptions of 'masculinity' [were] rarely relevant in Roman law, since it was not in itself a source of legal problems."[125] Gardner's overarching statement, however, is misleading. The legally inviolate citizen man's body was of great concern in Roman legal and military contexts, as well as in broader ideologies concerning sexual impenetrability, which Walters' (1997) research has proven.[126] The "protocols of masculinity"—defined as the

[124] Matthews (2006: 487).
[125] Gardner (1998a: 136).
[126] I am referring the body of a *vir* (an adult citizen man), a term which I discuss further below. Walters (1997: 32) summarizes this nicely: "*Vir*, therefore, does not simply denote an adult male; it refers specifically to those adult males who are freeborn Roman citizens in good standing, those at the top of the Roman social hierarchy. A term that at first appears to refer to biological sex in fact is a description of gender-as-social-status, and the gender term itself is intimately interwoven with other factors of social status (birth and citizenship status, and respectability in general) that to us might not seem relevant to gender."

ways in which a Roman citizen man ought to maintain a gender-appropriate, unpenetrated, and unaltered body—were central considerations in Roman legal discourse and beyond.[127]

Nevertheless, Gardner has established that the primary instances in which the jurists began to dissect male gender roles was in the context of family law, "when someone classified as legally male was nevertheless for certain physical reasons unable to function fully as a physiological male." [128] Gardner's research focuses primarily on the legal issues that arose in these circumstances. This chapter is divided into sections based on Gardner's findings, which feature the most pressing legal issues surrounding the rights of castrated, intersex, and infertile citizen men in Roman family law. These issues included: the age of legal adulthood, *patria potestas* (the power of the male Roman head of household, the *paterfamilias*), marriage rights and eligibility, adoption and adrogation (the Roman practice of formally "adopting" a legally independent person), wills, and inheritance. I will be building on Gardner's research, but in the final section of this chapter I argue more firmly that legal disadvantages for castrated men primarily depended on the personal prejudices of individual jurists. In doing so, I differentiate myself from Gardner by stressing that it is important to acknowledge the spectrum of potential experiences for castrated and otherwise gender atypical citizen men in Roman family law, and that these representations should not be dismissed as hypothetical scenarios with little basis in reality. I argue, furthermore, that these representations of anatomically and physiologically gender atypical people in Roman family law ought to be considered in tandem with medical and literary contexts to supplement our understandings of the hierarchy and spectrum of gendered bodily variation that was undoubtedly present among people considered men in Roman society.

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[127] See further Walters (1997) and Williams (2010).
[128] Gardner (1998a: 137, 139).

The texts I examine in this chapter include the *Institutes* of Gaius (c.178 CE) and various sections of the Justinianic *Codex* (c.535 CE), which contain the writings of second to third century CE jurists, but primarily Ulpian and Paulus. Fortunately for the historical scope of this thesis, the legal proceedings documented by Valerius Maximus (c.14-37 CE) and legislation from the first Roman emperor Augustus (r.31 BCE - 14 CE) can also supplement our understanding of how bodily gender nonconformity impacted citizen men in Roman legal contexts.

Although it is difficult to deduce actual legislation concerning men's bodies from the juristic tradition, there is a surprising amount of discourse on the anatomical spectrum among people gendered as men in Roman society. As a continuation of Gardner's research, I argue that, at the very least, it is possible to establish an *awareness* of gender atypical bodies in Roman legal discourse. My aim is to dissect the ways in which the juristic tradition grappled with how to label and "configure" variations in the human body in accordance with expected masculine gender roles in Roman family law. In addition, I examine how these authoritative voices found legal workarounds both to protect and discriminate against men based on their physiological ability to reproduce and the "completeness" of their genitalia.

Puberty, the Age of Legality, and *patria potestas*

All Roman citizens were divided into two classes in Roman law: those who were legally independent (*sui iuris*), and those who were legally dependent on the authority of another (*alieni iuris*).[129] In many cases, the latter category would have been under the power of the male head of household, the *paterfamilias*. The *paterfamilias* occupied the position of power in the patriarchal

[129] Johnston (1999: 30).

familial hierarchy, and the legal power he held over his children and other dependents (which included his slaves and even his wife under earlier Roman marriage law) was referred to as *patria potestas* ("the power of the father").[130] A man did not even need to have dependants to be a *paterfamilias*—the role was "gender-specific" and applied to males of any age who had the legal right of *patria potestas.*[131]

Once a man took on the role of the *paterfamilias*—as the most senior male in the direct male line—he held this position for the rest of his life. This meant that a man could be a dependant of his *paterfamilias* well into his life, or potentially his entire life, despite his age or having his own descendants.[132] Johnston (1999), however, points out that the jurists made clear that a *paterfamilias* held power over his dependents only in the context of private law, not in public or official legal matters.[133] Being the man of the household and holding *patria potestas* was a vitally important role in Roman private law, so determining what kind of man was eligible to bear the rights of a *paterfamilias* was a concern for the Roman jurists.

Lower life expectancies and mortality rates in ancient Rome most likely led to large numbers of children who were left without a *paterfamilias*, and who were therefore legally independent by default.[134] In cases when a minor was not under *patria potestas*, guardianship (called *tutela* for minors or, later in Roman history, *cura* for the legal protection of citizens under the age of twenty-five) was necessary and of major importance, at least until male children

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[130] See Treggiari (1991: 15-16) and Gardner (1998b: 1-5).
[131] See Gardner (1998a: 139; n.23) who translates and quotes Ulpian: "We call the person who has mastery in a house a father of *familia*, and he is correctly called by this name, even though he has no son; for we are referring not only to him as a person, but to his legal status; in fact, we call even a minor a *paterfamilias*" (*D*.50.16.195.2).
[132] Treggiari (1991: 15) explains that "He might have in his power his own legitimate children, his sons' children, his son's sons' children… So the death of a paterfamilias may create several new households, each under a new paterfamilias, and a number of independent women (daughters or fatherless granddaughters)." See further Gardner (1999: 52-84).
[133] Johnston (1999: 31), Pomponius, *D*.1.6.9.
[134] See Johnston (1999: 37) who based this research Saller (1994: 181-203).

reached the age of puberty, which was considered to be fourteen years old (women, on the other hand, were always under guardianship, no matter their age).[135] Thus, the jurists found it necessary to consider what should happen when a young man's body did not reach puberty in a normative manner. Ulpian explains:

> "When males reach puberty, they are freed from guardianship (*tutela*). Sabinus, Cassius, and the rest of our teachers think that a male reaches puberty when he displays this physically, that is, when he is able to procreate. But for those persons, like eunuchs (*spadones*), who cannot undergo puberty, the age at which they become adults should be used. By contrast, the authors of the other (Proculian) school think that puberty should be reckoned in years; that is, they judge that a male reaches puberty if he has completed fourteen years…"[136]

The expectation for a Roman citizen male was that his body was capable of procreation by the onset of puberty. Ulpian's remarks, however, make clear that there could be complications with determining the age of legality for young men who underwent puberty atypically.[137] Yet the reasons why a *spado* ("eunuch") would have exhibited gender nonconforming characteristics are complicated. *Spado* (pl. *spadones*) was something of an umbrella term in Latin: it could refer to a naturally impotent man, a man whose testicles had been damaged (and, as a result, experienced either temporary or permanent impotency), or be used broadly as synonym for a *castratus* ("one who has been castrated") or a *eunuchus* ("a eunuch," castrated or not).[138] The vagueness and

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[135] Johnston (1999: 37). See Johnston (1999: 41-42) and Gaius, *Institutes* 1.144, 1.196 for further discussion on the evolution of guardianship in Roman law. There was the exception of the Augustan *ius trium liberorum* for women.
[136] Gaius, *Institutes* 1.196, transl. Frier and McGinn (2003: 23). For the legal age of adulthood and discussions of puberty, see also Gaius, *Institutes* 1.40, 2.113; *D*.8.1.5; Paulus, *Sententiae* 3.4a.1; and Gardner (1998a: 140-143, n.28).
[137] Gardner (1998a: 141-43; see 143 for quoted text).
[138] Gardner (1998a: 140) provides the following definition from the juristic tradition: "*Spado* was a term which could be used generally, to refer to men whose testicles had in various ways been destroyed or damaged and even to *castrati* (*Dig*. 23. 3. 39. 1), as well as to those naturally impotent; in *Dig*. 28. 2. 6, Ulpian apparently uses *spado* to

inconsistent use of this term in the Latin juristic tradition and literature more broadly—which I discuss further in Chapter Four of this thesis—make interpreting the jurists' understandings of a *spado*'s ability to undergo puberty and to procreate quite challenging.

Nevertheless, most of the jurists seem to agree that there were no immediate issues with considering eunuchs (*spadones*) citizens in the first place. Just like any other child eligible for citizenship, a *spado* would either inherit the citizenship of his mother at the time of birth or of his father at the time of conception.[139] Then, once he reached the age of legal adulthood—whether by visibly exhibiting secondary sexual characteristics apparent during puberty or upon reaching the age of fourteen—a eunuch would be freed from guardianship and enter into adulthood like any other citizen who was not under a *paterfamilias'* power.

In the event that anyone—perhaps a "recalcitrant tutor," as Gardner (1998a) suggests—tried to challenge whether a *spado* had successfully reached puberty after the age of fourteen, Paulus suggests that (at some point in history) there were protections in place to ensure he could create a will: "*spadones* can make a will from the age by which most people reach puberty, namely the eighteenth."[140] Thus, these jurists emphasized not *if* a eunuch could be considered an adult citizen man, but *when*, in comparison to boys who underwent more "normative" processes of development. From this passage, we may hypothesize that, in theory, a eunuch's inability to procreate did not actually impede his citizenship or legal capacity once he had reached adulthood, at least by the time these jurists were writing. Just like anyone else no longer under guardianship, infertile men considered "eunuchs" (*spadones*) who passed over the threshold of

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refer to those permanently impotent, whom he distinguishes from those temporarily so… The wider definition of spado, including both the naturally impotent and men with damaged or destroyed testicles, is used by Ulpian in his commentary on the *lex Iulia et Papia* (*Dig*.50.16.128)."

[139] Borkowski and du Plessis (2005: 102-3); cf. Gaius, *Institutes* 1.78). The term *ius gentium* was applied to those eligible to inherit the citizenship of their mother at birth, and *iustum matrimonium* was the term for those who inherited their father's citizenship. The latter also applied in a civil law marriage.

[140] Paulus, *Sententiae* 3.4a.2, trans. Gardner (1998a: 142-43).

adulthood could hold the rights of any other citizen man.[141] In this context, it is evident that the jurists did not find it necessary to discriminate against eunuchs (*spadones*) who underwent puberty atypically.

If "Roman family law was based on the fundamental concept that each family had a *paterfamilias*—the head of the household… [who] had in his power (*potestas*) all descendants traced through the male line," then what did this mean for a man with no generative ability?[142] Stevenson (1995) points out that "Roman religion since time immemorial had worshipped the father's generative power in the *genius* of the *paterfamilias* or the fertility principle behind the whole household… If this potency is the root of the Roman conception of power, we would expect the Romans to banish such an impossible '*pater'* ['father'] as a eunuch from access to power or prestige."[143] The jurist Ulpian, however, states that the requirements for a man to become a *paterfamilias* were rather simple and accessible: "*Patres familiarum* [fathers of the household] are males who are of independent legal status (*suae potestatis*), whether they have reached the age of legal majority or not. The same holds for *matres familiarum* [mothers of the household]."[144] Thus, even if a young man reached puberty at a different rate than others, or if an infertile man was unable to produce his own legal heirs through procreation, the jurists felt that there should be virtually no barriers that prevented them from assuming *patria potestas* in normal succession just as any other eligible Roman man. Most importantly, apparently this was of large enough concern to necessitate juristic discussion surrounding a spectrum of bodily experiences for young Roman men.

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[141] Frier and McGinn (2003: 23-4).
[142] Borkowski and du Plessis (2005: 113).
[143] Stevenson (1995: 489).
[144] *D*.1.6.4 = *Ulpianus libro primo Institutionum,* trans. Frier and McGinn (2003: 298).

Marriage Eligibility

In order to be eligible to enter into a civil law marriage, both parties needed to have *connubium*: "the *ius civile* [civil law] right to enter such a union," which, for the most part, Roman citizens had once they reached the age of legal adulthood.[145] Beyond this, marriage eligibility could also depend on factors such as status and occupation, consent, necessary dowries, blood relation, affinity, and adoption.[146] Both *matrimonium* (the Roman citizen institution of marriage) and *coniugium* (a more general marital union, such as between foreigners or used to describe mythical and divine marriages) were dependent on the union between a man and a woman, and the main purpose of a legal marital union in Classical Rome was to produce legitimate children.[147] Treggiari (1991) points out the gendered language used in describing both types of marital union in Latin:

> "In particular, a woman is often described as *coniuncta viro* (joined to a man)… *Matrimonium* is an institution involving a mother, *mater*. The idea implicit in the word is that a man takes a woman in marriage, *in matrimonium ducere* [to lead into marriage], so that he may have children by her."[148]

Furthermore, Treggiari argues that "a wife may be defined as the woman whom a man takes for the breeding of legitimate children. No writer will stop to think of defining a husband or his function."[149] In the page preceding that statement, however, she provides a definition for the noun *vir* and its implications in the context of Roman marital union: "The masculine noun *vir*,

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[145] Borkowski and du Plessis (2005: 123). For issues with tracking changes in marriage legislation throughout Roman history, see Treggiari (1991: 14). Additionally, Treggiari (1991: 14-15) does not suspect any editing of earlier Roman marriage legislation by the Christian juristic editors due to the universality of Modestinus' definition of marriage in *Digest* 23.2.1.
[146] See Borkowski and du Plessis (2005: 124-5) and Johnston (1999: 33-35).
[147] Treggiari (1991: 5-8), Frier and McGinn (2003: 26-61). Slaves, too, could enter "quasi-marital relationships" known as *contubernium*: see Johnston (1999: 33-35, 43).
[148] Treggiari (1991: 5-6).
[149] Treggiari (1991: 8).

besides describing an adult male, in contrast to a woman, a boy, or a eunuch, is commonly used of a husband or lover."[150] Treggiari assumes that the innate impotency of a eunuch makes him ineligible to become a *vir* in the sense of a lawful husband.

At first glance, it appears that Treggiari's assumption is reasonable. The jurist Ulpian, for example, defines a legitimate marriage:

> "A marriage is legitimate (*iustum*) if (the following three conditions are met:) there is *connubium* between the parties who contract the marriage; the male has reached puberty and the female is capable (of sexual relations); and both parties agree (consentient) if they are *sui iuris*, or also if they are in (a father's) power, their parents (agree)."[151]

According to this excerpt from Ulpian, there is an implied dependence on the potential for procreation, specifically whether the *woman* in the marriage is capable. By extension, one would assume that an inability to procreate would impede a man's ability to participate in a lawful Roman marriage: an institution based on the successful continuation of a familial line via descendants. Yet according to Ulpian, at the very least, there could have been work-arounds for infertile men, both castrated and uncastrated:

> "If a woman marries a eunuch (*spadoni*), I think (*arbitror*) a distinction should be drawn as to whether or not he was castrated. In the case of a castrated man (*castratus*) [marrying a woman], you should hold that there is no dowry; (but) in the case of someone who was not castrated, since there is a marriage, there is both a dowry and an action for the dowry."[152]

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[150] Treggiari (1991: 7).
[151] *Tituli ex Corpore Ulpiani* 5.2, trans. Frier and McGinn (2003: 41), *sic*.
[152] *D*.23.3.39.1, trans. Frier and McGinn (2003: 29).

Ulpian is suggesting a distinction be made to accommodate variations in men's bodies based on their ability to procreate. In Ulpian's opinion, an uncastrated, infertile man (referred to as a *spado*, "eunuch") could legally accept a dowry.[153] Therefore, a *spado* still would have been an acceptable candidate to fulfill the role of a lawful husband. Castrated eunuchs (*castrati*), too, were permitted to marry. This deliberation provides another example of Ulpian contemplating how to grapple with legislation concerning men based on their procreative ability and, here, the completeness of their genitalia. Yet Frier and McGinn (2003) raise some important questions based on this passage: "Does this suggest that Ulpian's primary objection was moral? Does Ulpian presume that the eunuch's castration was deliberate, not accidental? And if deliberate, who bears the blame?"[154] I address the first of these questions toward the end of this chapter.

Hypothetically, at least to Ulpian, a eunuch (*spado*) could have been considered a completely viable *vir* ("citizen man, husband") in marital contexts. A castrated eunuch (*castratus*) could still marry, but he personally believed (*arbitror*) that the man's altered genitalia should set him at a disadvantage by making him ineligible for a dowry. In response to Ulpian's suggested moral jurisdiction against *castrati*, Gardner (1998a) points out that "hesitations about marriage apart"—which is to say, issues concerning an inability to produce heirs and jurisdiction over dowries—"*castrati* had the same legal rights as any other Roman and, what is more important, they had the rights of men."[155] Thus, Ulpian's suggestion might have been a deterrent against *castrati* entering marital unions, but it did not bar them from marriage or the role of a *vir* ("citizen man, husband") entirely.

[153] "Dowry" refers to property and/or money transferred from the family of the bride to the husband's household upon marriage.
[154] Frier and McGinn (2003: 29).
[155] Gardner (1998a: 145).

From the time of the Augustan marital reforms of the *leges Juliae* (18 BCE) and *Papia Poppaea* (9 CE), childbirth and the production of descendants were financially beneficial and certainly ideal, but not legally necessary.[156] In fact, even the elderly (i.e. those who may be unable to conceive due to their age) could still legally marry.[157] Looking past the civic disadvantages bestowed upon unmarried men and women during Augustus' (probably short-lived and unpopular) marital legislation, not having children of one's own did not necessarily impede a man's rights beyond the production of familial heirs. But this could be worked around, much like Ulpian suggests in the passages above. Even impotent *castrati* were not completely barred from marriage, and if the legacy of one's *familia* depended on acquiring descendants, there were ways of doing so which, for the most part, the jurists considered acceptable for eunuchs: adoption and adrogation.

Adoptio* and *adrogatio

Roman processes of adoption and adrogation (the Roman practice of "adopting" someone who was legally independent) were fundamentally designed for the benefit of the *paterfamilias*.[158] Gardner (1998b) points out that "a married man adopts alone, without reference to his wife, who has no legal authority in the matter and acquires no adoptive relationship to the person being adopted."[159] Legal adults were the ideal objects of adoption as opposed to children. In the context of procuring an heir—preferably one already of age, with some level of competence and with an upstanding moral character—"adopting" an adult man could be a

[156] See further Gardner (1998a: 142-43).
[157] See Frier and McGinn (2003: 29).
[158] Borkowski and du Plessis (2005: 136-7); see also Gardner (1998a: 141) and (1998b: 115).
[159] Gardner (1998b: 115). See Frier and McGinn (2003: 312) for rare exceptions of women adopting.

beneficial endeavour. In fact, Frier and McGinn (2003) observe that "the interests of the *paterfamilias* are considerably more salient [than the welfare of children in adoption], and it is his personal perspective that dominates, leading to what we might regard as oddities: even a bachelor can adopt."[160] Thus, single men—and, on extremely rare occasions, women—could legally adopt.[161]

According to Modestinus (a pupil of Ulpian writing in the first half of the third century CE), the parameters for adoption were as follows: a man needed to be capable of marriage, be of a post-pubescent age or over eighteen years old, and be legally independent.[162] A man's impotency was not a primary issue in matters of adoption or adrogation.[163] In fact, even *spadones* were seen by some jurists—apart from Javolenus, perhaps—as valid adrogators and adopters. This is discussed by Modestinus and in the following passage from Gaius' *Institutes*: "Another feature common to both kinds of adoption [i.e. adoption and adrogation] is that people unable to have children, eunuchs (*spadones*), can adopt."[164] It is unclear whether *spadones* included castrated eunuchs in this context, but without further differentiation between *castrati* and *spadones*, it is at least hypothetically possible that castrated eunuchs could have adopted like any other eligible man.[165] Elsewhere, Justinian's *Institutes* (compiled in the sixth century CE) reiterates these rights for *spadones*, but makes the firm distinction that "however castrated eunuchs (*castrati*) could not adopt."[166] I see no reason to challenge Gardner's (1998a) claim that there appears to be no legal reason for this distinction in the latter (Justinianic) text, and that "as

[160] Frier and McGinn (2003: 297). See Paulus, *D.*1.7.30, trans. Frier and McGinn (2003: 309).
[161] See Frier and McGinn (2003: 312) in note 159 above.
[162] *D.*1.7.40.1 = Modestinus, *Distinctions*, book 1; Borkowski and du Plessis (2005: 136).
[163] Gardner (1998a: 144) discusses this in detail.
[164] Gaius, *Institutes* 1.103, trans. Gordon and Robinson (2001: 73); Modestinus *D.*1.7.40.2. See further Frier and McGinn (2003: 309).
[165] Gardner (1998a: 141) agrees with this in principle.
[166] Gardner (1998a: 144, n.36). Justinian, *Institutes*. 1.11.9, my translation.

far as the legal sources go, there is no reason to believe that *castrati* in classical Roman society [i.e. preceding the sixth century CE] could not perpetuate their names and families, if they wished, by adopting—after all, bachelors could adopt."[167] The fact that these jurists were engaging in debate and finding workarounds for men who were incapable of the gendered expectations of masculine procreation suggests that the law—at least hypothetically—could accommodate a spectrum of human bodies that did not adhere to their proscribed gender roles.

Wills, Inheritance, and Heirs

In the juristic tradition, there were few potential disadvantages for eunuchs or otherwise infertile men acquiring inheritance so long as these men fell into the acceptable categories of heirs: *sui et necessarii heredes, necessarii heredes,* and *extranei heredes.*[168] Often preference was given to *sui heredes* ("family members who became legally independent upon the death of a *paterfamilias*").[169] Despite Augustan penalization of the unmarried and childless under *leges Juliae* of 18 BCE and *lex Papia Poppaea* of 9 CE, being a descendant to the third degree or cognate to the sixth degree of the testator (someone who has made a will) could ensure one

[167] Gardner (1998a: 142). The evidence for her argument is as follows: "There is no obvious legal reason for the distinction, if meant to apply to both methods, since after Justinian's change of the law of adoption in AD 530, ordinary adoption by someone not a male ascendant (which obviously neither a *spado* or *castratus* was) did not confer *potestas*, and the adoptee's inheritance rights in his natal family were unaffected. *Adrogatio* did confer *potestas*, and was, moreover, normally allowed, as in classical law, only after enquiry, and to those who had not, or could not have, children of their own. Dalla's discussion (1978, 163-89) of sexual incapacity and the law of adoption does not help to clarify this puzzle" (ibid). Furthermore, based on Stewart's (2020) argument that eunuchs fit into Byzantine ideologies of martial masculinity—which, apparently, is evident in their influential courtly presence and a number of military commanders who were eunuchs—I am inclined to doubt that any major decrees putting castrated eunuchs at a social disadvantage were heavily enforced under Justinian's reign, but this is mostly conjecture.

[168] Borkowski and du Plessis (2005: 226-229) provide the following definitions: *Sui et necessarii heredes* included those who became *sui iuris* at the time of the testator's death, *necessarii heredes* were "slaves who had been voluntarily manumitted by will and appointed as heirs," and *extranei heredes* were not members of the testator's household.

[169] Frier and McGinn (2003: 342).

retained their share of inheritance.[170] Furthermore, there should have been few obstacles for a man to accept inheritance bestowed upon him in a will (in theory) so long as: he was free (i.e. not a slave) shortly after having an inheritance bestowed upon him in a will, had the right to be appointed as an heir (*testamenti factio*), had the right to take under a will (*ius capiendi),* and was of sound mind to accept it.[171] To bequeath even a fraction of a will upon a castrated man, however, could have been considered unwise given the prejudices of individual jurors, as evident in some of the sources examined thus far, and as I will discuss in the passage from Valerius Maximus below. Otherwise, there is a notable lack of commentary among the jurists regarding eunuchs or infertile men successfully attaining inheritances.

