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ON CICERO'S DE DOMO. A SURVEY OF RECENT WORK

Modesty was not Cicero's strong suit. Rather, Cicero was one of Cicero's greatest and most vocal admirers (albeit thoroughly ironical at times). Of his vast literary output many works have received special commendation by their author¹. The high praise that Cicero affords his De domo sua ad pontifices in a letter to Atticus is a case in point, even though it pits the speech against the rest of the oratorical œuvre (ad Att. 4, 2, 2 [= SB 74.2]): acta est res accurate a nobis, et si umquam in dicendo fuimus aliquid, aut etiam si numquam alias fuimus, tum profecto dolor et <rei> magnitudo vim quandam nobis dicendi dedit. («I dealt faithfully with my theme, and if ever I amounted to anything as a speaker, or even if I never did at any other time, I think I can say that on that occasion intensity of feeling and the importance of the issue lent me a certain force of eloquence», transl. D.R. Shackleton Bailey). According to Cicero's tongue-in-cheek assessment, De domo is the pinnacle of Ciceronian oratory or else its only successful instantiation. In either case, he proceeds, it should be published swiftly to benefit the younger generation (ibid.): itaque oratio iuventuti nostrae deberi not potest; quam tibi, etiam si non desideras, tamen mitto cito («So our younger generation cannot be kept waiting for the speech. I shall send it to you shortly, even if you are not anxious to have it!»). Rarely, however, did a work more patently fail to live up to such ambitions.

De domo presents us with a peculiar amalgam of religious dispute, legalistic argumentation, immoderate praise, and harsh invective that makes it difficult to understand and hard to love. Small wonder, then, that readers have asked themselves if what they held in their hands was truly the speech in which Cicero had taken such satisfaction. Notoriously, Jeremiah Markland, Fellow of St. Peter's (now Peterhouse) College in Cambridge, published his *Dissertation upon Four Orations ascribed to Ci*-

¹ Cf. e.g. *ad Att.* 1, 20, 6 [= SB 20]; 2, 1, 1-3 [21]; 13, 19, 4 [326]; 15, 13a.2 [417]; *ad Fam.* 6, 18, 4 [218]; *ad Q.fr.* 3, 1, 11 [21]. Still to date, Allen 1954 offers one of the best treatments on Cicero's self-aggrandisement (and -deprecation).

cero in 1745 which not only contested the identity of "our" De domo with the one Cicero mentions but radically dismissed the authenticity of all four *Post reditum* speeches², ascribing them to a later declaimer marred by the "Ignorance, Slothfulness, Affectation, and corrupted Tast [sic]" (1745, 232) characteristic of the type³. In Markland's view, the speeches are so flawed that "even a School-Boy of Good Sense and Parts would now be ashamed to own such silly and unnatural Stuff, in whatever Age, Author, or Language he should have found it originally written" $(227)^4$ – so much for Cicero's outreach to a younger audience (iuventuti nostrae). In the case of *De domo*, Markland objects to the circuitous and meandering argumentation above all else: «In the true Cicero you will seldom meet with a Single Word which is Superfluous ... [I]n this Writer you will find but few Sentences which have not several words, and few Chapters which have not several Sentences, concerning which an Attentive and Sensible Reader might not be tempted to ask, What business have they here?» (236).

As Markland's contestations met with resistance, Friedrich August Wolf published an edition-cum-commentary in 1801 with the sole purpose of supporting Markland's position and showing the world, once and for all, «what difference there was between the real Cicero and this Ciceronian ape»⁵ whom he, in another variation on the "teaching the young" trope, denounced as a childish amateur (*non magistrum elo-quentiae, sed infantem hominem*)⁶.

² I.e. Post reditum in senatu, Post reditum ad populum, De domo sua and De haruspicum responsis. The term "Post reditum speeches", however, is equally used for all fourteen extant orations from the period between Cicero's return and Caesar's dictatorship (which all show significant thematic overlap); cf. Riggsby 2002, 159-160.

³ Markland 1745. On Markland's biography and scholarship, see Collard 1976.