The one very specific issue that does appear in the context of inheritance was an infertile man's ability to institute a posthumous heir (naming someone as heir who would be born after the death of the testator, referred to as a *postumus,* pl. *postumi*). According to Ulpian, "It is agreed… that every male can write in a posthumous heir, whether he is already married or not."[172] Yet Gardner (1998a) points out that this was more complicated than Ulpian's statement suggests: "'Every male,' however, was a problematic term for lawyers, since the whole point was that these *postumi* were the man's own biological children, not adopted children," especially since it was not always possible to institute posthumous heirs through adoption.[173] This emphasis on the importance of procreation in instituting posthumous heirs is evident in Paulus' remark:

> "If anyone institutes as his heirs *postumi* whom he happens to be unable to have because of age or ill health, his prior will is rendered invalid, for the nature and

[170] Borkowski and du Plessis (2005: 219-220).
[171] Labeo, *D*.28.1.2; *D*.28.1.6pr. See Borkowski and du Plessis (2005: 218-220) and Gardner (1998a: 139).
[172] *D*. 28. 2. 4, trans. Gardner (1998a: 139). See also Johnston (1999: 44-47).
[173] Gardner (1998a: 139). For limitations on instituting *postumi* through adoption, see further Gaius, *Institutes* 2.138, 140; *D*.28.2.27; and Gardner (1998a: 140).

> practice of human procreation should be considered more significant than a temporary defect or illness whereby a person is deprived of the capacity to procreate."[174]

In Gardner's interpretation of this passage, "this is not just legal nit-picking—important matters were at stake. The validity of the institution of the heir had to be established, whether or not the testator appeared physically capable of begetting such an heir, since a will validly instituting a posthumous heir had the effect of invalidating any previous will."[175] Yet a question remains: what about when a man was *inherently* unable to beget his own biological heirs and, therefore, unable "to fulfill male gender roles"?[176]

Ulpian tells us that most of his sources unanimously agreed on this matter:

> "But a question has been raised as to whether a person who cannot readily procreate can institute a *postumus* as heir. Both Cassius and Javolenus write that he can, for he is capable both of marrying and adopting. That a eunuch (*spado*) too can institute a *postumus* as heir both Labeo and Cassius agree, because neither age nor procreative incapacity (*sterilitas*) is an obstacle to doing this.
>
> (1)"But if he was castrated, Julian, following the view of Proculus, thinks that he cannot institute a *postumus* as heir, and this is the rule we follow. (2) A hermaphrodite (*hermaphroditus*), to be sure, if his male characteristics (*virilia*) predominate, can institute a *postumus* as heir."[177]

According to Ulpian, the jurists generally agree with Julian and Proculus' opinion that castrated eunuchs should not be able to institute *postumi* legally based on their irrefutable inability to

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[174] Paulus, *D.* 28.2.9 pr., trans. Frier and McGinn (2003: 364). See further Gardner (1998a: 140).
[175] Gardner (1998a: 140).
[176] Gardner (1998a: 139).
[177] *D.*28.2.6 = *Ulpianus libro tertio ad Sabinum*, trans. Frier and McGinn (2003: 363).

beget future children.[178] Once again, the jurists differentiate *castrati* from other eunuchs (*spadones*), and at the disadvantage of *castrati*. As I discussed in the sections prior, since a *spado* could legally adopt and marry, the jurists here likewise justify that a *spado* was eligible to bequeath a posthumous heir on the basis that "neither age nor procreative incapacity is an obstacle to doing this." Perhaps this implies that *spadones* could still have the potential to procreate, given the importance of the reproductive imperative when instituting heirs, though this is unclear.[179] Whatever the rationale, this group of jurists believed that a *spado*—whether or not referring to a man infertile for reasons considered temporary—technically should have been able to institute posthumous heirs. They thought it best that a *castratus*, on the other hand, should not be eligible. This was most likely due to his irrefutably permanent inability to procreate, yet Gardner rightfully points out that this "does not imply any other limitation on his gender role as a male."[180]

Following this logic, what we *can* determine from this consensus is that ideally, at least to this group of jurists, any kind of innate or temporary procreative inability (for *spadones* and possibly *hermaphroditi*) should not have impacted a man's right to reach the age of legal adulthood, marry, adopt, or institute a posthumous heir. In these opinions and debates, it is clear that some jurists thought it necessary to include nonnormative bodies in their perceptions of the (ideal) citizen male body.

There is another striking aspect in Ulpian's discussion above: the presence of *hermaphroditi.* A *hermaphroditus* referred to a person with androgynous or ambiguous primary or secondary sexual characteristics, and I examine the complexities behind this term in the next

[178] See further Gardner (1998a: 140-141).
[179] Frier and McGinn (2003: 363-64) raise this question also.
[180] Gardner (1998a: 140, n.19; see 141 for the quote).

chapter of this thesis. *Hermaphroditi* were people whom we today might label "intersex," but in the practical context of Roman law, the jurists clearly classified these people as men, albeit only in some circumstances. For example, Ulpian argues that so long as a *hermaphroditus* was still considered "man enough" in respect to his *virilia* (literally "manly things," from the adjective *virilis*, "manly, pertaining to a man"), he would fall under the same legal qualifications as an (uncastrated) *spado* and, by extension, any other legally independent man eligible to institute a posthumous heir. In other words, to Ulpian and a number of his fellow jurists, if a *hermaphroditus* registered along the spectrum of masculinity (i.e. sufficiently "passed" as a man in some recognizable way), he ought still to have the rights of any other uncastrated man.

Notably, Ulpian does not go into detail about which *virilia* ("manly characteristics") should be considered when assessing *hermaphroditi*: secondary sexual characteristics such as tone of voice, hair growth, or muscle mass; the completeness and function of one's genitalia; social and sexual behaviour; or all of the above. In the context of juristic discourse on men's reproductive abilities, however, odds are *virilia* primarily referred to the completeness and/or general function of the penis in sexual intercourse. But Ulpian's statement is only one of two instances of juristic discourse on determining the masculinity of *hermaphroditi*. Elsewhere in the *Digest*, Paulus muses that "Perhaps a *hermaphroditus* could be added to a will, should the state of his rousing sex display [itself] (...*qualitas sexus incalescentis ostendit*)."[181] Gardner (1998a) favours the possibility that this "criterion was used where sexual re-assignment of a grown person was being considered," as opposed to a person of indeterminate biological sex needing to prove their virility via erection (which *incalescentis*, "rousing" could suggest).[182] Paulus'

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[181] "*Hermaphroditus an ad testamentum adhiberi possit, qualitas sexus incalescentis ostendit*," *D.*22.5.15.1 = Paulus *iii senentiarum*, my translation.
[182] See Gardner (1998a: 139, n.12).

language is euphemistic, but it is clear that his metric of manliness was a man's ability to reach erection (and therefore, presumably, the ability to take the penetrative role in sexual acts), though not necessarily his ability to procreate.

Paulus and Ulpian's remarks about *virilia* among *hermaphroditi* provide insight into how jurists grappled with gender atypical bodies among citizen men—they even hint at possible measures of physical masculinity that established whether a male was "man enough," but in euphemistic language. But if we attempt to extract legal realities for intersex people who identified as men in ancient Roman society from these two passages, undoubtedly we are left with more questions than answers. Despite the indirect and euphemistic language used in these passages, we should not interpret these two opinions as mere hypotheticals without any basis in reality. I would argue here against Gardner. Although Gardner acknowledges the existence of intersex people in Greco-Roman literature and throughout history, she warns that Ulpian's consideration of a *hermaphroditus'* male characteristics is "misleading." Gardner argues: "Ulpian here is providing a rule to be applied should the case arise; it is doubtful whether his opinion is based on any actual examples of true, that is gonadal, hermaphrodites, or even of apparent hermaphrodites."[183] Yet intersex people existed in the jurists' "thought-world." Paulus and Ulpian saw these kinds of legal scenarios as possible *enough* that they merited consideration and comment. Ignoring this fact risks erasing the spectrum of anatomical and physiological variation—which these jurists considered necessary (and real) enough to acknowledge—in favour of idealized gender dimorphism. Furthermore, dismissing this scenario as a mere hypothetical serves only to erase intersex people from history—in a case where the ancient authors specifically address their existence. It is crucial to acknowledge that Roman family law

[183] Gardner (1998a: 139).

exhibits more representation of "nonnormative" men's bodies than in ancient anatomical and physiological discourse; that does not mean these bodies were literary fabrications.

In response to Gardner's dismissive approach, I seek to illustrate just how complicated and diverse Greco-Roman conceptions of masculine gender atypicality were. In the following two chapters of this thesis, I analyse discourse surrounding masculinity (*virilia*, if you will) and gender atypicality in relation to *hermaphroditi* and eunuchs (both castrated and uncastrated) in Roman social and literary contexts. For now, what remains clear from juristic texts that differentiate between infertile, castrated, and intersex men is that a number of the jurists thought that *castrati* (explicitly *castrated* eunuchs) ought to have been at a legal disadvantage in various contexts despite their beliefs that infertility should not impede a man's rights. These were opinions primarily, and we do not know at what points in history or for how long these views were reflected in legal practice. In these passages, most of the jurists believed that *spadones* and *hermaphroditi* should not have been discriminated against based on their anatomically and/or physiologically nonnormative bodies, whether or not they could procreate. Ulpian's passage on *hermaphroditi* above alone reveals an astonishing acknowledgement and restrictive acceptance of masculine bodily variation. As this chapter has demonstrated, similar discourse appeared in Roman family law, and should not be dismissed as merely hypothetical.

Bans on Castration Throughout Roman History

Elsewhere in her chapter, Gardner (1998a) asserts that "Most free *castrati* will have entered Roman society from slavery; to that extent Dalla's [1978: 267-9] remark about them being slaves and foreigners is true. Nevertheless, their emasculated state, however much it may

have resulted in their social disesteem, was not by itself a ground for any curtailment of their legal rights as citizens."[184] Their "social disesteem" is evident in the examples of discrimination against castrated people in Latin literature. There was a history of bans on castration during the Republic and until at least the reign of the emperor Domitian (81-96 CE). Bans on castration for Roman citizen men apparently began with the introduction (in 204 BCE) of the cult of the Magna Mater ("The Great Mother," otherwise known as the Phrygian goddess Cybele), whose priests were known as *Galli*.[185] The men who entered the priesthood of the *Galli* (discussed in my fourth chapter) often underwent castration, although it is unclear from our sources whether or not castration was mandatory to enter the priesthood. Apparently, this ban on voluntary castration for citizen men was lifted (or loosened, at least) during Claudius' reign, yet Dio Cassius and Martial tell us that Domitian later attempted to reinstate the ban for citizens and non-citizens alike in the Empire: the success and duration of Domitian's bans are unknown.[186] The *repeated* nature of these castration bans, however, is noteworthy and will be discussed further in the fourth chapter of this thesis.

The priesthood of the *Galli* became an important facet of Roman religious practice, but the problem of the castrated male body suggests that there would likely have been legal ramifications for men who underwent castration to join the cult. The earliest text that speaks to this issue is the historical and moral anecdotes of Valerius Maximus, compiled during the reign of the emperor Tiberius (c.14-37 CE). The rhetorician lauds a rather harsh legal proceeding against a *Gallus*, Genucius, in 77 BCE:

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[184] Gardner (1998a: 145). Gardner (ibid) explains: "Dalla's discussion of marriage (1978, 267-9) rather confuses the issue by introducing the idea that these distinctions [between castrated and uncastrated eunuchs] may be attributed to general social disesteem of the class of individuals from whom *castrati* in the main came—disgraced, half-men, usually foreign and of slave origin. These ideas are certainly present in literature, but they are not found in law."
[185] Livy 29.16; Stevenson (1995: 498).
[186] Dio Cass. 67.2.1-3; Martial 9.16, 9.36. See also Dion.Hal. 2.19.3-5 and Stevenson (1995: 498).

> "And now, how weighty the judgment of Consul Mamercus Aemilius Lepidus! A certain Genucius, a eunuch priest of the Great Mother (*Gallus Matris Magnae*), had obtained an order from City Praetor Cn. Orestes restoring to him the property of Naevius Anius, of which he had received possession from the Praetor himself according to the will. Surdinus, whose freedman had made Genucius his heir, appealed to Mamercus, who cancelled the Praetor's ruling, saying that Genucius, whose genital parts had been amputated by his own choice (*sua ipsius sponte*), should not be reckoned among either men or women (*neque virorum neque mulierum numero haberi debere*). A judgment appropriate to a Mamercus, appropriate to a Leader of the Senate; it provided that magistrates' tribunals should not be defiled (*polluerentur*) by Genucius' obscene presence and tainted voice (*ne obscena Genucii praesentia inquinataque voce*) under the pretext of seeking justice."[187]

In Mamercus' ruling, Genucius' ability and right to inherit property from his testator was nullified on the grounds that he was a *castratus*. Valerius Maximus' language makes clear that this is a *moral* judgement on the basis of the eunuch's body: he commends Mamercus' ruling because the *Gallus*' physical presence and tone of voice was so repulsive (*ne obscena Genucii praesentia inquinataque voce*) that it had the potential to pollute (*polluerentur*) the magistrates' seat of authority, the tribunal. Yet in contrast to discussions in the later juristic tradition, here Genucius' inability to procreate as a eunuch is not Mamercus' primary concern, but rather explicitly the moral problem that his "genital parts had been amputated by his own choice" (*sua ipsius sponte*). It is necessary to note that no other legal discourse differentiates between the

[187] Valerius Maximus, *Memorable Doings and Sayings* 7.7.6, trans. D. R. Shackleton Bailey.

rights of a man who was castrated by choice (such as *Galli* who most likely underwent castration upon entering the priesthood) and a man who was not (such as a freedman, for example).[188]

Another way this passage departs from the jurists' discourse on *castrati* is that Mamercus' moral judgement of Genucius denies his rights on the basis that he "should not be reckoned among either men or women," whereas the later jurists considered *castrati* among men, for better or for worse. To Gardner (1998a), "Once a man, always a man. What concerned lawyers was the ways in which a dysfunctioning penis, or complete or partial removal of the genitals, might affect the legal capacity of impotent men and *castrati* in their gender role as males."[189] In Mamercus' judgement, Genucius' voluntary self-castration upon becoming a *Gallus* "polluted" his masculinity (evident in the language of defilement: *inquinata, polluerentur*) to the point of gender incomprehensibility, which was a common type of invective applied to *castrati* (and specifically the *Galli*) in Roman literature.[190]

For all intents and purposes, Genucius should have won the case and received the inheritance. As I discussed in the section on heirs and inheritance above, the jurists only seemed to object to *castrati* instituting their own posthumous heirs, not accepting inheritance under usual circumstances (so long as they were otherwise eligible, of course). This could reflect differences in inheritance laws from the time of Genucius' case (c.77 BCE) and the second-to-third century CE jurists, but it is not possible to determine this. At any rate, it is clear that Genucius only lost out on his inheritance because Surdinus personally appealed to the consul. Gardner (1998a) acknowledges this, but she doubts the original citizenship of the *Gallus* because of the bans on

[188] Frier and McGinn (2003: 29). The term "freedman" refers to a slave who underwent manumission and became free. Their children could attain fully free status.
[189] Gardner (1998a: 137).
[190] I discuss this at length in Chapter Four.

citizen participation in the Magna Mater's priesthood.[191] But, as I noted above, tracing when exactly these periodic bans were in place can be quite difficult.[192] Furthermore, if there had been any issues with Genucius' legal status, odds are he would not have been eligible to receive the inheritance in the first place, and the praetor in the original ruling would have dismissed the case on that very basis straightaway. Instead, Valerius' praise for Mamercus' ruling makes clear that the outcome of this particular case came down to the personal judgement of the consul, and most likely did not reflect usual legislation for *castrati* accepting inheritance.

Gardner concludes her analysis of this passage with the statement: "either way, the story does not show that *castrati*, simply as such, incurred legal disability."[193] But this case does, in fact, provide an example of a *castratus* who incurred legal disability. Genucius lost his inheritance because of moral bias. As this chapter has established, there is a large throughline of moral discrimination against *castrati* in authoritative legal discourse. Yet *spadones* and *hermaphroditi* (who were potentially equally impotent), on the other hand, were allotted rights like any other eligible Roman citizen man. In these contexts, jurists often considered legal workarounds for infertility despite the fact that an infertile male body created "gender trouble" in marital and familial contexts. But, for *castrati*, there was often moral pushback, expressed through the jurists' (sometimes hypothetical) suggestions for legal disadvantages against *castrati* alone.

Overall, the primary moral judgement against *castrati* arose from concerns about the inviolability of the Roman citizen male body: altering the body via removal of the penis and/or

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[191] Gardner (1998a: 145-46).
[192] The chaotic political environment of the late Republic makes tracing the history of some legislation difficult. This case took place (77 BCE) in the aftermath of Sulla's dictatorship, which of course brought on political conflict. All sorts of (moral) laws fell into abeyance, or were inconsistently enforced during this time, hence Augustus' subsequent crack-down. See Ward et al. (2003: 180-270) for lists of reforms during the late Republic and the early Empire.
[193] Gardner (1998a: 146).

testicles was morally reprehensible for a Roman citizen man, and in Valerius Maximus' account, even more so if it was done willingly.[194] This stigma was reflected in the periodic castration bans for citizens, but the frequent restatement of these bans raises a few questions: just how many citizen men throughout Roman history were castrating themselves to become *Galli* and enter into the priesthood of the Magna Mater? What was the allure in doing so despite stigma and moral concerns about defiling the inviolate citizen male body? Just how prevalent were legal disadvantages against *castrati* if Roman legal authorities were forced to restate these bans on multiple occasions? These questions are not answered easily. Nevertheless, we may presume that in Roman legal contexts, *castrati* should have had similar rights to other (potentially) infertile men such as *spadones* and *hermaphroditi*. In practice, however, *castrati* clearly experienced legal disenfranchisement at the mercy of individual jurists due to their moral objection against to the physical alteration of a Roman citizen male's anatomy.

Conclusion

A Roman man's procreative function was central to ideologies surrounding the (deeply gendered) role of the *paterfamilias*, but a survey of juristic discourse establishes that procreative ability was not a necessary criterion for determining a man's eligibility to wield "the power of the father," *patria potestas*. Furthermore, the juristic tradition does consider various alternatives and workarounds in response to differing levels of male procreative ability. These jurists then debated approaches—equally hypothetical and practical—to bestowing rights on men in various points of family law. The jurists found it most necessary to discuss varying levels of anatomical

[194] See further Walters (1997) and Williams (2010) on ideologies concerning the inviolate Roman citizen man's body.

and physiological masculinity in the contexts of puberty and the age of legality, marriage eligibility, wills and heirs, and inheritance. Although it is difficult to discern how much of this discourse was reflected in actual legal practice—not to mention *when* it would have been enacted throughout Roman history—still it is fascinating to witness these jurists and other legal practitioners consider the messy realities of human bodies that did not wholly align with their culture's proscribed gender roles.

The extant voices of authority in the Roman juristic tradition (specifically in family law) struggled to organize bodies within a hierarchy of anatomical and physiological masculinity. It is clear that the jurists considered men who had the ability to procreate at the top of this hierarchy—their rights were implied based on their innate *virilitas* ("manliness"). Next were men either born impotent or who became impotent due to injury or illness—these men were referred to as *spadones*, a blanket term that could imply the states of infertility mentioned above, or (un)castrated eunuchs more broadly. Then, *hermaphroditi* appear twice in this discourse. *Hermaphroditi* were considered legally akin to *spadones* so long as they registered as predominantly masculine—exactly *how* they did this, we do not know. In the familial legal contexts explored above, the jurists unanimously thought it right to award *spadones* and *hermaphroditi* the same rights as any other man, no matter their state of procreative ability. Last in this ideological hierarchy were *castrati*. The legal disadvantages for castrated eunuchs, however, frequently appear circumstantial, such as in the case documented by Valerius Maximus. Following the logic of the jurists' discussions, often circumstances that protected otherwise infertile men (such as their eligibility to marry) theoretically included *castrati*, but the jurists continuously expressed moral disapproval and sought to inflict disadvantages upon these men. From such instances, it becomes clear that what "made" a citizen Roman man (a *vir*) in

familial law was dependent on how the voices of legal authority valued particular facets of perceptible masculinity. This was reflected in the ways in which they struggled to organize these "nonnormative" people within the confines of their social gender binary.

As this chapter has shown, it is difficult to extract the real experiences of eunuchs and intersex people from Roman law. In other literary contexts, our sources for their lives—virtually none of which were written by those who identified as eunuchs or otherwise gender atypical—require sifting through sexual and gendered invective, popular opinion, literary caricatures in place of realistic depictions, and often contradictory or vague labels authors bestowed upon these people. None of this, however, is to say that the lives of these people are *wholly* inaccessible beyond pure literary (or hypothetical) fabrication. Furthermore, the frequent appearance of men labeled *spadones, eunuchi, castrati,* and *hermaphroditi* in Greco-Roman literature does not suggest that they were all that rare (or hypothetical) in imperial Roman society. It is clear from the rich juristic discourse that the study of Roman family law can supplement Greco-Roman medical discourse—in tandem with the literature I analyse in the following chapters—to reveal that there was a complicated spectrum of understandings of atypically gendered people in the ancient world.

Chapter Three: *Hermaphroditi* and the Limit(ation)s of Gender Transition

The previous chapter demonstrated that what "made a man" in Roman family law was up for debate, more or less. The jurists seemed to agree that uncastrated men ought to be eligible for various rights of a Roman citizen *vir*. Furthermore, there was substantial discussion about the types of male infertility: the jurists made not only physiological but also moral distinctions between *castrati*, *spadones*, and *hermaphroditi*. The anatomical (and occasionally physiological) differences between these men on the margins, however, were sometimes unclear. The latter categorization—men whose sexual characteristics were nonnormative enough to be referred to as *hermaphroditi*—will be the focus of this chapter.

Intersex bodies in Greco-Roman literature and material culture have increasingly attracted scholarly interest in recent decades.[195] The purpose of this chapter is to supplement the scant references to intersex persons in the juristic tradition by turning to evidence in other genres—paradoxography, a naturalistic encyclopedia, and history. Since some of these accounts are quite detailed, they can help to fill out the social context that Gardner and I have illustrated in our analyses of Roman family law. First, I summarize recent scholarship on intersex bodies in Greco-Roman medical constructions of sexual difference and "spontaneous sex changes." Then, I examine the shift in cultural attitudes towards *hermaphroditi* (sometimes referred to as *androgynoi*), from prodigious omens during the Republic to commodified "delights" in the Empire. Next, I examine the voyeuristic and fetishistic treatment of *hermaphroditi*—including (briefly) Hermaphroditus—in imperial literature. Lastly, I examine (both formulaic and complex)

[195] See further King (2013), Sukava (2020), Van der Gracht (2009), Ajootan (1995), Ashede (2020), Brisson (2002), Delcourt (1961), Doroszewska (2013a, 2013b), Graumann (2013), Robinson (1999), von Stackelberg (2014), Szepessy (2014), Trimble (2018), and Zajko (2009).

"spontaneous sex change" narratives and accounts of gender transition that necessitated surgical intervention. I analyse these sources with the awareness that our modern conceptions of intersex variations are not always applicable (or diagnosable) given the vague language often used to describe the bodies of *hermaphroditi*.

In this chapter, I conclude that *hermaphroditi* were elusive figures—sometimes ancient authors equated intersex births with "sex-changers," whereas others differentiated between the two. Furthermore, I argue that anxieties about religious pollution were apparent in the voyeurism and commodification of the gender atypical body, despite a cultural shift in attitudes towards *hermaphroditi* over time. Also, I conclude that gender transitions (and the perils of failed gender transitions) involved a range of factors (e.g. a person had to change their name and line of work) beyond ideal dimorphic genitalia. Lastly, I argue that the sources that I discuss in this chapter—in tandem with the passages in legal and medical contexts analysed in prior chapters of this thesis—can broaden our understanding of Roman ideologies of gender transition, gender (non)conformity, and the spectrum of bodily gender.

Ancient Intersex?

Gardner (1998a) assumed that the term *hermaphroditus* was likely used by the jurists only when "sexual re-assignment of a grown person was being considered," and she doubted that the jurists were referring to "true, that is gonadal, hermaphrodites, or even of apparent hermaphrodites."[196] But Greco-Roman writers acknowledged the existence of intersex people. In

[196] Gardner (1998a: 139) observed that there were only two mentions of *hermaphroditi* in the *Digest*. Paulus: "Perhaps a *hermaphroditus* could be added to a will, should the state of his rousing sex display [itself]" (*D.*22.5.15.1 = Paulus *iii senentiarum*, my translation). Ulpian: "A *hermaphroditus*, obviously, if male characteristics prevail in him, will be capable of instituting a posthumous heir" (*D.* 28. 2. 6. 2, Gardner's translation).

fact, the term *hermaphroditus* could refer to a spectrum of gendered bodies and experiences. Dreger (2000) argues that it is necessary to step back from exclusively chromosomal and hormonal interpretations of biological sex when examining intersex variations in either modern or ancient cultures—especially ancient, since modern conceptualizations of intersex are different from the dominant gender categories of the ancient world. This is because there are many biological and external factors that can determine the development of primary and secondary sexual characteristics in humans.[197] As I discussed in Chapter One, ancient anatomical and physiological narratives from many genres were preoccupied with differences between "male" and "female," but perhaps more importantly with the question of what made a person male or female *enough*. Often these narratives fixated on what appearances and behaviours could make a person's body incompatible with their predetermined gender.[198] As King (2013) has confirmed, intersex bodies were not a focus of interest to ancient anatomical theorists and medical writers generally.[199] For example, Galen—along with the corpus of Greco-Roman medicine more broadly—often failed to acknowledge the existence of intersex bodies in his writings on biological sex. In his treatise *On Seed*, Galen dismisses the existence of intersex bodies by critiquing theories of generation resulting in a human with both male and female genitals, referring to these people as "The so-called hermaphrodites that artists fashion."[200] As a result,

[197] Dreger (2000: 4): "The sexual development of any individual is a complicated and amazing event, involving the working of chromosomes, the action of self-produced and/or ingested hormones, the effects of environmental agents like toxins and nutritional substances, social norms like those that dictate circumcision or clitoridectomy (removal of the clitoris) or certain levels of physical prowess, family dynamics, individual sexual encounters, accidents, and so on."

[198] King (2013: 87) asks crucial questions when approaching ancient medical texts concerned with bodily differences between the sexes: "Was menstruation necessary to be a woman? Was a penis always definitive proof of being a man, or was evidence of ejaculation—or, indeed, of generation—needed?"

[199] King (2013: 82). See further van der Gracht (2009) and Kazantizidis (2018).

[200] See *On Seed* 2.3.17, and *Hippocratis aphorismi et Galeni in eos commentarii Hippocratis* 7.43. The line "The so-called hermaphrodites that artists fashion" (*On Seed* 2.3.17), is translated by King (2013: 82).

modern diagnoses of "intersex" variations are not wholly translatable to ancient anatomical contexts.

King's (2013) discussion of a Hippocratic case study (*Epidemics* 6.8.32) can serve as an example of the difficulties involved in attempting to apply modern terminology to Greco-Roman accounts of intersexuality. It is important to keep in mind that the focus in this text is on disease, not the anatomy of sexual difference. The Hippocratic text was concerned with the "sex change" and eventual deaths of two Greek women, Phaethousa and Nanno.[201] According to the Hippocratic author, Phaethousa and Nanno's husbands were absent for a prolonged period of time, which had dire consequences. The women stopped menstruating, developed masculine secondary sexual characteristics (such as beards), and—despite attempts to incite menstruation via medical intervention—they died. King argues that Phaethousa and Nanno's transformations resulted in them becoming unrecognizable in gender: they suddenly exhibited biological markers of both masculinity *and* femininity in the Greek imagination. They do not fully become "men," yet they are not fully "women" either. As a result, they can no longer fulfil the necessary social roles of their original gender: being wives. These cases are concerned with two women who (in the Greek imagination) experienced sudden gender ambiguity and death due to an unknown disease—we should not attempt to diagnose their conditions as intersex in this context. Instead, we must understand these Hippocratic cases as participating in an overarching cultural narrative: authoritative, masculine voices struggling to make sense of biological inconsistency.

Phaethousa and Nanno's cases exhibit the social consequences (and even fatality) of sudden gender ambiguity. These cases, however, should not be interpreted as examples of gender transition. Instead, Phaethousa and Nanno's stories provide an important framework—or, more

[201] See King (2013) on Hippoc. *Ep*. 6.8.32.

accurately, a series of topoi—that persisted in later narratives featuring *hermaphroditi* and (for authors who did not conflate the two) "spontaneous sex-changers." There were two very distinct (though not exclusive) themes in ancient "intersex" narratives: "bisexuality (two sexes in the same person) and unidirectional sexual transformation (female-to-male)," also previously referred to as "synchronic" and "diachronic" hermaphroditism.[202] As I discuss in this chapter, the sources that feature these people did not always make clear what exactly constituted their (anatomical or physiological, etc.) gendered ambiguity. Nevertheless, these accounts can be useful tools in redefining the boundaries between ancient conceptions of anatomy and gender atypicality—between fluid gender and fluid sex.

Like the Hippocratic case study, the narratives I examine in this chapter often stress the need for medical and civic intervention to "correct" these people's gender nonconformity. It becomes evident through these narratives that the ideological malleability of the female body (as I examined in Chapter One) in Greco-Roman thought allowed for writers to document and explore (occasionally sudden) gender ambiguity.[203] For example, the passages I examine on gender transition and "spontaneous sex change" all feature people who were assigned female at birth and who suddenly exhibited visibly androgynous characteristics, sometimes necessitating their *complete* transition to manhood. There are no narratives that feature people assigned male at birth transitioning to womanhood.

In this chapter, I examine evidence in a range of texts in order to expand upon the nuances behind the term *hermaphroditus* as used by the jurists. To do so, I examine how gender nonconforming bodies are depicted in the literature, art, and social history of the late Roman Republic and early Empire. This serves the purpose of my overall project: to look beyond how

[202] Graumann (2013: 184).
[203] See further Kazantizidis (2018).

the ancient medical record excluded atypically gendered bodies in order to illuminate nuances in Roman conceptions of human anatomy, ideologies surrounding gender (non)conformity, and the spectrum of men's bodies evident in the Roman juristic tradition.

Hermaphroditi*: From *prodigia* to *deliciae

The Roman statesman and natural historian Pliny the Elder (23-79 CE) provides a succinct history of the treatment of *hermaphroditi* in Roman society through the first century CE in the seventh book of the *Natural History*. This book of the *Natural History*—a massive compendium of natural science—is devoted to marvellous variations among humans, primarily (though not exclusively) foreign peoples. In this book, Pliny lists the customs and physical appearances of various cultural and ethnic groups whom he and his sources found exceptionally novel.[204] For example, Pliny mentions the notoriously cannibalistic Scythians from the northern Black Sea and the African Machlyes, "who are Androgyni (*Androgynos*) and perform the function of either sex alternately. Aristotle adds that their left breast is that of a man and their right breast that of a woman."[205] According to Pliny, "in particular India and Ethiopia are

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[204] For example, Pliny ends Book Seven's ethnography with the following declaration: "These and similar varieties of the human race have been made by the ingenuity of Nature as toys for herself and marvels for us… From these we turn to a few admitted marvels in the case of the individual human being," thus beginning his section on monstrous and marvellous births (Plin. *HN* 7.32, trans. H. Rackham). *Natural History* presents a uniquely Roman approach to natural science. Pliny's text caters to his elite Roman audience's interests in morality, *mirabilia* ("marvels"), and overarching interest in practical science contrasted with (markedly Greek) scientific theory [See Naas (2011: 59-61, n.15)]. To Naas (2011: 57), *Natural History* "illustrates both the appropriation of nature and knowledge by the Romans, and the fascination with *mirabilia*," which are "also a means of praising imperialism, as imperial control over nature and her marvels reflects on the greatness of Rome." Thus, to Pliny, "the 'immense majesty of Roman peace' has opened the world to discoveries, and the Romans are a divine blessing to the world" [Wallace-Hadrill (1990: 95) who is quoting Plin. *HN*. 27.3]. At the same time, however, as recent scholarship has observed, Pliny's voyeuristic *mirabilia* highlight the xenophobic discomforts of imperial expansion and cultural appropriation. As a result, the seventh book of Pliny's *Natural History* draws attention to the extreme limits both of empire and the human body. Beagon (2005: 43) provides an insightful summary of this paradox.
[205] Plin. *HN* 7.15-16, trans. H. Rackham. See *HN* 7.9-11 for the Scythians.

territories full of marvels (*miraculis scatent*)."[206] A few of the peoples Pliny mentions were native to Italy (such as the Marsi and the Hirpi), but the majority were from more distant locations around the Mediterranean.[207] Apparently the near perimeters of Rome, too, contained marvelous people.[208]

Pliny opens his section on monstrous and marvellous births with a few portentous cases close to home: the triplet births of the Horatii and Curiatii, the birth of two sets of fraternal twins in Ostia (which caused a food shortage shortly after), and a Peloponnesian woman who gave birth to quintuplets, and a number of septuplet births in Egypt.[209] Then, with a surprising directness, Pliny provides a succinct history of Roman treatment of *hermaphroditi*:

> "Also, there are those born of both sexes whom we call *Hermaphroditos*, formerly called *androgynos* and considered portents (*in prodigiis*), but now considered favourites (*in deliciis*)."[210]

Apparently, the term *hermaphroditos* was the current terminology applied to people "born of both sexes" (*Giguntur et utriusque sexus*), at least by the time the emperor Titus came into power (c.77 CE) when the *Natural History* was being written. Here Pliny uses the Greek term *hermaphroditos* as opposed to the Latinized *hermaphroditus*—it is both more learned (i.e.,

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[206] Plin. *HN* 7.21, my translation. See further Beagon (2007).

[207] See Plin. *HN* 7.15 for the Marsi (who apparently had an innate immunity to snake bites), and 7.19-20 for the Harpi (who lived just outside the city of Rome in Faliscan territory, and could walk over burning logs without injury).

[208] Scholars such as Murphy (2004: 90) have struggled to interpret Pliny's massive text, and Book Seven in particular. I am inclined to follow Beagon's (2007: 25-40) argument that *mirabilia* in *Natural History* indicate more than "imperial centrality" versus the marvellous geographical edges of the empire—a number of Pliny's *mirabilia* originated in the familiar (to Pliny and many of his readers) regions of Italy and mainland Greece. Thus, if "the cultural chaos of the edges is matched by chaos in nature itself," Pliny believes that Rome (or the "second sun," as he describes it in *HN* 27.3) has become a "second nature which is more than the sum of its parts" through its conquests [Beagon (2007: 22, 40)]. In other words, Rome itself became the embodiment of imperial natural history. Nature's quirks inherently became Rome's quirks by consuming earthly, bodily, and material *mirabilia*—both foreign and familiar. This resulted in a voyeuristic fascination with "marvellous" variations of the human body in imperial Roman culture.

[209] Plin. *HN* 7.33.

[210] Plin. *HN* 7.34, my translation.

Greek) and distancing (i.e., *not* Latin). Interestingly, Pliny differentiates these people from the African Machlyes, whom shortly before this passage he referred to as *Androgyni*.[211]

It is important to be aware that the Greek term *androgynos* (literally "man-woman"), bore complex meanings. It could be used to describe someone born with sexually ambiguous genitalia (as does Pliny), but it frequently appeared in invective denoting effeminate men, or men and women who exhibited gendered and/or sexually "deviant" behaviour in the Greek imagination.[212] The language of bodily gender variation was interwoven with the language of gendered invective. Similar meanings apply to other Greek and Latin terms used to signify those with sexually ambiguous characteristics, which I examine later in this chapter and in Chapter Four.

The religious expiation of *hermaphroditi* that Pliny is referring to is attested mostly in Roman sources, which appeared with some frequency from the first century BCE onwards.[213] The historian Livy (59 BCE - 17 CE), for example, reports a series of *androgynoi* births among other prodigious marvels.[214] In many of these narratives, the birth of an *androgynus* (the Latinized version of the term) was associated with terrifying marvels such as freak lightening strikes, rains consisting of bodily fluids (such as milk and blood), and statues dripping with sweat.[215] The expiation of human portents (*prodigia*)—whether animal-human hybrids or sexually ambiguous

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[211] Plin. *HN* 7.16.

[212] See Brethes (2012: 136-38) on the use of *androgynos* in Ach. Tat. 5.25.8, and for scholarship on the term more broadly. See also Penrose Jr. (2020) for a more updated analysis of the term. For uses of *androgynos* ("man-woman") in the sense of an effeminate man (i.e., a "girly-man"), see my discussion of *kinaidoi*/*cinaedi* in Chapter Four of this thesis. Further sources include Ach. Tat. 5.25.8, Hp. *Vict*. 1.28, Hdt. 4.67, Aeschin. 2.127, and Plu. 2.219f. For the term applied to men and women who exhibited gender "deviancy" in sexual appetites, appearance, or other behaviour (such as *kinaidoi* and *tribades*), see: Brethes (2012: 136-38); Eub. 11, Diph. 43.22, AP 12.42 (Diosc.), cf. Hsch., *AP* 6.254 (Myrin.), Lib. *Decl*. 12.42; Luc. *Am*. 28, and Artem. 2.12.

[213] Plutarch, *Life of Marcellus* 28.2; Cicero, *De Divinatione* 1.97-98; Livy 1.56.5, 27.11.4-6, 27.37.5f, 31.12.6f, 39.22.3-5, 43.13.6; Julius Obsequens 3, 22, 27a, 32, 34, 36, 47, 48, 50, 53; see my analysis of instances in Phlegon's *Mirabilia* below.

[214] Livy 1.56.5, 27.11.4-6, 27.37.5f, 31.12.6f, 39.22.3-5, 43.13.6. See citations for Julius Obsequens in the note above, who was writing in the style of Livy (and therefore wrote many identical prodigious narratives).

[215] Cicero, *De Divinatione* 1.97-98, for example, features a series of prodigious natural disasters in tandem with *ortus androgyni.*

births—in religious contexts was considered necessary for ritualistic purification. During the Roman Republic and early Empire, various sources report that *androgynus* births often were drowned at sea, a ritual accompanied by prayer and choral expiation.[216] The Greek historian Diodorus Siculus (c.90-30 BCE) wrote that some intersex persons were even burned alive in Athens, though the duration of this practice is unclear.[217] It is apparent in these narratives that the bodies of *androgynoi* were socially disruptive—they were considered portents of both civic and religious concern. The distortion of the ideal dimorphic body signalled the coming of war alongside other disturbing phenomena considered "public omens" (*prodigia publica*) in the Roman imagination.[218] How long these births were regarded portentous around the Mediterranean is unknown, but Livy is drawing on a long-standing, institutionalized approach to the superstitious expiation of *androgyni*.[219] In Livy's early imperial social context, human births that exhibited some form of disruption of ideal sexual dimorphism were both a religious and social threat: in one of his accounts, Livy even observes that *androgyni* were considered more portentous than human-animal hybrids.[220]

One feature of these accounts stands out: the texts rarely, if ever, detail how exactly these people were determined to be anatomically atypical (or "sexually ambiguous") at birth. Livy uses a variety of Latin terms to describe these people: *androgynus* ("man-woman"), *semimas* ("half-

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[216] See Obs. 3, 34, and 36. Technically, Julius Obsequens was writing in the fourth century CE, however the author mimicked Livy's style, often including subjects identical to Livy's work. See further de Boer (1979: 100, n.17; 101) and Brisson (2002: 25-27). See also Diod. Sic. 32.12.2.
[217] Diod. Sic. 32.10. To Parker (1983), "Monstrous births and other abominations were sometimes burnt on 'wild wood' or the wood of fig-trees (worthless material characteristically being chosen for the disposal of a polluted object). But this, too, is a kind of concern that, in contrast to the conspicuous Roman obsession, scarcely penetrates our [Greek] sources" (32-33, 221 n.75).
[218] Brisson (2002: 14) highlights the important usage of this term in reference to intersex births as antebellum prodigies in Rome. See also MacBain (1982: 127-35) and Graumann (2013: 190) for Rome's "prodigy system."
[219] See MacBain (1982: 127-135) for the history (most likely pre-*Annales*) and prominence of Roman superstitious expiation of *androgyni*.
[220] Livy 31.12.6-9.

man"), and "a child wavering between male and female with respect to sex" (*ambiguum inter marem ac feminam sexu infantem*).[221] This lack of detail inevitably results in an unknowability and mystification of intersex bodies in Greco-Roman literature. But when these expiatory practices became less common, more sensationalizing attitudes towards gender nonconforming bodies arose in the Roman Empire, which I will discuss in the remainder of this chapter.

Pliny's brief remarks establish that these *androgynoi* came to be called *hermaphroditi* and regarded *in deliciis*, "among delights." The term *deliciae* bore many meanings in Latin, varying in degrees of sensuality. King (2013) notes that *deliciae* (in the plural) could be defined "'as instruments of pleasure', but this could simply mean 'as pets', the sense being delight in their company, or perhaps specifically sexual delight."[222] The *Oxford Latin Dictionary* (1968) lists a handful of definitions for the term (*delicia, -ae*): it could refer to a pleasurable activity, person, or item; luxurious habits; charms or pleasurable attributes; a sweetheart, pet, or favourite; and the specific phrase Pliny uses, *habere in deliciis*, meant "to treat as a pet, favourite, etc."[223]

In a sexual context, there could be a moral judgement behind Pliny's rather terse statement—this would not be out of character for the author. Pliny himself uses the term multiple times in the *Natural History,* often to describe man-made or foreign luxuries, many of which he found morally distasteful in their excess.[224] Adams (1982) notes that there was a history of using

[221] Livy 24.10.10; 27.11.4; 27.37.6; 31.12.6, 31.12.8, 39.22.5, trans. J.C. Yardley. The final quotation in this sentence has been adapted from Yardley's translation. See Graumann (2013: 185-186) for specific uses of diction.
[222] King (2013: 82, n.36).
[223] *OLD* (1968: 509).
[224] *Deliciae* is used in *Natural History* in the following contexts: luxuries men create by harvesting natural materials excessively (2.158), *hermaphroditi* (7.34), the younger Julia's personal "pets" (7.75), pearls (9.112), goose feathers so comfortable that even men could not resist their luxurious feel (10.54), spa-like uses for Roman coriander (10.186), luxuries of the mythical goddess Circe (13.100), excessive luxuries brought in via foreign conquest (12.84), Arabian perfumes (16.135), reeds used for wind instruments (16.156), the "superfluous" delicacies of bread (18.105), a type of flax linen used in women's clothing (19.20), edible delicacies (21.15), general luxuries that have increased the cost of living (22.14), pleasant medicinal ingredients from the natural world (22.17), medicinal ingredients that may seem, to some, luxurious (25.22), people, presumably slaves, who prepare mushroom dishes (22.99), luxuriously dyed sea sponges (31.123), luxurious gems (33.1), morally reprehensible lavish possessions of various men in power (33.49), excessive decoration of marble (35.3), lavish possessions Marcus Agrippa did not

the term *deliciae* persuasively, or to describe illicit sex as a "diversion [or] pleasure" from the first century BCE onward, and "at this time the word no doubt took its tone from the tone of voice of its user."[225] Williams (2010) provides an example from Petronius' *Satyricon*, in which "the *nouveau riche* freedman Trimalchio, recalling his early years as a slave, unabashedly refers to his role as his master's 'darling' (*deliciae*)…"[226] The emperors Augustus and Trajan kept male slaves as *deliciae* and *delicati*, respectively.[227] Even Augustus' granddaughter, Julia, kept a two-foot tall person named Conopas among her personal *deliciae*.[228] *Deliciae,* then, could suggest slaves (or people who otherwise lived with upper class Romans as "entertainments"), but it is not limited to this meaning. Overall, *deliciae* could be human or material objects of desire, sexual or otherwise. As a result, the term *deliciae*—in all its possible material, marvellous, and sexual connotations—can encapsulate Roman concerns with excess or more specifically *luxuria*.

Shannon-Henderson (2020) notes that "several ancient authors attest to this view of people with abnormal bodies as pleasantly titillating, a sensationalist attitude that some of them strongly condemn."[229] To Edwards (2002), "For Romans, luxury and lust were cognate vices; those susceptible to sexual temptation, it was felt, were also prone to indulge to excess their

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seek to possess, unlike Julius Caesar (35.26), various luxuries in Pompey's theatre (36.115), expensive amber adored by women (37.30, 49), and luxurious Spanish pigments (37.203).

[225] For further Roman sources and analysis of the term, see Adams (1982: 171, 196-98, 227).

[226] Williams (2010: 31, n.99); Petr. *Sat*. 75.11. See also Pomeroy (1992).

[227] *Delicati* was usually used in sexual contexts. Williams (2010: 34, n.115-118) explains: "Having such slaves was one of the benefits of being rich and powerful. Most powerful among Roman men was, of course, the emperor. Augustus himself acquired the reputation of an avid womanizer, but he also was said to have kept male slaves as his *deliciae* or 'darlings,' one of whom, named Sarmentus, is mentioned in passing by Plutarch… We read that Trajan kept *delicati*, and this detail is dropped in such a way as to suggest that this was a standard feature of the imperial household." See also Plut. Ant. 59: "*a dēlikia Rōmaioi*." See Beagon (2007: 31-2) for various emperors and their affinities for *mirabilia* (human and otherwise).

[228] Plin. *HN* 7.75.

[229] See Shannon-Henderson (2020: 76) who cites Barton (1992: 85–8), Garland (1995: 52–4), Chappuis Sandoz (2008: 32), Charlier (2008: 80–8), and Gevaert and Laes (2013: 221–3). The emperor Elagabalus (r.218-222 CE) supposedly had a particular interest in men with hernias (*HA* 25).

appetites for food, drink, and material possessions."[230] Notions of excess and luxury often were tied to ideologies of effeminacy, which I will expand upon in the following chapter.[231] Furthermore, Wallace-Hadrill (1990) argues that Pliny's particular brand of moralizing in the *Natural History* fixates on the antithesis between *natura/luxuria* "as simultaneously a Roman v. Greek antithesis."[232] Greekness, too, could suggest a level of effeminacy in the Roman imagination.[233] Yet the moral and imperialistic connotations behind *luxuria* and *deliciae* as *mirabilia* ("marvels") do not necessarily "carry implications of finality and decline," to quote Beagon's (2007) argument.[234] In fact, there was a thriving market for and commodification of "entertainments" and various *deliciae* during the early Roman empire, especially marvellous variations of the human body.[235]

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[230] Edwards (2002: 5). See Edwards (2002: 5-8, 10, 18, 25-8, 92-93, 137-72, 176-8, 196, 200-6) for further Roman discourse on the vices of luxury and excess. For moral revulsion for *luxuriae* and *deliciae*, see Williams (2010: 139-140).

[231] See Williams (2010: 139-140) and Richlin (1992: 3-5) for discourse on effeminacy and *luxuria*.

[232] The following quote from Wallace-Hadrill (1990: 94) sums up Pliny's moralizing nicely: "The *natura/luxuria* antithesis which lies at the heart of the *Natural History* emerges as simultaneously a Roman v. Greek antithesis. The Romans, with their simple ancestral lore of herbalism, know how to live according to nature; the Greeks, with their misplaced scientific ingenuity devoted to the manufacture of noxious compounds, are the inventors of *luxuria* and the enemies of nature… Doesn't that make his attitude to the Greeks hypocrisy as well as chauvinism? Of course it does… Pliny too faced a major problem in reconciling Greek scientific discourse with Roman ways of thought" (see also 95-6). See further Beagon (2005: 10-13).

[233] See further Williams (2010: 135-7) for Greekness and effeminacy in the Roman imagination.

[234] For context, Beagon suggests "that it is possible to uphold the notion of transience and reach an understanding of the nature and purpose of *mirabilia* in Pliny's work which does not carry implications of finality and decline" Beagon (2007: 37).

[235] See King (2013: 81, n.31), especially her footnote, where she cites: "See Plutarch, *Moralia* 520c, discussed by Carlin A. Barton, *The Sorrows of the Ancient Romans: The Gladiator and the Monster* (Princeton, NJ, 1995), pp. 86–8."