⁴ Markland here adduces the example of *Har. resp.* 38 (an *tibi luminis obesset caecitas plus quam libidinis?*), on which see Narducci 1998.

⁵Wolf 1801, here XXIX: ... quid intersit inter Ciceronem et simium Ciceronis... Wolf's edition includes Markland's discussion (which Wolf translates into Latin) as well as the defence of the speeches by Gesner 1754. On the "ape invective" and its history, see Gouwens 2010; more generally on the eristic rhetoric of (textual) criticism, Tarrant 2016, esp. 30-36.

⁶ Wolf 1801, XXXIV: *Hac autem parte, animadversiones nostrae docebunt, quam pueriliter saepe peccarit hic Cicero noster, ut non magistrum eloquentiae, sed infantem hominem audire tibi videare, nihil curantem nisi verborum ad oratorium quendam modum compositorum copiam ac tinnitum* («But in this instance, my comments will show what childish errors this Cicero of ours has committed so that you will no longer seem to hear the master of eloquence but rather a very infantile man who only cares about the heap and noise of the words that he has arranged in some oratorical fashion»).

Even as Markland's and Wolf's case against the authenticity of the speeches was soon called into question and dismissed already by the end of the nineteenth century, its reverberations have left their mark well into the twenty-first⁷. Most notably, the magisterial commentary on *De domo* by Robert G. Nisbet ("Nisbet *père*")⁸ published in 1939 – the fullest treatment and only full-fledged scholarly commentary the speech has been afforded in the last eighty years – aims, above all else, at vindicating the speech against its detractors whom he, in turn, faults for «a great lack of perspective and of common sense, a surprising inaccuracy in detail, a *puerile captiousness*⁹ in their analyses – once more, *De domo* is on the battle ground between childish prejudice and mature judgment¹⁰.

As John Henderson has put it in a recent study¹¹, the aims of Nisbet's commentary thus converge with those of Cicero's speech in their endeavour to reclaim the orator's (speech on his) house: «N[isbet] is engaged in a double-act of restitution. The orator wants his house restored, and he wants it *restored*, too. The scholar wants the speech back where it belongs, home with the other bona fide speeches, and safe on the schedule»¹².

Nisbet did not fail to redeem his text and laid the last suspicions against Ciceronian authorship to rest. In order to achieve this, however, the commentator privileged matters of language and style over sociocultural context and rhetorical design. Though Nisbet asserted that «judged by Roman canons and Roman works on rhetoric, the structure of the speech as a whole is perfectly clear and extremely skilful, in view

⁷ Decisive steps were the publication of Savels 1828 and, for *De domo*, Rück 1881 as well as Zielinski 1904, esp. 219. The fullest account of the debate and its impact is provided by Nicholson 1992, 1-18; Classen 1985, 220-222.

⁸ Not to be confused with Nisbet *fils*, Robin G.M. Nisbet, *inter alia* the commentator of Cicero's *In Pisonem* (Nisbet 1961) and Horace's *Carmina* – on the respective onomastics and confusion, Henderson 2006, 8; 112 n.4.

⁹ Nisbet 1939, XXIX-XXXIV, here XXXIV (my emphasis). Cf. ibid., 204 (App. IV), where Nisbet answers Markland's "schoolboy" invective with one of his own; on the passage, see Henderson 2006, 125 n. 37.

¹⁰ The rhetoric of childishness and maturity, of course, resonates well with commentary writing and its inherent didacticism, as the reviews of Nisbet's work demonstrate: cf. Woodcock 1940, 91 («...done with a scholarly judgment which will make the commentary valuable not only to students, but to older scholars and teachers»); cf. Potter 1940, 258; Westington 1941, 422. On the critical response to Nisbet 1939, see Henderson 2006, 115-116 with n. 13 and 14.

¹¹ Henderson 2006 is best appreciated if read with "the Nisbets" (Nisbet 1939 and Nisbet 1961) at hand – cumbersome but well worth the while.

¹² Henderson 2006, 113.

of what the orator had to combat, and what he sought the accomplish»¹³, it is at times difficult to glean this information from Nisbet's notes.