Mirabilia, Voyeurism, and Empire

Hellenistic and imperial Roman iconography that featured the ambiguously gendered deity, Hermaphroditus, is a good example of the commodification of *hermaphroditi*'s bodies. Scholarship over the past few decades has explored the sensuality and voyeuristic interest in the body of Hermaphroditus.[236] Iconography featuring Hermaphroditus was well-known and spread around the Mediterranean in both domestic and public contexts from the Hellenistic era onwards—Pliny, for example, documents Polycles' famous Hermaphroditus statue.[237] Often the deity was portrayed with protruding breasts, a penis and testicles, and he was typically eroticized (or at least hyper-sensualized) in appearance (Fig. 1 and 2).[238] Statues, wall paintings, and mosaics of Hermaphroditus possessed traits that Suetonius (born c.70 CE) attributes to all *androgynoi*: those who "have something of the shape of a man, but are feminine in all other respects."[239] In short, artists represented Hermaphroditus with male genitalia but predominantly "feminine" characteristics, such as a curved waist, wide hips, feminine hairstyles, notable breasts, as well as "white skin, narrow shoulders, and unmuscled flesh."[240]

The research of Romano (2009) and Barrow (2018) has demonstrated that Hermaphroditus was a complicated figure in the ancient world: one that represented fertility, marital union, eroticism, healing, and "gender trouble." Anxieties about effeminacy became a prominent feature of literary representations of Hermaphroditus among the writers of the early Roman Empire. Often Hermaphroditus' masculine "vigor" uncomfortably contrasted with his

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[236] Ajootan (1995), Ashede (2020), Brisson (2002), Delcourt (1961), von Stackelberg (2014), Szepessy (2014), Trimble (2018), and Zajko (2009).
[237] Plin. *HN* 34.81.
[238] See Delcourt (1961: xi), Sourvinou-Inwood (2004), Isager and Pederson (2004), and Szepessy (2014). Trimble (2018) and von Stackelberg (2014) have argued that these artistic representations might not have been so sensationalized in domestic—and more specifically garden—contexts, and often drew their full affects from an intricate web of viewing perspectives.
[239] Suetonius, *Peri Blasphemion* 61, trans. J. Taillardat. See Gleason (1990: 394) and Trimble (2018).
[240] Trimble (2018: 18).

feminine "softness," the latter of which was part of the language of effeminacy frequent in Roman invective.[241] The Roman poet Ovid (43 BCE - 17 CE), for example, depicts Hermaphroditus as a *puer* ("young man; boy") who was forcibly feminized in appearance: he was "softened" (*mollita*) through sexual assault by the female nymph Salmacis. Once Hermaphroditus becomes "dual-sexed" (*biformis*), Ovid describes him with language more appropriate to effeminacy than to androgyny: he is a "half-man" (*semimarem*), with "softened limbs" (*mollita… membra*), and without the "voice of a man" (*non voce virile*).[242] Physical softness, implied sexual submissiveness (in Ovid's rape narrative), and an unmanly voice were all considered markedly feminine and therefore negative attributes in the Roman imagination.[243] As Edwards (1993) summarizes: "Whatever qualities were undesirable in a male member of the Roman elite were termed 'feminine.'"[244]

Zajko (2009) suggests that "If we consider [Hermaphroditus] to be 'queer' rather than incomprehensibly 'ambiguous,' her queer positionality might alleviate the prejudice surrounding the intersexual by providing the modern phenomenon with an ancient etiological myth."[245] I do

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[241] To Delcourt (1961: xi)., "in literature, Hermaphrodite [i.e. Hermaphroditus] is more an idea than a person" due to the deity's elusiveness elsewhere in Greco-Roman religious practices and theology. For mythological narratives of Hermaphroditus, see: Diod. Sic. 4.5-7, who contrasts Hermaphroditus' masculine "vigor" (*drastikon*) with their feminine "softness" (*malakotēta*). The satirist Lucian (*Dialogues of the Gods* 3.(23).1.273) contrasts the hyper-masculine and hyper-virile god Priapus with Hermaphroditus, who is described as "a female and a half-man" (*thēlus kai hemiandros*). In Ovid's *Metamorphoses,* Hermaphroditus is portrayed as a young male god, and only becomes physically and sexually feminized—literally "softened" (*mollita*)—after he is sexually assaulted by the female forest nymph Salmacis (4.285-388). For the legend of the river associated with the myth of Salmacis and Hermaphroditus, see: Diod. Sic. 4.5-7; Strabo, *Geography* 14.2.16; Martial 6.68.9-10 and 10.30.10); also Robinson (1999: 212-213) and Wolff (2019: 79).

[242] Ovid, *Met*. 4.381-386. See also the language *semivir* ("half-man") and *mollescat* ("to soften, effeminize") at 4.386, when Hermaphroditus curses any man who enters the spring of Salmacis to become such henceforth.

[243] See Groves (2016: 351) and Romano (2009). For the language of effeminacy in Ovid's version, see Williams (2010: 127-8).

[244] Edwards (1993: 181). For further context on the language of softness and effeminacy, see Williams (1999: 127-32). Even as far back as the late 6th century BCE, a fragment from the satirical iambic poet Hipponax states: "male: and in the manner of a male and half-man and half-woman (*hēmiandros kai hēmigunaix*) and of doubtful sex (*digenēs*) and effeminate (*thēludrias*) and hermaphrodite (*hermaphroditos*) and eunuch (*ithris*) . . . and Hipponax calls half-man one who is, as it were, half-woman (*hēmiandron… hēmigunaika*" (148 *Suda* 1.344.22 Adler, trans. D. E. Gerber).

[245] Zajko (2009: 197).

not intend to argue against an intersex reception of the deity Hermaphroditus, but it is clear that male Greek and Roman writers fixated primarily on the discomfort that they felt about the gender atypical, *effeminate* body of Hermaphroditus. This language of effeminacy likewise is prominent in Roman discourse about eunuchs, which I examine in the following chapter of this thesis. For now, it is clear from both the archaeological and literary record that Hermaphroditus' effeminacy and gender-blended body was a source of both discomfort and voyeuristic fascination for centuries. People born as *androgynoi* or *hermaphroditi* received similar treatment.

In the genres of paradoxography and (natural) history, often intersex births were featured as *mirabilia* ("marvels") alongside spontaneous changes in biological sex and gender transitions. Yet well after Pliny claimed that *hermaphroditi* were no longer considered *prodigia*, narratives of intersex births that had negative effects on the people and communities around them continued to be mentioned among *mirabilia*. Phlegon's *Book of Marvels* (*Peri Thaumasiōn,* or Latinized *Mirabilia*) is a paradoxographical text, a literary genre that arose in the early Hellenistic period and focused on "sensationalistic wonders."[246] Phlegon's text is divided thematically into sections discussing giant bones, monstrous births, births from males, multiple births, and concludes with a documentation of live centaur sightings.[247] Among these, an entire section of the *Book of Marvels* (4-10) is devoted to intersex births and spontaneous changes in biological sex. The latter group will be discussed in the following section of this chapter.

In Phlegon's two accounts of intersex births—one is included in the appropriate section (10), whereas the other is included in Phlegon's section on ghosts (2)—the stories trigger further

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[246] Hansen (1996: 3, 11; 112). Hansen (1996: 113) summarizes: "The entries are a mix of Greek mythological traditions and of narratives set in recent time, from 125 BC to AD 116. Phlegon arranges them in a roughly chronological sequence from the Heroic Age to his own century." Phlegon of Tralles (a city in Caria, Asia Minor) was a freedman and member of the emperor Hadrian's court (117-38 CE).
[247] Phleg. *Mir.* 11-19 for giant bones, 20-25 for monstrous births, 26-27 for births from males, 28-31 for multiple births at once, and 34-35 for live centaur sightings.

prodigious and extraordinary events.[248] The first is the story of Polykritos, an Aetolian man who unfortunately met a sudden death after a few days with his Lokrian wife.[249] Months later, Polykritos' widow gave birth to a child who appeared to have "two sets of genitals" (*aidoia duo*). Phlegon describes the upper portion of the child's genitalia as *holoklēra* ("perfect," "complete," or even "wholly hard"), whereas the lower part "around the thighs" was *hapalōtera* ("softer").[250] The Aitolian citizens were terrified and threatened to burn the child. Before the community could do anything rash (such as ritual expiation), the revenant Polykritos appeared before them and consumed his child, save for the head. The animate head of the prodigious child then proceeded to speak, and "prophesied the destruction of the whole people."[251] The second account of an intersex birth—featured in Phlegon's section primarily concerned with spontaneous changes in sex—contains far less detail but has equally prodigious overtones. An *androgynos* was born in Rome in 125 BCE. In response, the Roman Senate ordered the priests to make an "atonement,"—possibly killing the infant, considering the period in Roman history—and to read the Sibylline oracles.[252] The rest of the passage merely cites the oracles.

The novelty behind Phlegon's marvellous yet prodigious intersex birth narratives contrasts with Pliny's earlier normalization—or perhaps, more accurately, commodification—of *hermaphroditi*. Doroszewska (2013a) argues that Phlegon purposefully "plays with the former [negative] significance of this phenomenon" for the sake of paradoxographical entertainment and

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[248] See Doroszewska (2013a). See also Brisson (2002: 16-18, 117, and 153) for further analysis of Phlegon's narratives.
[249] Phlegon, *Mir*. 2.
[250] Phlegon, *Mir*. 2.3, trans. W. Hansen and adapted by Doroszewska (2013a: 382). Doroszewska (ibid.) summarizes the reasoning behind the possible translation of "wholly hard" for *holoklēra*. See also Corbeill (2015: 55) for diction used to describe the child's anatomy. Phlegon most likely adapted this story from Hieron of Alexandria or Ephesus, see further Forbes Irving (1990: 149, n.3).
[251] Phlegon, *Mir*. 2.4-12, quote from Forbes Irving (1990: 150). Forbes Irving (ibid) further argues that "here bisexuality is linked with the further miracle of a return from the dead and the magical power of prophecy," such as with the mythological seer Tiresias.
[252] Phlegon, *Mir*. 10.1-2.

his readers' expectations of *mirabilia*.[253] As a result, it seems that no matter how sensualized the dual-sexed body became in Greco-Roman art and literature—or among upper class Romans who kept such people "as favourites" (*in deliciis*)—these bodies still carried cultural connotations of *prodigia publica* and, by extension, varying degrees of discomfort with nonnormative physical gender.

Non est fabulosum: Gender Transition and Social (Re)Integration

To complicate representations of *hermaphroditi* further, some ancient writers associated those born intersex with people who underwent "spontaneous sex changes." Some of these narratives report that "spontaneous sex changes" necessitated medical intervention and full gender transition. When we examine intersex birth narratives alongside "spontaneous sex changes" and subsequent gender transitions (as I do for the remainder of this chapter), it becomes clear that atypically gendered bodies were never fully removed from religious anxiety and superstition, even in accounts that adopt a more "medical" or "rational" lens.

Phlegon, for example, devotes nearly an entire section of his *Book of Marvels* to "spontaneous sex changes" (4-9). Notably, Phlegon situates these accounts after mythological narratives: he opens with stories of the mythological Tiresias (4.1-4) and Kainis (5.1-3), who underwent changes in gender through divine intervention; the former even gained the power of prophesy from his temporary gender transition.[254] Carlà-Uhink's (2017) research makes an

[253] See the abstract for Doroszewska (2013a).
[254] Doroszewska (2013a) stresses this context further. For sources on the myth of Tiresias (who eventually changed back into a man), Phlegon cites Hesiod, Dikaiarchos, Klearchos, and Kallimachos (4.1). For Kainis, see Ovid, *Met*. 12.210-553, and Forbes Irving (1990: 156, n.29) for a full list of sources. The mythological figure Iphis, too, permanently transitioned to manhood (Ovid, *Met*. 9.786-91). The story of Leukippos in Nicander's *Metamorphoses* is nearly identical to Iphis' narrative (Nic. *Met*. Fr. 45 Schneider = Ant. Lib. *Met*. 17).

important connection between divine powers and "crossing established gender boundaries" in Greco-Roman literature, myth, and religious cross-dressing rituals.[255] It becomes clear that Phlegon incorporates these mythological and religious topoi in his four accounts of *androgynoi*, as he calls them, who experience sudden transitions in biological sex.

The first of Phlegon's four accounts is the longest. It takes place in 45 CE, when the emperor Claudius was in power.[256] In this story, an unnamed maiden from Antioch experienced a bout of excruciating pain on her wedding day, which resulted in a physical transformation: "Suddenly male genitals burst forth from her, and the girl became a man" (*aphnō autē arsenika moria proepesen, kai hē korē anēr egeneto*).[257] The emperor considered this person portentous: he had an altar to "Zeus the Averter of Evil" built on the Capitoline, but there is no mention (in this account or any of Phlegon's other accounts) of further efforts of expiation.[258] Phlegon's next account is comparatively brief. He tells of the maiden Philotas from a Smyrnian family living in Mevania, Italy, who also "was of marriageable age and had been betrothed to a man by her parents when male genitals appeared in her and she became a man" (*parthenos…moriōn autē prophanentōn arrenikōn anēr egeneto*).[259] Phlegon uses the exact same phrasing to describe Philotas' sudden change in sex as he did with the unnamed maiden from Antioch, and provides

[255] See Carlà-Uhink (2017: 15) and Forbes Irving (2015). Gender nonconformity and prophetic abilities were not confined to these few mythical characters in Greek literature. Herodotus, a Hippocratic author, and Aristotle describe a group of Scythian diviners who were considered effeminate or generally sexually ambiguous: Herodotus specifically referred to them as *androgynoi*, which Godley translates as "epicene"—a suitably opaque description considering the lack of reason provided for the diviners being considered as such beyond the fact that "Aphrodite gave them the art," or that their state was, according to Aristotle, hereditary [Hdt. 4.67, trans. Godley. See Forbes Irving (1990: 150, n.4, 5) for Scythians, as well as Siberian shamans who "adopt the life of women, marry, and are sometimes supposed literally to become women." See also Delcourt (1961: 40); Hippoc. *Aer.* 17-22; Aristotle, *Nich. Eth.* 7.7.1150b]. To Diodorus Siculus, *androgynoi* inherently could possess the power of prophesizing "sometimes for evil and sometimes for good" (Diod. Sic. 4.7, trans. C.H. Oldfather).

[256] Barouti et al. (2017) attempt to post-diagnose this person's intersex condition. I do not recommend doing this in respect to ancient accounts, nor does Graumann (2013).

[257] Phlegon, *Mir.* 6.1-3, trans. W. Hansen.

[258] Phlegon, *Mir.* 6.4. See further Shannon-Henderson (2020: 75).

[259] Phlegon, *Mir.* 7.1-2, trans. W. Hansen.

no other information beyond the fact that this took place in 53 CE. In both of these nearly identical cases, Phlegon does not expand on these people's experiences beyond their sudden pre-marital changes in sex, and leaves his readers wondering how (or *if*) these people could have transitioned into manhood.

In his final two cases of *androgynoi*, however, Phlegon provides his readers with a glimpse at what could be instances of gender transition. In only two sentences, he tells of Sympherousa's transition (which took place in Epidauros around the same time as Philotas' transition): "a child of a poor family, who earlier was called Sympherousa but upon becoming a man was named Sympheron. He spent his life as a gardener."[260] Finally, he recounts the Syrian Aitete's transition to Aitetos, "who underwent a change in form and name even while she was living with her husband. Having become a man Aitete was renamed Aitetos" (*kai es Laodikeian de tēs Surias gunē, onomati Aitētē, sunoikousa tō andri eti metebale tēn morphēn kai metōnomasthē Aitētos anēr genomenos*…).[261] Phlegon even shifts the grammatical gender from the feminine *sunoikousa* (when she is living with her husband) to the masculine *genomenos* once he takes on the masculine name Aitetos. At the end of the narrative, Phlegon adds the date that this transition occurred (116 CE) and concludes with a shocking claim: "I myself have seen this [masculine, *touton*] person" (*touton kai autos etheasamēn*).[262] This Herodotean remark might imply that Phlegon was touring around—or wanted to be viewed as touring around—to view "marvels" like Aitetos. If so, was this a common practice among imperial Roman elites? Was this a uniquely Hadrianic practice (since Phlegon was a member of Hadrian's court)? Whatever the answers to these questions may be, Phlegon's claim draws attention to his role as a spectator.

[260] Phlegon, *Mir*. 8, trans. W. Hansen.
[261] Phlegon, *Mir*. 9, trans. W. Hansen.
[262] Phlegon, *Mir*. 9, trans. W. Hansen.

Thus, in a surprising narrative twist, Phlegon shifts his section on "spontaneous sex changers" from the realm of mythology to his own experience, blurring the lines of *mirabilia* and reality.

It is important to note that following this claim, Phlegon concludes this section of *mirabilia* with the account of the prodigious intersex birth that necessitated the reading of the Sibylline oracles in the olden days of the Republic, which I discussed above.[263] These shocking accounts—which climax with the transition of Aitetos whom Phlegon himself had the opportunity to meet—are intended to produce a sensational effect. Phlegon intentionally leaves his readers with more questions than answers: *How could Aitetos and his husband remain married? Did they have to divorce? What about their children? What if they were still in love? What about their sex life?*

Phlegon's readers might have been used to hearing about and witnessing artistic representations of intersex bodies and spontaneous "sex-changers," but what is more shocking about many of his accounts is what he leaves out: what comes *next*. The abrupt endings of these stories leave his readers stuck on the edges of their seats wondering what was at stake for people who attempted (of their own accord or otherwise) to transition from femininity to masculinity. The unknowns and what-ifs Phlegon leaves for his readers to consider capitalize on both ancient discomfort with *and* voyeuristic interest in physical and social gender atypicality. In fact, Phlegon was participating in a longstanding tradition of "spontaneous sex change" narratives that grappled with similar problems of gender conformity—most importantly marriage and sexual practices.

Well before Phlegon was writing, there were also historical accounts of "spontaneous sex changes," all of which varied in their levels of anatomical detail, marvellousness, and shock

[263] Phlegon, *Mir*. 10, trans. W. Hansen.

value. Shortly following his description of *hermaphroditi* as *deliciae*, Pliny records four historical transformations of females into males (*ex feminis mutari in mares*), which he claims were "no mere fables" (*non est fabulosum*).[264] The first account occurred in 171 BCE in Casinum: a girl changed into a boy (*puerum factum ex virgine*). But since this was during the Republic, the now-*puer* was classed among *prodigia publica* and was sent off to a desert island by his parents and local augurs.

The next two cases were eye-witness accounts from one of Pliny's sources:

> "Licinius Mucianus has recorded that he personally saw at Argos a man named Arescon who had been given the name of Arescusa and had actually married a husband, and then had grown a beard and developed masculine attributes and had taken a wife (*mox barbam et virilitatem provenisse uxoremque duxisse*); and that he had also seen a boy with the same record at Smyrna."[265]

Lastly, in Africa, Pliny himself witnessed (*ipse… vidi*) a citizen of Thysdritum, named Lucius Constitius, suddenly turn into a man (*mutatum in marem*) on the day of his wedding to another man. Frustratingly, there appears to be a lacuna in the text, so it is unclear how this situation was resolved.[266]

Since these gender transitions were "no mere fables" (*non est fabulosum*), Pliny clearly takes them seriously, complete with eyewitness accounts when possible. Yet Pliny still plays up the shock value of these stories: similar to a number of Phelgon's accounts, as well as the sudden gender ambiguity of Phaethousa and Nanno in the Hippocratic corpus, the majority of Pliny's "sex change" accounts occur in a high-stakes social context: marriage. Even though Arescon, the

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[264] The following cases are all from *HN* 7.36-37.
[265] Plin. *HN*. 7.36, trans. H. Rackham
[266] See Rackham's Loeb translation (1942) for a note on this frustrating lacuna.

Smyrnian boy (and most likely Lucius Constitius), all took corrective measures by annulling their previous marriages after transition, Pliny's accounts still highlight—or at least tease at—the shocking disruption caused by gender atypical bodies on deeply gendered marriage roles.

There are a number of important take-aways from Pliny and Phlegon's accounts. First, they highlight how disruptive sudden gender ambiguity or nonconformity can be in deeply gendered marriage dynamics. Furthermore, they suggest a variety of "corrective" measures for gender transition caused by sudden shifts in sexual characteristics: these range from religious expiation, dissolution of marriages no longer between "men" and "women," and career changes (e.g., gardening). These sources, however, vary in the amount of anatomical detail provided. Phlegon mentions male genitals "bursting forth" only in the cases of Philotas and the person from Antioch. In Pliny's accounts, it is usually unclear what anatomical or physiological changes occurred in these individuals, aside from the one mention of the "beard and manhood" (*barbam et virilitatem provenisse*)—the latter referring to a penis—that emerged when Arescusa transitioned to Arescon. What *is* clear is that Pliny differentiated these people from *hermaphroditi* as opposed to Phlegon, who referred to both "sex-changers" and people born intersex as *androgynoi*. Furthermore, these accounts allude to gendered social transitions that had to take place in these instances; as practices of expiation and banishment fell by the wayside, these individuals were expected to resolve social problems arising from their sex change by taking on masculine names, masculine physical attributes, and participating in heteronormative marital relationships.[267]

Even earlier than Pliny, the Greek historian Diodorus Siculus (90-30 BCE) documented cases with similar patterns of successful gender transition. Yet his accounts of Diophantus'

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[267] Due to the unfortunate lacuna in Pliny's personal eyewitness account, we can only assume that the marriage between Lucius Constitius and the other man would not have taken place.

(assigned female at birth as Heraïs) and Kallon's (named Kallo at birth) transitions include substantial detail and adopt a uniquely medical lens. Most notably, both individuals undergo gender reassignment by means of corrective surgical intervention. As discussed above, most of the bodies featured in intersex births and "spontaneous sex change" narratives were described using anatomically vague language. Many of these people were labeled as *hermaphroditi* or *androgynoi*, although Pliny (in contrast to Phlegon) distinguished between *hermaphroditi* and those who underwent sudden transitions in physical gender. Diodorus' accounts of Diophantus and Kallon's transitions, however, feature unique reflections on the realities that lay behind the term *hermaphroditos* (in Greek). They also include a surprising amount of anatomical detail about these people's gender transitions via surgical intervention.

Diodorus reports that both Kallo and Heraïs experienced a sudden change in anatomy after their husbands were away for extended periods of time: male genitals burst forth from their assigned-female genitalia.[268] When it became clear that their now-ambiguous genitalia did not suit the gendered, biological expectations of women or wives, doctors and healers intervened.[269] Heraïs' transition receives the lengthier description:

> "Heraïs, now that her shame had been publicly disclosed, exchanged her woman's apparel for the garb of a young man; and the physicians, on being shown the evidence, concluded that her male organ had been concealed in an egg-shaped portion of the female organ, and that since a membrane had abnormally encased the organ, an aperture had formed through which excretions were discharged. In consequence they found it necessary to scarify the perforated area and induce cicatrization: having thus brought the male organ into decent shape, they gained

[268] Diod. Sic. 32.11.1-2 for Kallo, and 32.10.3 for Heraïs.
[269] Diod. Sic. 32.11.3-4 for Kallo's surgery, and 32.10.7-8 for Heraïs'.

> credit for applying such treatment as the case allowed. Heraïs, changing her name to Diophantus, was enrolled in the cavalry, and after fighting in the king's forces accompanied (*parataxamenon*) him in his withdrawal to Abae."[270]

There are a number of steps required for Heraïs' successful transition. It is only once they dissolve their previous marriage, undergo gender-affirming surgery, change their name, assume masculine clothing, and enter a hyper-masculine line of work (the military) that Diodorus considers them a man. Upon completion of these crucial transitional steps, Diodorus finally shifts the grammatical gender he uses to describe them with the masculine participle *parataxamenon*; only then does Heraïs become Diophantus.[271] Kallon's transition follows nearly the exact same pattern.[272]

At first glance, both Kallon and Diophantus successfully and completely transition from women (of marriageable age) to men. Both received corrective surgery from (presumably male) medical practitioners to ensure that their genitalia exhibited no further signs of gender ambiguity.[273] They even left behind their roles as wives by abandoning their feminine domestic work and married status.[274] Furthermore, Diodorus makes clear that they are no longer having sexual intercourse with their former husbands after transition: he even describes male-male sex in marriage as going against nature.[275] After transition, they wore exclusively men's clothing and

[270] Diod. Sic. 32.10.7-9, trans. F. R. Walton.
[271] See Phlegon, *Mir*. 9 (the story of Aitetos) for a similar grammatical shift.
[272] Diod. Sic. 32.11.1-4
[273] Diod. Sic. 32.10.7 for Diophantus, 32.11.2-3 for Kallon.
[274] Diod. Sic. 32.10.8-9 for Diophantus, 32.11.4 for Kallon.
[275] Diod. Sic. 32.10.9, Diophantus' ex-husband is ashamed of his remaining desire for Diophantus, which is described as "a marriage against nature" (*aischunē te tou para phusin gamou sunechomenon*, my translation); see also 32.10.4-5 for a similar comment. For further cultural context on the ideological issues with male-male marriage in Greek and Roman culture, see Shannon-Henderson (2020: 75) and the fifth chapter of Williams (2010).

exchanged their feminine names for masculine ones.[276] For all intents and purposes, their transitions seem to be successful and socially acceptable.

Yet Diodorus considered it necessary to stress to his readers that Kallon and Diophantus' experiences did not reflect those of mythologized *hermaphroditoi*, upon whom Diodorus says his contemporaries looked with superstitious terror:

> "Likewise in Naples and a good many other places sudden changes of this sort are said to have occurred. Not that the male and female natures have been united to form a truly bisexual type, for that is impossible (*ouk arrenos kai thēleias phuseōs eis dimorphon tupon dēmiourgētheises, adunaton gar touto*), but that Nature, to mankind's consternation and mystification, has through the bodily parts falsely given this impression (*alla tēs phuseōs dia tōn tou sōmatos merōn pseudographousēs eis ekplēxin kai apatēn tōn anthrōpōn*). And this is the reason why we have considered these shifts of sex worthy of record, not for the entertainment, but for the improvement of our readers. For many men, thinking such things to be portents, fall into superstition, and not merely isolated individuals, but even nations and cities."[277]

Following this, Diodorus contrasts his accounts of gender transition via corrective surgery with those who were labeled *hermaphroditoi* at birth: "Thus did one whose nature was like ours and who was not, in reality, a monster (*teras*), meet an unsuitable end through misunderstanding of his malady (*tēs nosou*)."[278] Diodorus considered sexual ambiguity to be a *nosos* ("malady, sickness") that required medical intervention. Diodorus is quite unique in his opinion on the

[276] Diod. Sic. 32.10.8 for Diophantus, 32.11.4 for Kallon.
[277] Diod. Sic. 32.12.1-2, trans. F. R. Walton.
[278] Diod. Sic. 32.12.2, trans. F. R. Walton.

gendered human body: he makes an effort to stress sexual dimorphism in a way akin to Galen's (much later) one-sex model.[279] To Diodorus, all humans have vaguely similar parts (i.e., genitalia), but sometimes people confused them—or were unable to fully distinguish female versus male genitalia at birth—which resulted in misplaced superstitions and fear. Diodorus even repeats this sentiment to conclude this book of his *Library of History* so as to deter his readers from further superstition.[280]

Yet superstitious anxiety still features in Diodorus' accounts of gender transition. Before Heraïs' recently-acquired sexual ambiguity is revealed to her husband and the jury, those in on the secret wonder if they should consider Heraïs "a hermaphrodite" (*hermaphroditon einai*) and they worry whether or not the couple's marital union (and, by extension, sex life) should be considered "natural" (*tēs kata phusin epiplokēs antiprattousēs, dokein autēn tais arrenikais sumperiphorais kathōmilēsthai*).[281] As a result, the gendered bodies, marital roles, and sex lives of these people became a source of community fascination and concern. Shannon-Henderson (2020) rightly points out that Heraïs and Kallo's transitions cause "conflict and tragedy": Heraïs' former husband ends his life due to the love he still holds for his former wife (32.10.9), and Kallo "was put on trial for impiety because she had been a priestess of Demeter while living as a woman, and therefore saw mysteries which were forbidden to male eyes (32.11.4)."[282] Yet what is also important to remember about Heraïs' story is the context in which Diodorus presents it. After Diophantus has fully transitioned—even the participles used to describe his actions suddenly become masculine in grammatical gender—Diodorus reminds his readers that this particular tale was meant as an omen, signifying the death of the Hellenistic ruler Alexander Balas: "Thus it

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[279] See the Introduction of this thesis (page 6, n.12) for a summary of Galen's one-sex model.
[280] Diod. Sic. 32.12.3.
[281] Diod. Sic. 32.10.4-5, my translations.
[282] See also Garland (1995: 130).

was that the oracle, which previously had not been understood, now became clear when the king was assassinated at Abae, the birthplace of the "two-formed one" (*biformis*).[283]

The person who performed Kallo's surgery provides another example of superstitious discomfort and moral horror over bodily alteration via surgery. "Physicians" (*tous iatrous*) performed Heraïs' surgery. An "apothecary" (*pharmakopōlēs*), on the other hand, performed Kallo's surgery when the horrified physicians (*iatrōn*) were unwilling to do so.[284] When the surgery was successful, the apothecary proudly "demanded double fees, saying that he had received a female invalid and made her into a healthy young man."[285] The physicians' discomfort with performing such an invasive surgery left only the greedy apothecary (with a surprising amount of anatomical knowledge) willing to perform it. The apothecary, meanwhile, makes something of a spectacle of Kallo's (undoubtedly traumatic) surgery for profit. Thus, even the rational Diodorus could not fully extract his gender transition narratives from his culture's overarching anxiety about gender atypical bodies.

There is no instance in which Phlegon, Pliny, or Diodorus' accounts of "spontaneous sex changes" do not bear some associations of mystification or discomfort (superstitious or not) with gender atypical bodies. Despite various approaches to social (re)integration evident in these accounts, people that did not adhere to the dimorphic gender binary were met with various physical and social roadblocks. Despite the gradual acceptance—or commodification—of *hermaphroditi*, we are left with only some hesitant insight as to how these people were integrated into Greek or Roman society post-transition, for those to whom transition applied. What *is* apparent among these texts is that, as Shannon-Henderson (2020) observes, "the gender binary is

[283] Diod. Sic. 32.10.9, trans. F. R. Walton.
[284] Diod. Sic. 32.10.7 for Heraïs and 32.11.1-2 for Kallo.
[285] Diod. Sic. 32.11.3-4, trans. F. R. Walton (… *ephē gar auton pareilēphenai gunaika nosousan, kathestakenai de neaniskon hugiainonta*).

alive and well."[286] The "normative" dimorphic gendered body, however, must be forcibly (re)configured to reflect this binary.

A crucial element to all the accounts analysed in this chapter—whether intersex births or "spontaneous sex-changers"—was the necessity of successfully "passing" as one gender or another: man or woman. Those with sexually ambiguous bodies, usually referred to as *androgynoi* or *hermaphroditi*, were met with superstitious discomfort or terror, yet were also sensationalized and commodified throughout Roman history. Gender transitions were met with similar ideological and religious discomfort, even for those who were successful in their transitions. Furthermore, since every single instance of "spontaneous sex change" and gender transition in Greco-Roman texts involved female-to-male transformations, the more important issue was not just passing as either gender—it was about passing as a *man*. This meant becoming a man *fully* in every facet of one's life: in name, clothing, work, marriage, and sexual practices.

These accounts, therefore, primarily reveal expectations regarding masculine and feminine gender conformity—and potentially gender corrective surgery—from an all-male perspective. As this chapter has established, there was an inevitable voyeuristic perspective present in these accounts.[287] The authors that did not include details of life post-transition capitalized on the unknowns of these peoples' experiences, leaving their readers to wonder just *how* successful these transitions could have been. Furthermore, even those who made successful and "complete" transitions such as Diophantus and Kallon in Diodorus' *Library of History* still encountered superstitious discomfort when crossing social, sexual, and physical boundaries in

[286] Shannon-Henderson (2020: 78).
[287] Shannon-Henderson (2020: 74) summarizes this well: "although the women in these stories cross the gender barrier into the societally privileged and biologically superior status of manhood, this does not mean that their transformations are entirely unproblematic. At best, their transitions give rise to calamities in their personal relationships, and a voyeuristic tendency to objectify them."

the Greco-Roman patriarchal gender hierarchy. As Shannon-Henderson (2020) argues, these accounts make clear that "the fact that women sometimes become men does not, in the authors' minds, mean that the boundary between the sexes *should* be fluid, or that women are the equals of men."[288] Thus, even though these accounts do not allow us to properly post-diagnose these bodies as one type of intersex variation or another, what they *can* tell us are the potential struggles ancient people (fictional or not) could have endured when their bodies did not conform to the strict binary of "male" and "female": the anatomical and physiological gender binary upon which these deeply patriarchal cultures depended. This is the same gender binary that they sought to perpetuate by excluding intersex variations from their medical literature, or by performing gender "corrective" surgery on persons with anatomy that did not conform to social expectations.

Conclusion

Even though a number of these narratives took place in foreign lands—some even on the outermost "edges" of the Roman empire—many took place at the "center," and involved people actively participating in Greco-Roman society. Thus, if these authors were attempting some form of geographical literary displacement for these "othered" bodies, they were not wholly successful. Clearly gender atypical bodies were considered both foreign and familiar in the context of empire—at times marvellously close to home and worthy of discussion. This, too, is evident in the dual mentions of *hermaphroditi* in Roman family law. The ideological precariousness of people considered *androgynoi*, *hermaphroditi*, and/or those who otherwise

[288] Shannon-Henderson (2020: 77).

underwent gender transition was reflected in the jurists' musings about the gender conformity of *hermaphroditi*. A number of these accounts—and in particular the gender transitions—echo the concerns in the juristic debates: in some circumstances gender atypicality necessitated "passing" as a man, and "passing" as a man was far more complicated than the mere wholeness and function of one's genitalia.

As these examples have shown, transitioning and conforming to manhood was not easy. These transitions often were met with superstitious discomfort or sensational interest, and often necessitated religious, civic, and even medical intervention. Pliny, Phlegon, and Diodorus Siculus were concerned with liminal gender, and with the labeling of bodies as *hermaphroditi* or otherwise. Phlegon, for example, referred to the people featured in both his intersex birth and spontaneous sex change narratives as *androgynoi*.[289] He did not distinguish between these categories like Pliny and Diodorus Siculus—there was a spectrum of interpretive discourse regarding these bodies. Thus, as tempting as it is to assume that Ulpian and Paulus' *hermaphroditi* referred exclusively to people undergoing some kind of gender transition (such as in Diodorus and in some of Pliny and Phlegon's accounts), there is no way to say for sure that these people did not fall into the category of anatomically ambiguous births mentioned by other authors (such as Livy, Cicero, and at times Pliny, Phlegon, and Diodorus, whether the latter believed in them or not).

It is important to acknowledge that *hermaphroditi* did not necessarily *need* to endure surgical gender reassignment surgery given the gradual acceptance (and commodification) of gender nonconforming bodies in Roman culture. Moreover, these surgeries would have been incredibly risky operations in practice, and it is likely that many medical practitioners would not

[289] See further Hansen (1996: 118).

have been willing to perform them for various practical, religious, and moral reasons.[290] It is just as likely, then, that gender nonconforming people (by the time of the Roman Empire) would have been able to live out their lives without surgical alteration of their bodies.

The seventh book of Pliny's *Natural History* alone allows us an encyclopedic view into a compendium of the human body's "variety, universality, and versatility" through a distinctly imperial Roman lens.[291] As a result, Pliny allows his readers to become curious about associations surrounding gender atypical bodies on the "edges" vs the "center" of Roman daily life. But not all gender atypical bodies were treated equally in the Roman imagination. There arose a discursive hierarchy between atypical "male" bodies: *hermaphroditi*, *spadones*, *eunuchi*, and *castrati.* This is apparent in the later juristic discourse, but Pliny, too, distinguished one man's *virilitas* ("manliness") from another's through slightly different categorizations:

> "In man only [the testicles] may be crushed owing to an injury or from natural causes, and this forms a third class, in distinction from hermaphrodites *(hermaphroditis)* and eunuchs (*spadonibus*): the impotent (*semiviri*)."[292]

In the next chapter of this thesis, I seek to further illuminate (and complicate) what Roman literary classifications of *virilitas* could have signified anatomically, physiologically, ideologically, and socially among men labeled "eunuchs" in the phallocentric hierarchy of Roman society.

[290] See the opening section of Chapter One of this thesis for further context on Greco-Roman aversions to dissection and cutting into the human body more generally.
[291] Beagon (2005: 43).
[292] Plin. *HN* 11.263, adapted from H. Rackham's translation.

Chapter Four: *Castrati, eunuchi,* and *spadones* in Roman Literature and Society

Eunuchs and the Language of Effeminacy

Anne Fausto-Sterling (1997) raises an important question in critique of twentieth-century, Western medical constructions of biological gender: "How does one become a man?"[293] She concludes that masculinity is often constructed at birth, and more specifically by the presence, size, and hypothetical (heteronormative) penetrative ability of the penis.[294] Yet in the eyes of the physicians and psychologists she critiques (such as psychologist John Money, who was writing in the 1950s), this gender determination was not a lifelong guarantee. Proper masculine physicality and behaviour had to be monitored constantly during childhood development, especially in the context of individuals born intersex and raised as boys. As a result, "In the world of John Money and other managers of intersexuality, men are made, not born. Proper socialization becomes more important than genetics."[295] When we consider Fausto-Sterling's question in the context of ancient Roman gender ideologies, determining another man's masculinity was an equally involved process of constant scrutinization.

What "made" a man in Roman ideology could be determined by one's anatomy, bodily functions, voice, dress, grooming habits, appetites, self-control, and sexual practices. Deviation from masculine ideals in any of these aspects of self-presentation could have resulted in censure from contemporaries. For example, in one of the Roman poet Martial's (c.38-104 CE) scathing epigrams, the poetic speaker berates a man named Didymus:

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[293] Fausto-Sterling (1997: 219).
[294] Fausto-Sterling (1997: 221).
[295] Fausto-Sterling (1997: 222).

> "Although you are more emasculate than a flabby eunuch (*Spadone cum sis eviratior fluxo*), more womanish (*mollior*) than the catamite of Celaenae [i.e. Attis], whose name the castrated priest (*sectus… Gallus*) of the mad Mother howls, you talk of theaters and rows and edicts and purple stripes and Ides and clasps and property qualifications, and point at poor men with your manicured hand (*et pumicata pauperes manu monstras*). Whether you have the right to sit on the knights' benches I shall consider, Didymus: you have none to sit on the husbands' (*sedere in equitum liceat an tibi scamnis/ videbo, Didyme: non licet maritorum*)!"[296]

The implied answer to Martial's deliberation on whether it was appropriate for Didymus to be counted among the Roman *equites* (or "knights," a wealthy class of male Roman citizens) is, of course, no.[297] This is a result of Didymus' exceptional effeminacy, which Martial believes to be worse than a eunuch's (*spadone... eviratior*). In fact, he is even more effeminate than Attis, the mythical, castrated consort of the goddess Cybele and, by extension, her castrated priests (the *Galli*). The name Didymus, too, is a tongue-in-cheek reference to castration: it derives from the Greek word *didymos*, which translates to "twins" or often "the testicles" in the plural (*didymoi*).

Martial emphasizes Didymus' effeminacy by stating that he is excessively well-groomed (*pumicata... manu*), stripped of virility (*eviratior*), castrated (such as Attis and the *Galli*), sexually passive (the implication behind "to sit on the benches of husbands," *sedere... non licet maritorum*), "softer" (the literal meaning of the comparative *mollior*, translated by Shackleton-

[296] Martial, *Ep*. 5.41, trans. D. R. Shackleton Bailey.
[297] Olson (2017: 166) claims that epigram 5.41 includes "an effeminate man (*spado*) [who] is perhaps an equestrian: status symbols mentioned here include the *trabea* and the *fibula*, and he points with a smoothed hand (*pumicata… manu*). I would argue there existed both a correlation and a confusion between the signs of wealth and status and signs of 'effeminacy': was a violet silk tunic an indication of some or all of effeminacy, wealth, or dandyism, for instance?" See also Edwards (1993: 67-8) and Olson (2014).

Bailey as "more womanish"), and "flabby" (*fluxo*, literally "flowing, dripping," thus used with a sense of wetness, looseness, or weakness). Often language of excessive grooming, softness, weakness, wetness, impotency, luxury, as well as excessive sexual appetites and passivity was used to describe women in Greco-Roman literature, which explains Shackleton-Bailey's translation of *mollior*. As I discussed in the first chapter of this thesis, many of these ideologies were reflected in influential ancient medical theories on the gendered body.[298] To Martial, however, Didymus is not hyper-feminine enough to imply that he has foregone masculinity altogether and transitioned to womanhood—he is only "womanish," after all. Clearly Didymus has failed to uphold his masculinity in both his appearance and behaviour. As a result, the attack on Didymus' masculinity is that he is hyper-*effeminate*, beyond even the ultimate example of effeminacy in the Roman masculine imagination: the eunuch.

Martial's epigram illustrates how Roman writers recycled the language of femininity to attack other men's masculinity (or lack thereof).[299] Like Martial, many Roman writers employed effeminizing invective that often censured the bodies, behaviours, and identities of eunuchs.[300] Thus, eunuchs were intrinsic to the notion of effeminacy in the Roman masculine imagination. Historically, however, eunuchs were not mere caricatures or "scare-figures" of effeminacy; they existed outside of literature and participated at various strata of Greco-Roman society.

[298] Mulder (2021) and her sources have examined the language of "softness" at length in the context of foetal formation.

[299] For an earlier Greek example, the author of the Hippocratic Treatise *Airs, Waters, and Places* argues that the men of the Scythian race were infertile due to the "moistness of their constitution and the softness and chill of their abdomen." The author claims that Scythian women, too, had excessively wet constitutions that prevented them from "absorbing the seed" during conception (21.10-20, trans. W.H.S. Jones).

[300] See further Williams (2010: 23, 125, 138-42, 142-53, 179-81,) on eunuchs, sexual passivity/appetite, and effeminacy in Roman ideology. See ibid (127-32, 133, 143, 152-3, 154-9, 163-4, 180-1, 189, 211-12, 235-6, 361n.46) for more on *mollitia* ("softness"). See also Latham (2012), Rauhala (2017), Edwards (1993: 63-97), Olson (2014, 2017), Vout (2007), and Roller (1997) for the language of effeminacy in Roman literature and invective against eunuchs.

In this chapter, I examine the spectrum of bodies and possible social realities for eunuchs in imperial Roman society. Due to the anti-eunuch prejudices of most of our literary sources, my analysis is rooted firmly in the language of effeminacy. First, I examine moral condemnation of and legislation against (specifically castrated) eunuchs. This section reiterates the possible social disenfranchisement eunuchs could have experienced due to cultural prejudices. I use the rest of this chapter, however, to complicate this idea. Next, I discuss Sporus, the Roman emperor Nero's personal eunuch. Then, I explore the self-presentation and gender performance of the notorious orator Favorinus (who was born with undescended testicles and considered a "eunuch"). Lastly, I examine the *Galli*, a priesthood of castrated eunuchs that became an integral yet ideologically problematic part of Roman religious identity.

These historical examples of eunuchs reveal an overwhelming moral anxiety about castrated and otherwise gender atypical people considered eunuchs in Roman culture. Eunuch bodies bore morally condemnable associations of slavery and effeminacy in the Roman masculine imagination, but their roles, labels, and presence in Roman society were far more complex than the caricatures portrayed in Roman literature. It is difficult to determine the particulars of these peoples' daily lives and self-identifications, but we know that (in theory) eunuchs could have functioned as husbands, testators, heirs, or adoptive parents. If they were castrated, unfortunately they could have been at the mercy of their society's overarching prejudices, which could have resulted in some social and legal disadvantages. In this chapter, I seek to draw attention to the experiences of eunuchs at different (but primarily higher level) strata.

Moral Condemnation of Castration Practices in Roman Culture

The figure of the eunuch often bore associations of foreignness in the Greco-Roman imagination, but castrated people were not rarities in the Mediterranean region.[301] Castration was not a wholly foreign concept to the Greeks from the fifth century BCE onwards, despite their ideological distaste for the practice.[302] In fact, castrating male slaves was a fairly common practice in ancient cultures around the Mediterranean, such as Greece, Persia, and Egypt, for example.[303] Bullough (2002) summarizes this cross-cultural practice succinctly:

> "When eunuchs came to be treasured for such services [servants, courtiers, and priests], their value increased and undoubtedly steps were taken to make the process less dangerous. Sometimes only the testicles were removed, what we now label as castration, and this was much less life-threatening, particularly if done while young. Total castration, removing both the penis (penectomy) and testicles, had a higher mortality rate."[304]

Despite the risks of attempting castration procedures (i.e. the removal of the testicles and/or penectomies), eunuch slaves were considered luxury commodities in the slave market of the Mediterranean and beyond for a variety of reasons.[305] Bullough (2002) points out that "some ancient writers emphasized that eunuchs were easier to control," and were seen as less of a

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[301] For castration practices in other cultures throughout history, see Bullough (2002), Tougher (2002), Scholz (2001), and Nanda (1999).
[302] Bullough's (2002) chapter thoroughly documents Greek cultural attitudes toward castration. See also Bardel (2002: 51) and Llewellyn-Jones (2002: 22) in the same publication (ed. S. Tougher). According to Bardel (2002: 51), "Eunuchs were known of in classical Athens and had been represented in drama as early as 476 in Phrynichos' *Phoinissai*. Although fascinated by eunuchs, whose mutilated and emasculated bodies threw into confusion the clearly defined gender categories marking Greek society, the Greeks were disgusted by what they regarded as the savage and barbaric practice of castration" (2002: 51).
[303] See Bullough (2002: 6). For Roman jurisdiction and opinions on returning slaves that were discovered to be eunuchs (*eunuchum*) post-purchase—and were therefore considered either "diseased" (*morbosum*) or "defective" (*vitium*)—see Aulus Gellius, *NA* 4.2.6-7; 4.2.13-14.
[304] Bullough (2002: 2).
[305] See Scholz (2001) and Bullough (2002: 5-10). I discuss this in the final section of this chapter in the context of sexual purposes.

(sexual) threat when serving in women's quarters due to their lack of procreative ability.[306] Some writers viewed *castrati* as nonthreatening because of their lack of sex drive. For example, the speaker in Ovid's *Amores* 2.3 belittles a eunuch for his asexuality and, by extension, overall weakness. To the speaker, this *castratus* had only one purpose in life: to serve his mistress. Even the Greek term *eunouchos* (derived from *eunē* and *echō*, literally "bed-keeper") alludes to this role.

Removal of the testicles, however, did not necessarily result in a lack of erectile function or arousal. It was more common for people castrated before puberty to lack sexual ability or drive, whereas removal of the testicles *after* puberty usually meant that sufficient amounts of androgens could still be produced in the adrenal glands, which therefore did not impede erectile function.[307] Yet no matter when or in what exact way the procedure was performed, castration always resulted in a loss of procreative ability.[308] Many ancient writers were aware of this phenomenon—even the Greek physician Galen noted the erectile ability of eunuchs who did not undergo full penectomies.[309] These variations in eunuch anatomy and physiology resulted in divergent caricatures of eunuchs in Roman literature: as either lascivious (often passively) or asexual, both of which I examine in this chapter.

[306] Bullough (2002: 5-6) provides an example: "the Greek writer Xenophon in his biography of Cyrus the Great of Persia wrote that Cyrus justified his policy of using eunuchs after observing animals: 'For instance, vicious horses, when gelded, stop biting and prancing about, to be sure, but are none the less fit for service in war; and bulls, when castrated, lose somewhat of their high spirit and unruliness but are not deprived of their strength of capacity for work. And in the same way dogs, when castrated, stop running away from their masters, but are no less useful for watching or hunting. And men, too, in the same way, become gentler when deprived of this desire, but not less careful of that which is entrusted to them'" (on Xen. *Cyr*. 7.5.62-3, trans. W. Miller).
[307] See Rajfer (2000) and Bullough (2002: 13).
[308] Bullough (2002: 4) points out that the chances of impregnation were incredibly rare even for those whose testicles underwent extreme injury or were underdeveloped in some way.
[309] See Stevenson (1995: 499) on Galen, *De Usu. Part.* 4.190.16.

In Latin, eunuchs could be referred to as *eunuchi*, *castrati, spadones, semiviri, semimares,* or *galli.*[310] My discussion will not focus on the legal (i.e., technical) use of *spado* (pl. *spadones*). Gardner's (1998a) research has established that the juristic tradition uses *spado* to refer to men with damaged or destroyed testicles, those who inherently lacked generative ability, or the permanently impotent.[311] Often this narrow distinction was not in common use outside of the practical contexts of Roman (family) law. Pliny, for example, uses the term to refer to eunuchs generally, both castrated and uncastrated.[312] Many other Latin sources do the same: *spado* outside of the juristic tradition often serves as an umbrella term for "a eunuch."[313] Thus, the term *spado* (pl. *spadones*) will fit into my analysis of other categories of eunuchs in this chapter. While *eunuchus* and *spado* could refer to both castrated and uncastrated eunuchs, the term *castratus*, on the other hand, always referred to castrated eunuchs (literally "one who has been castrated").[314] The words *semivir* and *semimas* literally translate to "half-man" and "half-male" respectively. *Gallus* referred specifically to a castrated priest, but was also commonly used as a blanket term for eunuchs.

The language of "eunuchs," then, was both complex and vague. To complicate this further, it is important to bear in mind that these Latin terms often were deployed as invective more broadly against men considered infertile, extremely lascivious, inclined to excess and

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[310] Stevenson (1995: 497, n.5-7) adds *thlibiae* (one with testicles bruised or pressed, which have perhaps retracted internally), and *thladiae* (testicles are crushed); quoting Soranus, *Gyn*. 2.40.5. I did not include these terms because they were not used in Roman literature outside of medical contexts.
[311] I repeat my corresponding footnote from Chapter Two here for convenience. Gardner (1998a: 140) provides the following definition from the juristic tradition: "*Spado* was a term which could be used generally, to refer to men whose testicles had in various ways been destroyed or damaged and even to *castrati* (*Dig*. 23. 3. 39. 1), as well as to those naturally impotent; in *Dig*. 28. 2. 6, Ulpian apparently uses *spado* to refer to those permanently impotent, whom he distinguishes from those temporarily so… The wider definition of spado, including both the naturally impotent and men with damaged or destroyed testicles, is used by Ulpian in his commentary on the *lex Iulia et Papia* (*Dig*.50.16.128)."
[312] Plin. *HN* 11.263, 13.4.9.
[313] See Livy 9.17.16, Quint. 11.3.19, Horace, *Epod*. 9.13, and Juvenal 14.91, for example.
[314] Scholz (2001: vii-1) highlights distinctions between *castrati* and uncastrated eunuchs (such as *eunuchi* and *spadones*) throughout history.

luxury, effeminate, or “androgynous.” For example, in Ovid’s version of the Hermaphroditus myth, which I analysed in the previous chapter, the deity was originally a boy (*puer*) who became “androgynous” by fusing with the female nymph Salmacis against his will.[315] After Salmacis’ attack, Hermaphroditus is described as “half-male” (*semimarem*, 4.381). In anguish, Hermaphroditus curses the spring of Salmacis to turn any man who enters it into a “half-man” (*semivir*, 4.386) like him forevermore. This marked language makes clear Hermaphroditus’ sudden anatomical gender atypicality but, perhaps more importantly to Ovid, it laments his forced effeminization. The often vague and interchangeable terms for “eunuch” used in Latin literature can denote a spectrum of eunuch or otherwise gender atypical bodies. At the same time, this same language was used of effeminacy and masculine deviance more broadly. As a result, the connotations of this vocabulary of gender deviance infused into representations of eunuchs in Roman literature. There is no doubt that these prejudices would have impacted eunuchs (castrated or not) socially.

Moral anxiety about and often downright revulsion for eunuchs—castrated especially—are evident in Roman literature and the later legal compendia, the latter of which I examined in Chapter Two of this thesis. The distinction between sterility through castration (in the case of *castrati*), as opposed to gradually developed or congenital infertility—such as those born with undescended testicles or other intersex variations (*spadones* or *eunuchi*)—became a crucial factor in judging a Roman man’s rights as a husband, testator, beneficiary, adopter, and heir. Additionally, as I mentioned briefly in my second chapter, there appeared to be a need for

[315] Ovid, *Met*. 4.285-388, my translations.

repeated bans on citizen castration throughout Roman history, specifically to prevent citizen men from entering the priesthood of the *Galli*, which I discuss in greater depth below.[316]

Deep-seated cultural prejudices lurked behind representations of eunuch bodies in Roman literature, but this did not result in all eunuchs (even *castrati*) experiencing total social disenfranchisement in imperial Roman society. The individual cases I examine in this chapter illustrate a spectrum of social realities for eunuchs at various strata of Roman society.

Courting Eunuchs: Sporus and the Commodification of Forced Gender Atypicality

Castration or underdevelopment of the testicles caused either decreased androgen development or (partial) androgen insensitivity, respectively.[317] This can result in atypically developed secondary sexual characteristics such as lessened body hair, a higher pitched voice, or an increase in body fat. In the Roman imagination, these were markers of the feminine. Due to these more "feminine" secondary sexual characteristics—and by extension, in Roman ideology, weakness and expected sexual passivity— often eunuchs were sought out as sexual objects. One primary reason for this phenomenon was the association of eunuchs with the luxuries and castration practices in the Persian courts, which was apparent in Latin texts from the time of Terence's comedy *The Eunuch* (written c.160 BCE).[318] As a result, castrated eunuchs were

[316] See my section on the *Galli* below. For sources on these historical bans, see the following: Livy 29.16; Valerius Maximus 7.7.6; Dion.Hal. 2.19.3-5; Dio Cassius 67(67).2.1-3; Martial 9.16, 9.36; Stevenson (1995: 498), Vout (2007: 172-4, 180, 197).
[317] I discuss (Partial) Androgen Insensitivity Syndrome in the context of the orator Favorinus below.
[318] Terence, *Eun*. 162-171. See Bullough (2002: 2-3) for the appeal of castration in the ancient Mediterranean, as well as the high price of castrated slaves. Bullough (2002: 10-11, n.46) notes the popularity of eunuchs as objects of sexual desire throughout Chinese history. Bullough also links castration to what we would refer to as gender reaffirming surgery and hormone replacement therapy, in that, for some, "it is also possible that many of those who became eunuchs wanted to become more like women," however this seems to be mere speculation. See also Vout (2007: 198-201) for eunuchs as desirable (sexual) objects more broadly.

sometimes portrayed as desirable, sexually passive objects in Greek and Roman literature.[319] The commodification of *castrati* as sexual luxuries was practiced (most notably) by the Roman emperors Domitian (r.81-96 CE) and Nero (r.54-68 CE), according to our sources.

The same Domitian who reinstituted a ban on castration during his reign had a eunuch of his own, Earinus, brought to him from Pergamum as his personal lover.[320] Some texts portray Earinus either as the god Jupiter's cup-bearing consort, Ganymede, or alternatively as the object of Ganymede's envy.[321] Vout (2007) argues that writers such as Martial and Statius—who were writing while Domitian was still alive and in power—represented Earinus as Ganymede in order to glorify (and arguably to critique) both the divinity of Domitian's rule and their own loss of masculine agency when obligated to praise a tyrannical ruler.[322] To these writers, the eunuch body—and his position at the emperor's side—could act as a conduit for imperial criticism and a site to explore their own feelings of socio-political emasculation.[323] Gunderson (2021), on the other hand, argues that attempts to access these poets' political subversiveness outside of their original poetic contexts are fruitless. In Gunderson's opinion, "Whatever dissembling there may be in the poem, whatever 'ironic reserve' one might postulate on the part of the concrete author of the verses, the poem 'materially supports' the psychic life of imperial power. That is, the poem enacts a structural belief in imperialism."[324] In other words, interpreting these poets'

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[319] See Bullough (2002: 10) for the sexualization of *castrati* in Suetonius' account of Nero and Sporus, as well as in Petronius' *Satyricon*.
[320] For Domitian's ban on castration, see Vout (2007: 172-4, 180, 197). For contemporary poets praising Domitian for this (perhaps to highlight his hypocrisy), see Mart. 9.6(5) and 8(7), and Stat. *Silv*. 3.4.73-7.
[321] See Martial 9.11-13, 9.16-17, 9.36, 8.39, 9.16; Statius *Silv*. 3.4. For Ganymede envying Earinus' haircut, see Martial 9.36. For Dio Cassius's mention of Earinus: 67(67).2.1-3. Strangely, Suetonius does not mention Earinus at all.
[322] Vout (2007: 167-204). Gunderson (2021), however, argues that we should not understand Martial and Statius' Domitianic poetry as subversive.
[323] See also the fourth chapter of Edwards (1993): "Structures of Immorality: Rhetoric, Building and Social Hierarchy."
[324] Gunderson (2021: 349; see further 352-3).

fixations on the castrated eunuch, Earinus, was complicated—both (meta)poetically and socio-politically. Whatever the political intent behind these portraits of Earinus, the castrated man at the emperor's side exercised a potent fascination.

In the upper echelons of imperial Roman society, the primary allure of eunuchs such as Earinus was their "boyish" physical effeminacy and, by extension, their commodification as passive sexual objects. As castrated lovers, eunuchs were expected to be sexually passive *like* women, but that did not make them wholly feminine in the Roman masculine imagination. Ultimately, imperial writers considered eunuchs as biologically male in their cultural gender binary, even if hyper-effeminate males. In the intersex birth and spontaneous "sex change" narratives I examined in the previous chapter, not a single one involved male-to-female transition. A man (eunuch or not) crossing the gender boundary into complete womanhood, on the other hand, was seen as the ultimate social and biological transgression.[325] For example, the Greek orator Dio Chrysostom (c.40-110 CE) condemns the Persian practice of making "eunuchs of the beautiful males in order that they might have them as beautiful as possible… So greatly superior in beauty did they think the female to be."[326] It is important to note the cultural displacement in this statement: Dio Chrysostom blames the (Eastern) Persians for a practice he views with moral horror.[327] However, he provides an extreme (Roman) example of this as a result of "lawless" (*paranomos*) imperial power: the emperor Nero, who had a young man

[325] This is evident in Catullus' poem 63, which follows the mythical Attis' tragic yet ecstatic self-castration in devotion to the goddess Cybele (the Roman Magna Mater). Post-castration, the poet refers to Attis as a "fake woman" (*notha mulier*, l.22). Attis laments the loss of his boyhood, and questions whether he should now consider himself a woman (*ego mulier*, l.63) or "a part of myself, a barren man" (*ego mei pars, ego vir sterilis ero*, l.69). See further Skinner (1997). All the translations in this footnote are my own.
[326] Dio Chrys. *On Beauty* 21.4, trans. J. W. Cohoon. The Greek is as follows: *hote eunouchous epoioun tous kalous, hopōs autois hōs kallistoi ōsin; tosouton diaferein ōonto pros kallos to thēlu.*
[327] Dio Chrysostom's statement reveals his belief that the superiority of female beauty is ludicrous and something only Easterners would believe, let alone act on (by trying to make males into more beautiful females).

castrated for his own personal purposes but then brazenly presented the eunuch as his wife.[328] This was not viewed as an example of ("successful") gender transition—to ancient authors, it was an example of gender *transgression*.

Suetonius and Dio Cassius reported that Nero did not hesitate to impose such a transgressive sex change on his own personal eunuch, Sporus. The biographer Suetonius (writing c.120 CE, during Hadrian's reign) wrote that Nero had a freedman, Sporus, castrated for sexual purposes. But Nero did not stop there:

> "The boy Sporus he castrated – that's right – tried to turn him into a woman (*puerum Sporum exsectis testibus in muliebrem naturam transfigurare conatus*); and accompanied by a great crowd he joined him to him in the usual ceremonies of marriage (with both a dowry and a bridal veil) and treated him as a wife (*deductum ad se pro uxore habuit*). And the witty joke that someone made still circulates – namely that it would have been good for humanity if Nero's father, Domitius, had had that kind of wife. This Sporus, decked out in the finery of empresses (*Augustarum ornamentis excultum*) and carried in a litter, he took with him around the assemblies and markets of Greece and then in Rome around the Sigillaria, kissing him passionately repeatedly (*identidem exosculans*)."[329]

Not only does Nero indulge in the excess of having a Greek *castratus* as his personal lover,[330] but he even attempts to transform the boy (*puerum*) into a woman (*in muliebrem naturam*

[328] Dio Chrys. *On Beauty* 21.6-7: "In human beings unlimited power also is a lawless sort of thing. Take Nero for instance: we all know how in our own time that he not only castrated the youth whom he loved, but also changed his name for a woman's, that of the girl whom he loved and his subsequent wife,1 for whom he conceived a passion and wedded after openly incarcerating his former wife, to whom he was already married when he became Emperor… But that youth of Nero's actually wore his hair parted, young women attended him whenever he went for a walk, he wore women's clothes, and was forced to do everything else a woman does in the same way." (trans. J. W. Cohoon).
[329] Suetonius, *Nero* 28.1-2, trans. C. Vout (2007: 136).
[330] Vout (2007: 160) provides important commentary: "It is against a broader background of image-making that we have to contextualize Sporus: a world in which Romans are cast as aliens, men as women, and the emperor as

transfigurare conatus) and takes him as his wife.[331] Even more, Dio Cassius reports that Nero made Sporus into the image of his deceased wife: "He called Sporus, 'Sabina', not only because – owing to his similarity to her – he had been castrated (*exetetmēto*), but because he was formally married to the emperor as she too had been in Greece."[332] The Greeks who were witnesses to this marriage even began to pray for the impossible and wished for the couple to bear children.[333] Vout (2007) points out that not only does the Greek subjects' "wishful thinking" reinforce "the gap between this so-called 'marriage' on Greek soil and the child-bearing ideals of Roman marriage. It also draws attention to the sense in which Sporus is and is not 'Sabina.'"[334] Thus, like the medically imposed gender transitions of Heraïs and Kallo (which I examined in the previous chapter), marriage and the potential to bear children are central concerns in cases of (extreme) gender nonconformity.

It is important to note that these accounts were written by Suetonius and Dio Cassius: both were writing well after Nero's reign and had a penchant for painting morally damning portraits of "bad emperors."[335] Charles (2014) argues that Sporus' castration and attempted gender transition served as a narrative through which Suetonius could attack Nero's extreme philhellenism (via his penchant for artistry and male-male sexual proclivities) and extreme

tyrant… But in Rome too Nero and Elagabalus' show of affection for Greek culture could be dressed up and done down as a perversion of the Greek erotic ideal – a graphic indictment of what happens when Rome and her ruler embrace alien practices." See also Vout (2007: 152-7) for the influence of Greek philosophy and *eromenos*/*erastes* pederastic dynamics.

[331] The emperor Elagabalus (r. 218-222 CE) too, apparently married two men (Zoticus and Hierocles). For the purposes of this chapter, I will not be discussing Elagabalus, but see further Rantala (2020), Icks (2008), Vout (2007: 137); Dio Cass. 62.28.3; SHA, *Heliogab*. 10.6 and 11.7; and Mart. 1.24.1-2.

[332] Dio Cass. 63.13.1, trans. C. Vout (2007: 151).

[333] Dio Cass. 63.13.1.

[334] Vout (2007: 151, n.37). Vout explains further: "Poppaea Sabina was Nero's second wife – a woman whose notorious beauty and proven fertility were too much for the barren Octavia. The emperor needed an heir and divorced Octavia amidst crushing condemnation. But it was not to be: he was to kick Poppaea in an outburst of anger, killing her and their unborn baby."

[335] On representations of "bad emperors" in imperial literature, see Nugent (2008) and Edwards (1993). See Vout (2007: 14-15) for Neronian narratives, specifically.

sexual desires (*libido*).[336] These accounts represented Sporus as little more than "a makeshift, man-made empress: Nero's own grotesque creation."[337] He becomes a perverse masterpiece of Nero's transgressive artistry.[338] These passages (the most extensive sources we have on Sporus' life) reveal the ways in which all of Nero's transgressions—in marriage, sexual appetites, social mores, and hyper-philhellenism—were projected onto and embodied in the forcibly-feminized Sporus. Ultimately, Nero is portrayed as attempting to force Sporus into transgressing the masculine in every way imaginable: in marriage, childbirth,[339] social behaviours, body, and overall appearance. All of this highlights the fascination surrounding Sporus' presence as the emperor's personal "favourite."[340] However, this should not erase the fact that Sporus was a real, castrated person who functioned socially within the imperial court.

Importantly, Champlin (2005) points out that "What is significantly missing in the relationship between Nero and Sporus is talk of love… No one thought to record [Sporus'] feelings."[341] We cannot conclude much about the realities of Sporus' life or autonomous sense of gender identity beyond character attacks on Nero (by authors such as Dio Chrysostom, Suetonius, and Dio Cassius). Nevertheless, Sporus as an individual is remarkable for a number of reasons. Earinus and Sporus are examples of imperial Roman commodification of the castrated body as a desirable sexual object. In addition, the relationships that these eunuchs had with their respective emperors (however intimate they actually were) caused them to become conduits

[336] Charles (2014: 684, n.74). Charles explains that "Suetonius includes [Nero's castration of Sporus] in his section on Neronian *libido*, which begins at *Ner*. 28.1, and spans the emperor's abuse of freeborn boys, married women and even a Vestal Virgin, to incest with his mother Agrippina."
[337] Vout (2007: 151-2, n.39).
[338] See Champlin (2005: 105).
[339] There is (horrifying) dark humour in Sporus' name—it means "seed." But as a castrated and artificially created woman, he cannot bear children.
[340] This is the term used to describe *hermaphroditi* during (at the very least) the reign of Titus (Plin. *HN* 7.34), which I discussed in the preceding chapter of this thesis. But this term was not limited to *hermaphroditi*, and certainly could have been applied to someone like Sporus or Earinus.
[341] Champlin (2005: 147; see also 148-50, 165-66).

through which Roman writers could critique imperial authority. Yet Sporus, notably, outlived the emperor Nero and remained a member of the imperial milieu through the reigns of three subsequent emperors: Galba, Otho, and Vitellius.[342] Tragically, however, Sporus took his own life during Vitellius' reign so that he would not be forced to act out "the title role" in The Rape of Persephone on stage.[343] Champlin (2005) once again draws attention to the tragedy of Sporus' life that the literary record completely erases: "It is a pitiful story, with the quality of a nightmare, although the ancient authors, outraged by Nero's atrocities, have no pity to spare for the unhappy victim. He was probably not yet twenty years old when he died."[344] He was, after all, a person, not a mere literary construct.

The fact that Sporus remained at several emperors' sides complicates the idea that the eunuch was merely a canvas on which Nero attempted to fabricate gender transgression (*in muliebrem naturam conatus transfigurare*) as a display of perverted artistry and imperial dominion. Vout (2007) decides that this "turns [Sporus] from 'bride' into imperial mascot. What does he champion? The proclivity of emperors to 'play god' and try to change nature ('*naturam transfigurare conatus'*)? The artifice or emptiness of imperial display? The power of subversion?"[345] But Sporus' body could bear meanings for more than one emperor (e.g. Galba, Otho, and Vitellius)—not just Nero. *Castrati* were desirable commodities for Roman emperors, but their presence and agency within the Roman court should not be diminished to mere literary conduits of imperial critique or displays of imperial power, no matter the degree of (sometimes metaliterary) "gender trouble" they embodied.[346] To Vout (2007), Roman writers "were both

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[342] See the following sources on Otho: Dio Cass. 64.8.3; Galba: Plut. *Galb*. 9.3; and Vitellius: Dio Cass. 65.10.1 for brief mentions of Sporus in the imperial court during these emperors' reigns. See Champlin (2005: 147-48).
[343] Dio Cass. 65.10.1; Champlin (2005: 147).
[344] Champlin (2005: 147).
[345] Vout (2007: 152, n.41).
[346] Quoting the title of Butler (2002).

forced and free… to imagine what went on in the imperial palace."[347] Thus, what role eunuchs could have had in the emperor's court was an apparent source of literary fascination among Greek and Roman writers. We cannot discern how much influence (if any) eunuchs such as Earinus and Sporus had in the Roman imperial palace, but they were there—and at their emperors' sides, no less.[348] Yet there were other ways in which *eunuchi* could climb the upper echelons of imperial society, even so far as to get on an emperor's bad side personally.

Masculinity, Performance, and Favorinus the *eunouchos*

In his *Lives of the Sophists*, the Greek sophist Philostratus (c.170-205 CE) summarized the life of the notorious philosopher Favorinus in three paradoxes:

> "He lived as a Greek despite being a Gaul, he was accused of adultery even though he was a eunuch, and he quarreled with the emperor and lived" (*Galatēs ōn hellēnizein, eunouchos ōn moicheias krinesthai, basilei diapheresthai kai zein*).[349]

Born in Arelate (modern Arles, France), Favorinus (c.85-155 CE) flourished as a philosopher and traveling orator during the reigns of the emperors Hadrian and Antoninus Pius.[350] He was an active and famous participant in the intellectual milieu referred to as the Second Sophistic, a renaissance of Greek cultural identity particularly fixated on Classical Athenian art and

[347] Vout (2007: 15).
[348] See Stewart (2020) for Roman anxieties about influential imperial freedman and powerful eunuchs in the Byzantine court.
[349] Philostr. *VS* 1.489, my translation.
[350] See Keulen (2008: 178-89) for Favorinus' Socratic authority and style. For contemporary opinions on Favorinus as a *philosophus* (to Aulus Gellius) or as an Academic *neōteros* (to Lucian and Galen), see Beall (2001), Ioppolo (1993), and Keulen (2008). For more on Favorinus' life, career, friends, and enemies, see Philostr. *VS* 1.489; Aulus Gellius *NA* 12.1.24, 16.3.1; Dio Chrysostom *Or*. 37.25; Gleason (1995). For Favorinus' relationship with the sophist Herodes Atticus, see Holford-Strevens (2017).

education. Favorinus was of equestrian status and therefore quite wealthy; he was well-educated and fluent in both Greek and Latin, and he was renowned in cities such as Athens, Ephesus, Corinth, and Rome. Of the three paradoxes Philostratus set forth in his biography of Favorinus, the second has drawn significant ancient invective and modern scholarly attention: "he was accused of adultery even though he was a eunuch (*eunouchos*)." Yet Favorinus was never castrated—he was *born* a eunuch.

Philostratus explains to his readers what exactly the term *eunouchos* meant for Favorinus:

> "He was born dual-sexed (*diphuēs*), a man-woman (*androthēlus*); this was evident in his appearance (*eidous*) too, for he had a beardless face even as he grew old (*ageneiōs gar tou prosōpou kai geraskōn eichen*).[351] And this, too, was apparent in the sound of his voice (*phthegmati*), for it was high-pitched (*oxuēches*) and delicate (*lepton*) and shrill (*epitonon*, lit. "strained"), as suited the nature of eunuchs (*hōsper hē physis tous eunouchous hērmoken*)."[352]

Here, Philostratus directs a near-clinical spotlight on Favorinus' traditionally non-masculine attributes: his "beardless face" and his "high-pitched," "delicate," and "shrill" voice. His definition of Favorinus' eunuchism (as "dual-sexed" and "a man-woman") echoes descriptions of *hermaphroditi* and *androgynoi* in its anatomical vagueness. Ultimately, however, Philostratus labels Favorinus as a *eunouchos*, as is clear from the final line of the passage above where he equates the visible markers of Favorinus' effeminacy with those of eunuchs (*tous eunouchous*). Polemo, a contemporary of Favorinus, on the other hand, offers a slightly different glimpse into

[351] The term *ageneiōs* is sometimes translated as "boyish," but "beardless" was a common way to describe the appearance of young boys, men considered effeminate, and eunuchs in Greek and Roman literature. See Williams (2010: 19, 26, 73-4, 129-32, 190) for Roman ideologies and invective surrounding beards, depilation, body hair, masculinity, and effeminacy. Lucian likewise describes the eunuch Bagoas—a character whom much scholarship agrees most likely was referencing the orator Favorinus—as *ageneiōs* (Luc. *Eun*. 9). See Concannon (2021: 64) for an analysis of Lucian's text.

[352] Philostr. *VS* 1.489, my translation.

the orator's brand of eunuchism. He described Favorinus as a "eunuch who is not a eunuch but who was born without testicles."[353]

In our modern anatomical conceptions of the gendered body, Favorinus was intersex. It is likely that he was born with partial androgen insensitivity syndrome (PAIS, also known as Reifenstein syndrome), which resulted in undescended testicles and a lessened response to male sex hormones (i.e., androgens, such as testosterone).[354] Thus, by the time of puberty, his low androgen response would have resulted in lessened hair growth, a higher-pitched voice, and an overall more "feminine" physical appearance in Greco-Roman conceptions of bodily gender. Philostratus recognized Favorinus' anatomical androgyny as "dual-sexed," but he chose to label Favorinus as a *eunouchos*, not an *androgynos*. Favorinus may not have been castrated, but he was still considered a eunuch by ancient sources, more or less.

Yet there was an awareness in these sources that Favorinus was not a eunuch in the way that *spadones* (i.e. men who were otherwise infertile, such as due to injury to the testicles) or *castrati* were. This was most evident from the perspective of Favorinus' primary oratorical rival, Polemo. In his biography of Polemo, Philostratus recounts that: "When Timocrates the philosopher said to him, 'What a talkative creature Favorinus has become!' Polemo responded most wittily: 'And so is every old woman,' making fun of him for being like a eunuch (*'kai pasa' ephē 'graus' to eunouchōdes autou diaskōptōn*)."[355] Philostratus uses the term

[353] Leiden Polemo, B3, trans. Hoyland (2007). The only two extant copies of Polemo's *Physiognomy* are in Arabic, therefore I will be relying on Hoyland's translation, as do virtually all my sources. See Brod (2019: 8, n.35) and Swain (2007: 4, 125) for the history of scholarship on and manuscript tradition of Polemo's *Physiognomy*.
[354] For information on (P)AIS, see Feder (2014: 56, 198-99, 215 n.15, 215 n.19), Harper (2007: 14, 37, 56, 57, 64, 83, 85, 105-20, 122, 160, 180). See Gleason (1995), Mason (1979), Greaves (2012), and Retief and Cilliers (2003) for post-diagnoses of Favorinus as intersex. I often do not condone post-diagnosis of ancient intersex people in most contexts, but Favorinus is virtually the only case in antiquity in which the ancient sources provide sufficient anatomical and physiological information (based on his undescended testicles, sexual function, and secondary sexual characteristics) for medical historians (et al.) to make this likely inference.
[355] Philostratus, *VS* 1.541, my adaptation of W. C. Wright's translation. See Gleason (1995: 27-8) for further discussion of this quote.

eunouchōdes, which translates to "like a eunuch" or "with the appearance of a eunuch," to capture Polemo's usual characterization of Favorinus: he was only *like* a eunuch, but not the real deal. The rival orator weaponized not only Favorinus' apparent effeminacy, but also his paradoxical gender atypicality: he was not fully an *androgynos*, or fully a *eunouchos*, but something else entirely.

Originally from Smyrna but famous for his success as a traveling orator around the Mediterranean, Polemo was a (notoriously arrogant) sophist and physiognomist.[356] Physiognomy refers to the practice of interpreting another person's moral character through their outward appearance; in Gleason's (1995) eloquent description, Polemo "presented himself also as a master physiognomist, whose gaze could peel back the carefully constructed integument of another man's self-presentation to penetrate the inner recesses of his private thoughts."[357] In his *Physiognomy*, Polemo repeatedly attacked Favorinus' eunuchism with moral disdain. For example:

> "He was greedy and immoral beyond all description... His neck was similar to the neck of a woman, and likewise the rest of his limbs, and all his extremities were moist, and he would not walk erect, and his limbs and members were flaccid... (He would give in) to every cause that incited a passion for desire and sexual intercourse. He had a voice resembling the voice of a woman and slim lips...He

[356] He is also referred to as Polemon. For Polemo's overbearing pride, biography, and career as both an orator and physiognomist, see Philostratus, *VS* 1.530-544; Gleason (1995: 21-54), and Concannon (2021: 64ff). See Gleason (1995: 55-81) for Polemo's *Physiognomy*, as well as ancient physiognomy and masculinity more generally. For the physiognomy of walking, facial expression, and gender, see further O'Sullivan (2011: 11-33). For Polemo's speeches against Favorinus specifically, see Philostratus, *VS* 1.25.536.

[357] Gleason (1995: 28).

> had learned the Greek language and its discourse by virtue of speaking a great deal, and he was called a sophist..."[358]

Polemo's attack on Favorinus' eunuchism is replete with the Greco-Roman language of effeminacy: he is weak, wet, and womanish. Polemo weaponizes everything from Favorinus' gait, skin, limbs, voice, lips, incessant speech, and excessive sexual practices to provide a scathing physiognomic analysis of the orator's moral character.[359] To Brod (2019), "Favorinus, then, occupies the polar end of the morally degenerate spectrum. His undisciplined body is metonymically inextricable from his moral decrepitude. Polemo, who is deemed a paragon of masculinity by Herodes, marshals standard tropes of femininity against Favorinus."[360] Polemo's invective provides yet another example of how the body of the eunuch (castrated or not) was a site of censure for many Greco-Roman authors. In his words: "no one is more perfect in evil than those who are born without testicles."[361]

Simultaneously, Polemo's invective mystifies and sensationalizes Favorinus' gender atypical body: Concannon (2021) points out that Polemo even "suggested that [Favorinus] employed witchcraft as a means of bewitching female audiences."[362] A similar phenomenon was present in many Greco-Roman representations of intersex people. Gleason (1995), for example, compares Polemo's accounts of Favorinus' physiognomic markers of effeminacy with the *androgynoi* in Phlegon of Tralles' *mirabilia* (which I examined in the previous chapter of this thesis): "At the very least, Phlegon's collection indicates a contemporary fascination with the paradoxes of

[358] Leiden Polemo, A20, trans. Hoyland (2007).
[359] See further Brod (2019: 8-10), Concannon (2021: 64), Beall (2001: 101, n.40), Swain (2007: 2), and Gleason (1995: 43-8) for Polemo's deeply gendered invective against Favorinus. For the physiognomy of walking, facial expression, and gender, see O'Sullivan (2011: 11-33).
[360] Brod (2019: 9). The rest of the quote is as follows: "… all related to the softness, moistness, and looseness of the body. Moreover, the material constitution of his body affected his gait: he does not walk upright."
[361] Leiden Polemo B3, trans. Hoyland (=Ad. B3). See Brod (2019: 9).
[362] Concannon (2021: 64).

gender that Polemo shared and Favorinus embodied."[363] This fascination, too, was shared by Favorinus' audiences. The orator played up his effeminacy to create his own oratorical persona.

Gleason (1995) has examined how Favorinus stood out among his oratorical contemporaries during his speeches by flaunting his effeminate attributes and personal brand of eunuchism. His voice is one example of this performance: "as a traveling sophist, Favorinus was quite popular, particularly because of the modular voice changes he was able to induce during a performance."[364] Philostratus believed that Favorinus' popularity owed much to his "musical style of speaking, at times almost like singing, which won applause even from people who could not understand Greek."[365] Yet such vocal modulations were considered markers of the feminine (and, in the case of men, the effeminate) in Roman masculine ideology. For example, the Roman author Quintilian advised orators that "physical robustness is essential to prevent the voice from dwindling to the feeble shrillness that characterises the voices of eunuchs, women and the sick."[366] Even though such higher-pitched and effeminate (and therefore womanish, weak, and even sickly) vocal modulations could subject a man to censure, Favorinus opted to utilize his inherent gender atypicality to create an oratorical persona through which he brandished both his effeminacy *and* masculinity in his "stage" persona.[367]

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[363] Gleason (1995: 39-40).
[364] Concannon (2021: 64)
[365] See Beall (2001: 88) for this quote and further examination of the passage from Philostratus, *VS* 491.
[366] Quint. *Inst*.11.3.19, trans. C. Edwards (1993: 86). In order to maintain this "robustness of voice," Quintilian suggests the following: "This strength may be attained through walking, rubbing down with oil, abstinence from sexual intercourse, an easy digestion - that is to say the simple life" (ibid). The Latin for the entire quote is as follows: *augentur autem sicut omnium, ita vocis quoque bona cura, neglegentia minuuntur. sed cura non eadem oratoribus quae phonascis convenit; tamen multa sunt utroque communia, firmitas corporis ne ad spadonum et mulierum et aegrorum exilitatem vox nostra tenuetur; quod ambulatio, unctio, veneris abstinentia, facilis ciborum digestio, id est frugalitas, praestat.*
[367] For more on Roman ideologies concerning the voice, flesh, and virility, see Gleason (1995: 82-102), Concannon (2021), and Williams (2010).

The three paradoxes of his life highlight his gender atypical persona.[368] Firstly, Favorinus was not only a Gaul who was well educated and fluent in both Greek and Latin, but also a successful, famous participant in the highly competitive, exclusively masculine sphere of Second Sophistic oratory. Second, he was a eunuch who was tried for adultery—with the wife of a Roman consul, no less. Even Favorinus' eunuchism was unique in the eyes of his contemporaries: not only did he have full sexual (though probably not generative) function despite being born with undescended testicles, but he was also hyper-sexual to the point of committing adultery against a Roman man of very high social status. Lastly—and most notoriously, given its placement at the end of Philostratus' tripartite paradox—he was daring enough to get on the emperor Hadrian's bad side and live.

Favorinus actively promoted and exploited the paradoxes embedded in his identity. The only extant speech delivered by Favorinus himself survives in the corpus of Dio Chrysostom.[369] In his *Corinthian Oration*, Favorinus rebukes the Corinthian population at length for suddenly taking down an honorific statue of him.[370] Some believe that the removal of his statues (both in Corinth and Athens) was caused by whatever the orator did to anger Hadrian—what exactly this misdeed was remains unknown.[371] In his speech, Favorinus laments the loss of his statue which the Corinthians had previously set up in their library: "a front-row seat as it were (*eis proedrian*),

[368] "He lived as a Greek despite being a Gaul, he was accused of adultery even though he was a eunuch, and he quarreled with the emperor and lived" (*Galatēs ōn hellēnizein, eunouchos ōn moicheias krinesthai, basilei diapheresthai kai zein*). Philostr. *VS* 1.489, my translation.
[369] Whitmarsh (2002) examines how the speech *On Exile* might have been Favorinus' as well, though this cannot be proven fully.
[370] For more on Favorinus' *Corinthian Oration*, statues (which were taken down in both Athens and Corinth), and statuary practices in the second century CE more generally, see Gleason (1995: 3-20, 131-58), König (2001), and Winter (2003).
[371] Philostratus (*VS* 1.490) claims that the Athenians took down a statue of Favorinus due to the orator's blatant disregard for Hadrian's authority. See Dio Cassius 69.3.1-4.1 for Hadrian's dislike of Favorinus, including a brief episode in which Favorinus cheekily complained to an entire courtroom about having to "serve my country, as having been born for her" (trans. E. Cary and H.B. Foster). Hadrian had appointed Favorinus the role of high priest (to preside over the public games in Arelate), and Favorinus attempted to get out of this obligation "on the grounds that he was a philosopher" (Philostratus *VS* 1.490, my translation). Hadrian begged to differ (ibid).

where you felt it would most effectively stimulate the youth to persevere in the same pursuits as myself."[372] König (2001) and Gleason (1995) have highlighted the ways in which Favorinus draws out and critiques both the Corinthians' "Hellenic self-representation" and their contrasting Roman cultural identity (which was deeply ingrained due to conquest and colonization of the city) in his speech.[373] Favorinus' speech clearly exhibits a self-awareness that he too faces a similar, paradoxical ethno-cultural identity: "he lived as a Greek even though he was a Gaul (*Galatēs ōn hellēnizein*)."[374] König (2001) convincingly argues:

> "However, he also makes it clear that his own identity is in some ways closely associated with that of the Corinthians. He makes a virtue of his own mimetic Greekness, foregrounding the way in which it is based on imitation, and, at least partly, on external appearance [*schema*], although in [a] way which also suggests a constant danger that the mask might slip, that the transformation might turn out to be a superficial, impermanent one."[375]

Favorinus' simultaneously hyper-effeminate and hyper-masculine persona, which he embodied both on stage and in his statutes—the latter he even dramatically speaks through during his *Corinthian Oration*—[376] exhibits his "awareness of the power of the 'performative body.'"[377]

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[372] Dio Chrysostom 37.8, trans. H. Lamar Crosby.
[373] See König (2001: 161-8), which includes a summary of Gleason's work. The *Corinthian Oration* has been examined at length by scholars such as these, so for the sake of brevity I will not be conducting a lengthy analysis of Favorinus' speech, even though I would love nothing more than to do so. See also Keulen (2008: 155) for Favorinus' paradoxical cultural identity.
[374] Philostr. *VS* 1.489, my translation.
[375] König (2001: 165). Elsewhere, König (2001: 160) summarizes Gleason's (1995: 16) argument: "in her detailed account of Favorinus' *Corinthian Oration*, [Gleason] stresses the way in which Favorinus reflects in this speech on his own cultural identity, representing himself as a 'universal cultural paradigm with a message for Greeks, Romans, and barbarians.'"
[376] Dio Chrysostom 37.9ff.
[377] O'Sullivan (2011: 31) discussing Gleason. The entire quote is as follows: "An awareness of the power of the 'performative body' leaves little doubt that the ideal elite body, like elite speech, and indeed like elite power more broadly, involved a great deal of work to establish, learn, and maintain. Furthermore, hierarchies within the elite ensured that bodies were categorized along gendered lines. As Maud Gleason has documented so well, ancient masculinity was 'an achieved state.'"

Favorinus displayed in his oratory an awareness that his own particular brand of masculinity (as a somewhat-Hellenic and somewhat-eunuch orator) was a both an "achieved state" and a continual performance.[378]

Favorinus' legacy survived for a number of reasons: his astounding intellect (in the eyes of his friend Aulus Gellius), his outrageous conduct, and his flamboyant oratorical persona.[379] Professionally, Favorinus would confound his opponents with his persistent wit and skill, all the while openly identifying as a eunuch by flaunting (and perhaps playing up) his "effeminate" voice, glances, and gait. Despite his opponents' defamatory attacks, Favorinus' wealth, career, and influence in the intellectual milieu of second-century imperial Roman society was not impeded by what we would consider his gender performance, or the physical state of his body. If anything, it was Favorinus' reckless behaviour in relation to members of the Roman elite that precipitated his downfall, not "gender trouble."

It goes without saying that Favorinus was one-of-a-kind.[380] He physically embodied gender atypicality as a congenital *eunouchos*, which simultaneously (and paradoxically) allowed him to create an effeminate and hyper-masculine persona. He did not do this *despite* his gender atypicality, but rather in keeping with his well-established social, sexual, and intellectual "manliness" (*virilitas*). To quote Gleason (1995): "There was something manly, after all, about taking risks—even the risk of being called effeminate."[381] Nevertheless, overly effeminate and

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[378] See Brod (2019: 10), Gleason (1995: 16), Whitmarsh (2002: 119-20), and O'Sullivan (2011: 31) for similar arguments. For Roman "masculinity as performance, script, or game," see Williams (2010: 14, 124, 126, 142, 153-9, 321n.65, 393).

[379] See Beall (2001) for their relationship and nearly every mention of Favorinus in Aulus Gellius' *Attic Nights.*

[380] As Concannon (2021: 64) argues: "Whether entrancing audiences with his verbal wit or seducing consular wives, Favorinus was, if nothing else, a unique figure in the early second century CE."

[381] Gleason (1995: 162). Here is the rest of this quote: "And there may also have been a temptation to appropriate characteristics of 'the other' as a way of gaining power from outside the traditionally acceptable sources. Locked into a very narrow form of competition where they strained to set themselves apart from the very men whose approbation they sought, some participants evidently chose to distinguish themselves by adopting mannerisms of

hyper-sexualized representations of Favorinus (such as in Polemo's *Physiognomy*) reflect a stereotype prevalent in Greco-Roman literature: the effeminate and lascivious eunuch.[382] This was most apparent in representations of *castrati* in Roman literature and, most notably, applied to the figure of the *Gallus*.

***Semiviri Phryges*: The *Galli* and Roman Socio-Religious Identity**

The Latin term *Gallus* (pl. *Galli*) could be used as a synonym for *eunuchus* or *castratus*, but its primary meaning was specialized: a *Gallus* was a member of the priesthood of the Roman goddess Magna Mater ("The Great Mother"). In origin, the cult itself was foreign to Rome. The Magna Mater was originally known as the Phrygian goddess Cybele. The cult of the Magna Mater was imported from Phrygia during the Second Punic War (c.204/5 BCE), at which time the goddess was introduced into the Roman pantheon as the Magna Mater.[383] With the goddess came her devotees, the *Galli*. The Magna Mater's celebrations (during the City Megalesia festival) took place annually on Rome's Palatine Hill and culminated on the 24th of March, a day referred to as the *dies sanguinis* ("The Day of Blood").[384] The name originated from the ecstatic, violent rituals performed by the Magna Mater's priests—these included self-flagellation and perhaps even public castrations.[385] To enter this all-male priesthood, a man (most likely) underwent castration in the likeness of Cybele's mythical consort, Attis.[386]

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self-presentation—languid gestures, a high-pitched voice, or mincing walk—that served, in their culture, as stylized signifiers of the feminine."

[382] Whitmarsh (2002: 115) points this out, too.

[383] Livy 29.145.14. For the mytho-historical origins, practices, and prominence of the cult of the Magna Mater, see Syed (2005: 140) and Burton (1996). See also Vermaseren et al. (1996), Vermaseren (1977), Latham (2012), Roller (1997, 1999), Liebeschuetz (1979), and Sfameni Gasparro (1985), Orlin (2010: 12, 27-8, 59), and Adkins (1996: 91, 138-9).

[384] Beard (2012: 332-3).

[385] Ovid, *Fasti* 4.179-190.

[386] For Attis' castration, see: Ovid, *Fasti* 4.193-244, Catullus 63; Skinner (1997), and Vermaseren (1977).

In the works of Roman writers such as Lucretius, Ovid, and Catullus, it is easy to discern fascination with the *Galli*'s practices and the process of ecstatic castration during the *dies sanguinis*.[387] Morbid fascination with the cult illustrates clear distaste for *castrati*; however the fact that these priests underwent castration was less problematic in Roman ideology so long as they were foreigners or former slaves. Moral and legal issues with the priesthood arose in connection with the *citizen* body—specifically, the bodies of Roman citizen men. For example, the historian Dionysius of Halicarnassus reports:

> "The praetors perform sacrifices and celebrated games in [the Magna Mater's] honour every year according to the Roman customs, but the priest and priestess of the goddess are Phrygians… But by a law and decree of the senate no native Roman walks in procession through the city in a parti-coloured robe… or worships the god with the Phrygian ceremonies."[388]

Bans on citizen participation in the priesthood (and therefore castration of citizen bodies) followed immediately upon the introduction of the cult, but were repeatedly reinstituted under the Empire, most notably during the reigns of emperors Claudius and Domitian.[389] Yet, at least at one point in Roman history, there was no requirement that the position of the cult's high priest, the *Archigallus*, be held by a *castratus*, which would have opened up the position to esteemed (uncastrated) citizen men.[390]

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[387] Lucretius 2.610-628, Catullus 63, Ovid, *Fasti* 4.179-190.
[388] Dion. Hal. 2.19.3-5, trans. E. Cary.
[389] For Domitian's ban on castration, see Mart. 8(7), 9.6(5), 9.16, and 9.36; Stat. *Silv*. 3.4.73-7. Dio Cass. 67(67).2.1-3; Livy 29.16; Dion. Hal. 2.19.3-5; Dio Cass. 67(67).2.1-3. See also Vout (2007: 172-4, 180, 197) and Stevenson (1995: 498). For the example of an individual jurist's prejudice against a *Gallus*, see the passage from Valerius Maximus (7.7.6) which I examined in the second chapter of this thesis. See further my section on "Bans on Castration Throughout Roman History" in the second chapter of this thesis, as well as the section "Moral Condemnation of Castration Practices in Roman Culture" above.
[390] Vermaseren (1977: 86) on the introduction of the *Archigallus* to the cult in Rome: "It is only later that the emperors Claudius and Antoninus Pius can skillfully guide Attis and the concomitant alien ceremonies into a form

The fact that authorities repeatedly saw a need to reinstitute bans on citizen participation in the priesthood reveals what kind of appeal this cult came to possess in Roman religion—some citizen men must have wanted to join the cult.[391] Yet despite (or perhaps because of) the apparent popularity of this cult, there was significant stigmatization of the priesthood of the *Galli* in Roman literature. Ancient authors consistently emphasized the eunuch priests' effeminacy and foreignness, which was evident in their feminine robes and *mitra* (an Eastern-type headdress), orgiastic dances, public self-flagellations, as well as their cultic use of tympana, cymbals, flutes, and whips (Fig. 4-5).[392] Many Roman writers considered their overall "feminine" appearance and violent, orgiastic rituals to be inherently Eastern and foreign. As a result, referring to another man as a eunuch, especially a *Gallus*, was a common form of effeminizing invective, from at least the late Republic onwards.[393]

Orlin (2010) makes an important observation: that ancient authors "harp not only on the fact of castration but also upon the point that the *galli* continued to indulge in sexual relations despite their lack of 'proper' equipment."[394] An extensive example of this lascivious characterization of the *Galli* comes from Apuleius' (b. c.125 CE) *Metamorphoses*, also known as

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that they can control." Beard (2012: 341-2) points out that we do not know whether these priests were actually self-castrated, or whether their castration involved penectomies and/or the removal of the testicles.

[391] Orlin (2010: 100-101) provides further context for this argument: "Although prior to the third century we have no evidence for the presence of foreign priests in Rome, the *galli* make a second group of foreign priests to be installed as a regular part of the Roman religious system, and as with the haruspices, their presence allows us to observe how the Romans continued to maintain their policy of openness to foreigners while at the same time developing a sharper sense of themselves."

[392] Catullus 63; Ovid, *Fasti* 4.179-244; Lucretius 2.610-28; Apuleius, *Met*. 8.24-27, 9.9; Juvenal 6.511-516; and Martial 2.45, 3.81, 3.91, 5.41, 7.95, 11.72, 14.204. See Latham (2012) and Williams (2010: 128, 176-77, n.92, n.97-99), Vout (2007: 190-92), Rauhala (2017) for invective against the *Galli* and eunuchs generally. Lucretius 2.610-628 and Ovid, *Fasti* 4.179-190. See Fig. 4-5 for the *Galli*'s distinct dress (an Eastern headwrap called a *mitra*, and traditionally feminine robes) and cultic instruments (such as tympana, symbols, and whips). For Roman discourse on feminine and Eastern connotations behind the *mitra*, see Plin. *HN* 6.162; Cicero, *In Clodium* 44; Vergil, *Aen.* 4.215-16; and Ovid, *Met*. 14.654-5.

[393] See Valerius Maximus 7.7.6 (as the earliest example), and the rest of sources listed in this section.

[394] Orlin (2010: 104; see also 101-104). See also Beard (1996: 175) for further discussion of this. For more context on the *Galli*/Attis statuary collection from Ostia in Fig. 3-5, see Boin (2013).

The Golden Ass.[395] The novel's hero, Lucius (an upper-class Roman man), is transformed into a donkey through a mishap with witchcraft. The often-outrageous plot follows his "asinine" (mis)adventures in his quest for a cure.[396] At one point in the novel, Lucius (who is still in the form of a donkey) is sold off to a group of priests in rural Thrace.[397] The priests are introduced as followers of the goddess Dea Syria, but it quickly becomes apparent that they are a distorted, repulsive version of an even more familiar group: the *Galli*.[398] Their likeness to the *Galli* is evident in Apulieus' description of their frenzied, ecstatic rituals, which are near-perfect echoes of the *Galli*'s rites, dress, and even instruments as recounted by other Roman authors such as Ovid and Lucretius.[399] But it turns out that Apuleius' priests are merely *Galli* wannabes; later on it is revealed that they are swindlers that have been fraudulently posing as priests in order to steal from multiple Thracian towns.[400]

Apuleius' portrait of the transgressive *Galli* focuses especially on their gender self-presentation and their sexual behaviour. Rauhala (2017) and other scholars have pointed out the various ways in which Apuleius deploys language of disgust in his representation of the *Galli*.[401]

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[395] For analysis on invective against the *Galli* in Apuleius, see Latham (2012), Rauhala (2017), and Adkins (2020).
[396] This pun is a quote from Adkins (2020: 168).
[397] Apuleius, *Met*. 8.24.
[398] Lucius describes the first priest he meets as "one of those common people from the dregs of society who walk through the city streets and towns banging their cymbals and rattles, carrying the Syrian goddess round with them and forcing her to beg" (Apuleius, *Met*. 8.24, trans. J. A. Hanson). See Lightfoot (2002: 77ff) for a comparison between the rites of Dea Syria and Apuleius' *Galli*.
[399] Apuleius, *Met*. 8.27-9; see also 8.24 for a similar description. The passage from 8.27 is as follows: "The next day they put on varicoloured garments and beautified themselves hideously by daubing clay pigment on their faces and outlining their eyes with greasepaint. Then they set out, wearing turbans and saffron-colored robes and vestments of linen and silk. Some had white tunics decorated with purple lance-shaped designs flowing in every direction, gathered up into a girdle, and on their feet they wore yellow shoes. They wrapped the goddess in a silken mantle and put her on my back to carry, while they, with arms bared to the shoulders and brandishing frightful swords and axes, chanted and danced, excited by the frenzied beat of the flute music" (trans. J. A. Hanson). Cf. Lucretius 2.610-628 and Ovid, *Fasti* 4.179-190.
[400] Apuleius, *Met*. 9.9. See also ibid. 8.28-29 for their fraud and general rapaciousness.
[401] Apuleius was not alone in this type of representation: the satirist Juvenal (writing c. 120 CE) describes an individual eunuch accompanying a group of *Galli* (among other priests) as "an enormous eunuch (*ingens semivir*)," with "a face his perverted sidekick must revere. A long time ago now he picked up a shard and cut off his soft genitals (*mollia… genitalia*). The noisy band and the common drums fall quiet in his presence and his cheeks are clothed in the Phrygian cap" (6.511-516, trans. S. M. Braund). For more on Apuleius' truly offensive representation

In the *Metamorphoses*, the priests are far from the masculine ideal. They dress in feminine attire—as *Galli* customarily did—but Lucius describes them as overly-primped and smeared with gaudy makeup (*variis coloribus indusiate et deformiter quisque formati, facie caenoso pigmento delita et oculis obunctis graphice prodeunt, mitellis et crocotis et carbasinis et bombycinis ineicti*...)[402] When the priest who buys Lucius brings the donkey home, he calls out to his fellow priests: "Girls (*Puellae*)! Look what a pretty little slave-boy I've bought you!"[403] As narrator, Lucius goes on to explain dryly that "These girls (*puellae*) were a chorus of deviants (*cinaedorum*), who immediately danced for joy and raised a discordant shout with their cracked, shrill, effeminate voices (*quae statim exsultantes in gaudium fracta et rauca et effeminata voce clamores absonos intollunt*)."[404]

At first glance, it may seem like Apuleius is suggesting that the priests identified as "girls" (*puellae*). Scholars such as Roller (1997) have suggested that perhaps this priesthood allowed the castrated *Galli* to take on a more feminine gender identity.[405] But it is impossible to determine whether or not this was true given that we lack unmediated access to the *Galli*'s self-identifications. The only "feminine" features of the *Galli* (in the Roman masculine imagination) that (material) evidence confirms are their robes and headdress. Beyond that, we cannot establish how they self-identified, or how universal feminine self-identification was among the priests. It is important to bear in mind that Roman literary representations of the *Galli* were far from

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of the *Galli*, see Latham (2012), Roller (1997), Rauhala (2017), and Adkins (2020). For Apuleius' deployments of disgust more generally, see Lateiner (2017).

[402] Apuleius, *Met*. 8.27. In Ovid's *Art of Love* 1.505-9, the speaker characterizes the *Galli* in a similar way: "Don't torture your hair, though, with curling-irons: don't pumice your legs into smoothness. Leave *that* to the Mother Cybele's votaries, ululating in chorus with their Phrygian modes. Real men shouldn't primp their good looks" (*Sed tibi nec ferro placeat torquere capillos, / Nec tua mordaci pumice crura teras; / Ista iube faciant, quorum Cybeleia mater / Concinitur Phrygiis exululata modis! / Forma uiros neglecta decet*), trans. P. Green (1982: 181–82). See also Latham (2012).

[403] Apuleius, *Met.* 8.26, trans. J. A. Hanson.

[404] Apuleius, *Met.* 8.26, my adaptation of J. A. Hanson's translation.

[405] Roller (1997) compares the *Galli* to the *hijra* in modern India.

sympathetic, and most likely were unconcerned with portraying the priests' atypical gender presentation in an accurate light. In fact, the language Apuleius deploys in describing the *Galli* exaggerates their gender transgressions through the language of effeminacy.

Lucius describes the priests exclusively as perverted *men*: not once does the narrator gender them in the feminine, grammatically or otherwise—this is central to the "politics of representation" in Adkins' (2020) analysis of Apuelius' priests. But Apuleius does not describe the priests as *Galli*, *eunuchi*, or *castrati*, either. He calls them *cinaedi*. When Lucius first meets the main priest, Philebus (literally "boy-lover" in Greek), he laments that the man "was a *cinaedus*, and an old one at that" (*cinaedum et senem cinaedum*).[406] The meaning of the term *cinaedus* (pl. *cinaedi*) was complex. This term has been translated as "pervert" or "catamite" in an effort to convey their sexual and gender deviance, but the latter translation suggests exclusive homosexuality and sexual passivity, which usage of the term in Greek and Latin literature does not support.[407] *Cinaedi* (sg. *cinaedus*, the Latin term derived from the Greek *kinaidos*) originally were male (erotic) performers.[408] Sapsford's (2022) recent publication has provided further nuance and social context to the literary stereotypes—such as the "much mentioned shaking of the buttocks" and unique, racy meter in which *kinaidoi*/*cinaedi* performed their poetry.[409] But there were various nuances in the representations of *cinaedi* in Greco-Roman literature. The term *cinaedus* was often used to describe sexual and gender "deviants" more broadly.[410] For example,

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[406] Apuleius, *Met.* 8.24, adapted from J. A. Hanson's translation.
[407] Hanson uses both of these terms at *Met*. 8.24 and 8.26. See Sapsford's (2022: 8-18, 92) argument against the reading of *cinaedi*/*kinaidoi* exhibiting "a stable homosexual identity in the ancient world."
[408] See Sapsford (2022: 5-7, 16-17, 27, 40, 71-4, 92-100, 192-99).
[409] Sapsford (2022: 199; 163-188) draws attention to various nuances in the representations of *cinaedi* in Juvenal 2, in which "*cinaedi* are everywhere." Overall, Sapsford (ibid) argues that "The identity category of the pathological pervert and its historical formation seems so alluring to us moderns, driven by a sense of self which is centered around sexual orientation, that we avoid questioning the history of the category formation of the professional performer to the same degree. This is a story that the *kinaidos/cinaedus* is equally involved in."
[410] For example, Penrose Jr. (2020: 41-2) has noted that, for some Greek writers, *kinaidos* (in Greek) could be used as a synonym for *androgynos*, which further highlights the complex range of connotations behind these terms for

many ancient sources do, in fact, depict *cinaedi* as hyper-effeminate men who usually took the passive role in same-sex relationships, but other texts feature *cinaedi* as (often adulterous) "womanish" womanizers.[411] Overall, the unifying quality in these disparate constructions of the *cinaedus*—as the embodiment of extreme effeminacy and overall gender "deviance"—was the lack of control over sexual appetites.[412]

Apuleius is not alone in his conflation of *Galli* and *cinaedi*; other Latin authors deployed the term *Gallus* in a similar manner.[413] Williams (2010) summarizes this common identity conflation:

> "The image of an effeminate Eastern dancer lurked behind every description of a man as a *cinaedus* in the transferred sense, and that behind the Eastern dancer in turn lurked the image of the *gallus*. Thus a man who showed himself to be effeminate, most notably by seeking to play 'the woman's role' sexually, could be insulted as a type of dancer (*cinaedus*), who in turn could be compared to the ultimate in unmanliness: the *gallus*."[414]

In the Roman imagination, these two terms embodied the ultimate "scare-figures" for Roman masculinity, which is precisely what Apuleius creates in his rapacious, debauched, (perhaps)

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masculine gender nonconformity. Furthermore, Sapsford (2022: 190-200) highlights the cultural differences (Greek vs Roman) in opinions and ideologies of *kinaidoi* vs *cinaedi*. For *kinaidoi* as "soft" (*malakos*), and therefore exhibiting effeminacy akin to some accounts of *androgynoi*/*hermaphrodites*, see Sapsford (2022: 4, 27, 59-60, 63, 75, 100-1, 110, 142, 146, 197; see also *mollis*/*mollitia* in Sapsford). See also Williams (2010: 207, n.265) and Sapsford (2022: 144) on Lucil. 1058 Marx: "*inberbi androgyni, barbati moechocinaedi*."

[411] Juv. 6.O.21-4, 6.366-78; Catullus 57; Suet. *Aug*. 68-9; Martial 6.39.12-14, 7.58.3-5; Williams (2010: 206-209, n.265-76); Sapsford (2022: 7 n.15, 34, 37, 100, 144, 199).

[412] See Williams (2010: 207) for this argument.

[413] Juvenal 9.27-46; Martial 2.60, 3.81; and Williams (2010: n.275-6). One of Martial's epigrams (3.81) is a glaring example of *cinaedus*-like invective applied to the figure of the *Gallus*: "What concern have you, eunuch (*galle*) Baeticus, with the feminine abyss? This tongue of yours should be licking male middles (*haec debet medios lambere lingua viros*). Why was your cock cut off with a Samian shard if you were so fond of a cunt, Baeticus? Your head should be castrated. You may be a eunuch loinwise (*nam sis licet inguine gallus*), but you cheat Cybele's rites. With your mouth you're a man (*ore vir es*)" (trans. D. R. Shackleton Bailey).

[414] Williams (2010: 177).

sexually passive, and extremely effeminate *Galli* in the *Metamorphoses*. Whether or not some members of the *Galli* (or other eunuchs in Roman society) did in fact take on a feminine gender identity for themselves, Apuleius exploited common beliefs about such gender presentation in order to portray his *Galli* as caricatures of extreme *effeminacy*.[415] But to characterize the *Galli* as such disregards the nuanced "politics of representation" in material evidence associated with the *Galli*.

Historically, the *Galli* were real people who existed and functioned in Roman religious life. Even though "much of our understanding of the religion of Magna Mater at Rome is based on an 'outsider's view'"—evident in derisive treatment of the *Galli* from "writers who cast themselves as external observers"—the members of this priesthood are not wholly inaccessible to us.[416] For example, we have a number of extant statues and tombstones of *Archigalli* and the Magna Mater's mythical consort, Attis, from Ostia, Lavinium, and Rome (Fig. 3-5).[417] These memorials included iconography specific to the *Galli* (which I discussed at the beginning of this section) such as their whips, flutes, tympana, headdresses, and robes (Fig. 4). Beard (2012) even argues that, in some cases, "at the very least, these images make it clear that there was a dialogue between the self-imagining of the *galli* and the external Roman critique."[418] Thus, the extant iconography suggests that the *Galli* might have felt a sense of pride about their self-portraits as members of the priesthood, regardless of social prejudice.[419]

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[415] Both Williams (2010: 209ff) and Sapsford (2022: 8-18, 92) argue against understanding *cinaedi* as some kind of homosexual subculture in Rome, and I agree with this stance.
[416] Beard (2012: 346) for both quotes.
[417] See Boin (2013) and Beard (2012: 346-8; Fig. 12.4).
[418] Beard (2012: 347; Fig. 12.4).
[419] See also Roller (1997, 1999) for a similar argument, but I do not advocate for a sense of specific (nonnormative gender) identity for the *Galli*, since this is inaccessible to us.

Eventually the cult of the Magna Mater, *Galli* and all, became one of the most prominent in Rome, especially from the reign of the emperor Augustus (r.31 BCE - 14 CE) onwards.[420] The temple of the Magna Mater was located on Rome's Palatine Hill, "a stone's throw from the forum, at the very heart of the city—an area occupied at the time of the cult's introduction by the houses of the grandest of the Roman elite, and later by the imperial palace" (Fig. 6).[421] It was even restored by Augustus after the second time it burned down.[422] Thus, there was an inescapable (ideological) centrality to the Magna Mater's cult and the *Galli*. Beard (2012) argues that "this cult and its priests came to act as a privileged focus of debate on the nature of the Roman and the foreign."[423] One author, for example, explored how this priesthood fit into the notion of "Romanness." Vergil's *Aeneid*—the great Roman nationalistic epic, written during the reign of Augustus—tells of the Trojans and their leader Aeneas fleeing the Trojan War in order to colonize Italy and establish what would eventually become Rome. Upon arriving, however, the Trojans face harassment from the native Rutulians: they slander Aeneas and his companions' Trojan heritage repeatedly by characterizing them as *semiviri Phryges*, "the half-men of Phrygia" or, in other words, the *Galli*.[424]

The Rutulians' repeated references to the *Galli* inextricably link the traditionally more problematic aspects of the Trojans' "Phrygian" character to their goddess Cybele, who

[420] See Bell (2007) for Augustan imagery and propaganda featuring the cult of the Magna Mater. See also Wiseman (1984).
[421] Beard (2012: 349; Fig. 12.5).
[422] Ovid, *Fasti* 4.347-48.
[423] Beard (2012: 353).
[424] Turnus wishes to be permitted to "lay low the body of the Phrygian half-man (*da sternere corpus/... semiviri Phrygis*)" at Vergil, *Aen*. 12.99 (my adaptation of H. Rushton Fairclough and G. P. Goold's translation). The Trojans' Italian enemies who hurl this invective (such as Turnus, Iarbas, Numanus Remulus, and Camilla) do so as a way of contending with their foreign, Trojan identity, which they conflate with the Phrygian *Galli*. For invective used against the Trojans by comparing them to the *Galli* in the *Aeneid*, see 4.215-17, 9.598-620, and 12.97-100. See Williams (2010: 329, n.29) for the term *semivir* "referring to eunuchs (often *galli*, or castrated priests of Cybele): Sen. *Epist*. 108.7; Val. Flacc. 6.695; Mart. 3.91.2; Sil. Ital. 17.20; Juv. 6.513."

nevertheless plays an important and complex role in the *Aeneid*.[425] Thus the characterization of the Trojans as Cybele's *Galli* in the *Aeneid* is intended to be a hostile construction of Trojan identity. Vergil's Trojans might have brought with them "effeminate" cultural attributes inherently foreign to the native Italians, but the goal of the epic is for both of these cultural groups to combine and become the ancestors of the future Roman race. Yet this ideological, ethno-cultural clash is never resolved in the *Aeneid*.[426] The Trojans (who will be an integral part of the descendants of Romans forevermore) remain inextricably linked to the *semiviri Phryges*. Vergil thus suggests that the priesthood of the *Galli* was an intrinsic yet ideologically problematic facet of Roman religious identity. There was, after all, something inherently Roman—both foreign and familiar—about the Magna Mater's cult.[427]

Conclusion

In the Roman imagination, the term "eunuch" could refer to a spectrum of gender atypical men. Often representations of eunuchs (both *castrati* and other *eunuchi*) were laden with

[425] For more context on the gendered and ethnic invective used against Aeneas and the Trojans in the *Aeneid*, see Reed (2007: 85), who explains that "the comparison of Aeneas to Paris (also raised at 7.361-64 and 11.484) is immediately broadened to catch not just the implications of wife-stealing, but of a luxorious effeminacy signaled by scented hair and even womanly attire. The characteristically feminine *mitra* was a piece of decorative fabric worn under the chin and over the head." For Cybele, see Vergil, *Aen*. 6.784-87, 9.80-117, 10.220, 10.252-55. See further Syed (2005: 140) and Reed (2007: 113, 157-8, 194-5) for analyses of the goddess' role in the epic.
[426] To conclude her final speech in the *Aeneid*, Juno proclaims *occidit, occideritque sinas cum nomine Troia* (12.828). Her insistence that the Latins—and by extension, future Romans—will in no way resemble Trojans after Aeneas' victory (*Latinos/ neu Troas fieri iubeas Teucrosque vocari/ aut vocem mutare viros aut vertere vestem*, 12.823-5), raises an important question: does Juno eventually get her wish? Vergil's *Aeneid* focuses on forging and subverting what will become (or rather ideologies concerning what should or should not become) Roman cultural identity. To Syed (2005: 194), there are "three major forms of defining ethnic identity operating in the *Aeneid*: first through genealogy and ancestry, second with the use of ethnic stereotypes, and third by means of gender differentiation" At one point in the epic, Aeneas' son, Ascanius, sarcastically refers to the Trojans as *bis capti Phryges* ("twice captured Phrygians," 9.635) before he kills an Italian enemy. This moment proves that the Trojans are comparable to the Italians in might, but this does not serve to "absolve" the Trojans of their Phrygian identity.
[427] This is a paraphrase of Beard's (1996) chapter, "The Roman and the Foreign: The Cult of the 'Great Mother' in Imperial Rome."

effeminizing invective. These texts tended to fixate paradoxically on eunuchs' effeminate appearance and excessive sexual behaviours, yet also their beauty and sexual desirability—at least in the context of the emperors' favourites, Earinus and Sporus. Some of these literary representations document gender atypical men functioning at various strata of Roman society: whether in intellectual milieu (Favorinus), in a cultic setting (the *Galli*), or at the emperor's side in the imperial palace (Earinus and Sporus).

Without any written accounts from *castrati* themselves (and only one piece of literature written by an uncastrated eunuch: Favorinus' *Corinthian Oration*), we cannot determine how exactly these people conceived of their gender identities. Adkins' (2020) transgender approach to the "politics" behind Apuleius' representation of the *Galli* is helpful in this context. In sum, Adkins argues that:

> "In the novels, we can see how this conflict is revealed and concealed through a process of entextualisation whereby the priests' words, actions and identities are embedded within the cultural parameters that govern Lucius' narration. The ability to impose meaning, to shape reality to one's own image, is a marker of power. The fact that our unreliable, asinine narrator Lucius can define the reality of an entire group of people through words alone reveals the role that gendered discourse played in the politics of representation in imperial Roman literature and culture."[428]

It is difficult to access the identities of the various *eunuchi* discussed in this chapter beyond literary representations. It is therefore all the more important to take an intersectional approach

[428] Adkins (2020: 168).

which analyses fully the nuances, original literary and socio-historical contexts, and authorial intent behind the "politics of (masculine) representation" of eunuchs in imperial Roman culture.

What we *can* extract from the literary texts through this approach was that these eunuchs were perceived as a diverse substratum of men in the Roman social hierarchy, albeit men who exhibited varying degrees of gender "deviance"—whether in their bodies, overall appearance, tone of voice, behaviours, or sexual practices. Despite their varying degrees of gender atypicality, we do not have any reliable evidence that suggests that eunuchs (whether castrated or not) could have transitioned into the social roles of women successfully, or that they themselves identified as anything other than men.[429] This is evident because (1) often authors deployed the language of (extreme) effeminacy in their representations of eunuchs, and (2) they were considered among men in the practical context of Roman family law. As I discussed in the second chapter of this thesis, there was significant leeway in legal texts for uncastrated, infertile men, married or not: so long as his genitals remained intact—or at least unaltered from their natural state—the jurists believed that a man deserved to function in Roman society fully.

At the same time, various literary texts, juristic discourse, and bans on castration reveal an overarching cultural prejudice against *castrati.* The sources I examined in this chapter also demonstrate that the ideological gender binary was firmly rooted in Roman concepts of identity. An intersectional analytic lens allows us to bear witness to how Greco-Roman literature often sought to "configure" gender nonconforming people within their medically naturalized gender binary. For eunuchs, often writers deployed the language of effeminacy in order to categorize their relative state of gender deviance within the ideological confines of "manliness" (*virilitas*). Castrated and uncastrated eunuchs, intersex, and infertile men alike—who either were born with,

[429] In Greco-Roman literature, successful gender transitions—as I examined in the previous chapter—included only female to male transition, and never the other way around.

gradually exhibited, or even played up features considered “effeminate”—were able to function both legally and socially (at varying degrees) within the fickle and slippery hierarchy of Roman masculinity. Thus, the figure of the eunuch is a complex example of “the body as crisis.”

Conclusion

Generative ability and innate *virilitas* ("manliness") were crucial components of what made a man in Greco-Roman medical "configurations" of the human body. Discourse about generative ability and other traits that could indicate "manliness"—such as anatomy, physiology, clothing, facial hair, tone of voice, and sexual appetites—was pervasive in Roman law and literature. Yet this discourse did not exclude ideologically "nonnormative" people. This thesis has examined gender atypical bodies, behaviours, and identities among people on the margins of manhood in Roman culture. More specifically, I have explored the ideologies that shaped the lived experiences of the gender atypical men featured in Roman juristic discourse: *castrati*, other *eunuchi* (including *spadones*), and *hermaphroditi*. From the sources I have analysed, it is clear that what "made a man" in the Roman masculine imagination could have included a complex spectrum of nonnormatively gendered bodies, expressions, and experiences. At the same time, these sources demonstrate the cultural stigma and discrimination against these gender nonconforming people.

An intersectional approach akin to modern transgender theory is crucial when examining "the politics of representation" in these literary sources. David Valentine (2007) provides a helpful guide to tackle this issue of representation through the lens of modern transgender theory more broadly:

> "People everywhere categorize themselves and others; this is one of the most fundamental aspects of human language and meaningmaking. But the ways in

> which these categorizations are made, and which categories come to have effects in the world, are never neutral."[430]

In short, the language of masculine gender atypicality I have examined in this thesis—including Latin terms such as *eunuchus, spado, castratus, hermaphroditus, semivir/semimas, Gallus*, and the Greek *androgynos*—was ideologically loaded. Furthermore, we cannot be sure that ancient people referred to themselves using these terms since, for the most part, the language I have discussed was wielded by gender conforming Greek and Roman authors who were *representing* gender atypical persons. The orator Favorinus is a complicated example of this issue. His contemporaries certainly referred to him as a *eunuchus*, and he himself deployed this label in a playful, performative context, but we do not know if he personally identified with this label (or even *spado*, which technically could have been applicable) in a manner similar to the literary tradition surrounding him. The priesthood of the *Galli*, on the other hand, is somewhat of an exception to this issue of identity. The surviving reliefs and statues of the priests exhibit a sense of pride in being a *Gallus*. Yet, at the same time, "Gallus" became a term of invective for Latin writers, who portrayed these well-known priests as "scare-figures" of effeminacy and sexual deviance. Thus, the majority of our identity markers for the *Galli* derive from (often scathing) literary representations *of* them, which were not produced *by* them. Like many of the other gender atypical people I have examined in this thesis, their own voices and self-identifications are lost to us.

The sources I have examined originated in various parts of the Mediterranean—from Gaul to Asia Minor, the Levant, and North Africa—and date over the span of several centuries. There is some diversity of thought and attitude, but there is a cultural throughline applicable to

[430] Valentine (2007: 5).

the sources I have examined in this thesis: all of these authors were upper class men who were embedded in a deeply patriarchal social order. Therefore, my approach in this thesis has been to analyse the specific cultural connotations of terminology in its literary contexts in order to reveal how authors chose to represent the marvellous and often mortifying (to them) spectrum of masculine gender atypicality. This approach has allowed me to tackle the research questions that I introduced at the beginning of this thesis: *What if one's body did not fully adhere to their assigned gender at birth? What if their masculine gender identity suddenly became physiognomically incomprehensible? Which bodies did Romans accept as "man enough"? When was a Roman man no longer considered a man?*

My intersectional approach has revealed the ways in which many Greco-Roman writers grappled with, vilified, and accommodated men whose bodies did not fully fit into their idealized gender binary. The gender binary of male versus female was naturalized in the influential texts of authoritative (peri-)medical authors such as the Hippocratics, Aristotle, the Alexandrian anatomists, Pliny the Elder, and Galen. These authors' configurations of the gendered human body were dependent on the social roles of "man" and "woman." In medical contexts, this resulted in the exclusion of gender nonconforming bodies in favour of those who could more normatively adhere to the heteronormative reproductive imperative, as I examined in Chapter One.

Yet the Roman juristic tradition complicates both medically naturalized gender dimorphism and the social significance of the heteronormative reproductive imperative. My analysis of legal commentary from (post-)Severan jurists such as Ulpian, Paulus, and Modestinus led to a number of findings: the complex and deeply gendered ideologies surrounding the body of a Roman citizen man (*vir*), the ways in which the jurists struggled to organize gender

nonconforming bodies into the social category of "man," and the jurists' prejudices against the castrated body. Lastly, this discourse identified a spectrum of anatomically and physiologically "nonnormative" bodies that (at one point in Roman history, at least) were considered to be among the "male" citizen body: *hermaphroditi*, *eunuchi*, *spadones*, and *castrati*.

The terms for gender atypical men were often prejudicial in nature (e.g. the terms *semivir*/*semimas*, "half-man"/ "half-male"), yet this did not necessarily entail the complete social or legal disenfranchisement of people whose bodies did not conform to gender expectations. The sources I examined in Chapter Three and Chapter Four reveal that some of these gender nonconforming people were able to function as men at various strata of imperial Roman society, whether that be as an emperor's favourite (like Sporus or, potentially, the *hermaphroditi* Pliny mentioned among other *deliciae*), members of a prominent priesthood (such as the *Galli*), as a successful—if not infamous—orator (the unique case of Favorinus), or a *paterfamilias* of a Roman household, which the Roman jurists certainly thought possible. In addition, this research has highlighted the ways in which the voices of social and literary authority often shaped ancient "configurations" of the gendered body and hierarchies of identity. These authoritative sources, by extension, inevitably have influenced the way we "moderns" summarize ancient ideologies and the (potential) lived experiences of gender atypical people.

It is crucial to acknowledge that the ways in which these people "categorized themselves," to use David Valentine's phrasing, will never fully be accessible without their voices. We can only analyse these people's possible lived experiences through what Adkins (2020) calls "the politics of representation"; in other words, through how authoritative voices "configured" their bodies and "categorized" their identities within these specific, patriarchal social hierarchies. It is equally irresponsible to impose modern categorizations and identities

(such as gay, lesbian, bisexual, male, female, transgender, nonbinary, or even intersex, to some degree, etc.) onto people from socio-historical contexts in which they are not applicable, or even translatable. Instead, this thesis has (1) explored what gender atypicality could have looked like in these specific historical and literary contexts, and (2) acknowledged representations of bodies, behaviours, and real people who functioned *concurrently* with their culture's medically naturalized gender binary, even if on the margins.

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Figures

Fig. 1: Sleeping Hermaphroditus statue. The Borghese Hermaphrodite, Louvre. Scanned from Szepessy (2014: 95).

Fig. 2: "Hermaphroditus Anasyromenos, Statuette from Roman Art Market. Second half of the second-century B.C.E. Public domain image scanned from A. Koloski-Ostrow and C. Lyons (above, n.27) 222." Quote and scan from Groves (2016: 330).

Fig. 3: Statue of Attis from the Sanctuary of Cybele, Ostia (c. 2nd century CE). Vatican Museums. Scanned from Boin (2013).

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Fig. 5: Statue of a *Gallus* (Attis?), Rome (late 2nd century CE). Capitoline Museums. Scanned from Roller (1999: fig. 70).

Fig. 6: Temple of the Magna Mater (no. 212), from *Digital Augustan Rome* (University of Arizona, https://www.digitalaugustanrome.org/).