For all its merits, it was said, Nisbet's commentary «remains a missed opportunity in Latin studies»¹⁴, and, arguably, it also caused others to miss theirs: The outstanding quality and sheer scale of the commentary, whose long-standing influence is evidenced by the unchanged reprint in 1979, not only stimulated but also discouraged the subsequent study of the speech. It is true that the last decades have witnessed a steep increase in research on Cicero with progress in numerous fields of immediate relevance to *De domo* and not least the provision of a secure critical text¹⁵.

Still, however, the study of *De domo* is largely driven by specific heuristic interests that (an)atomise the different elements of the speech rather than integrate them into a holistic analysis. Markland's verdict of the disparateness of *De domo* still looms large.

In recent years, four main fields of inquiry have crystallised:

1) First, the speech has been read and analysed as a witness to the workings of Roman state religion and its political uses¹⁶: While it is regularly treated in standard works on religion¹⁷, it has been the focus of a number of individual studies: The most important are Bergemann's extensive chapter which mines *De domo* for evidence of the interplay between religion and politics in the Late Republic, and Gildenhard's which, in contrast, has emphasised the novelty of Cicero's conceptualisation of this interplay: As he convincingly shows, Cicero lays out a proper «political theology» to make his case against Clodius¹⁸.

2) A second strand of scholarship has emphasised the changes in Late Republican political culture and institutional practices to which *De*

¹³ Nisbet 1939, XXV.

¹⁴ Henderson 2006, 8.

¹⁵ The publication of Maslowki's *Teubneriana* is fundamental (Maslowski 1981). Shackleton Bailey 1991 does not contain a Latin text but provides an Appendix with textual variants based on the author's previous engagement with the text (for *De domo*, pp. 228-230; the respective bibliography is listed on p. XIII). On the textual transmission of the speech, see also Reeve-Rouse 1983, esp. 56-61, and Maslowski-Rouse 1984, 60-104.

¹⁶ Cf. e.g. Liebeschuetz 1979, 1-4 who cites the feud between Cicero and Clodius as a paradigm of the politicisation of Roman religion.

¹⁷ For a standard treatment see e.g. Beard-North-Price 1998 (vol. I), esp. 114-140 (cf. vol. II, 197-198).

¹⁸ Bergemann 1992, 3-85, and Gildenhard 2011, 299-326, here 306. Cf. e.g. Goar 1972, 45-56; Thomas 2005 and North 2014, 63-82.

domo – and the *Post reditum* corpus in general – bears witness: in addition to works centering on the exceptional figure of Clodius and his position (most notably those of Fezzi and Tatum)¹⁹, a number of studies on public speech and political discourse in the Late Republic are particularly useful for the study of *De domo* and its context²⁰.

- 3) Thirdly, as research on the legal status and literary discourse of displacement and exile has proliferated, Cicero's *Post reditum* speeches have received renewed attention: While the articles by Claassen, Robinson and Narducci focus on the conceptualisation of exile in Cicero's works²¹ the recent monograph by Kelly has provided a new basis for understanding exile in the socio-political context of Republican Rome²².
- 4) Last but not least, the steep increase in studies on self-fashioning arguably, the most prolific area in Ciceronian scholarship in recent years has not left *De domo* untouched: On the one hand, the orations's role in Cicero's self-assertion after exile has been stressed²³ while, on the other, the symbolic value of the fight for Cicero's house has been re-appreciated²⁴.

In addition to the research governed by these specific and often partial interests, the studies by Classen and Stroh deserve special mention as they have made strides towards an analysis of the speech in its entirety, albeit with special focus on the legal argument²⁵. A *Gesamtinterpretation* of the speech, however, is lacking. The almost eighty years after the publication of Nisbet's commentary²⁶ have not only witnessed funda-

²⁶ Nisbet 1939.

¹⁹ Fezzi 1999; Fezzi 2008, esp. 79-85 and Tatum 1999, esp. 150-166; 176-193; cf. e.g. Seager 2014.

²⁰ Cf. e.g. Lobrano 1982; Nippel 1988, esp. 108-128; Thommen 1989, esp. 119-126; 187-189; Pina Polo 1996, 94-113; Mouritsen 2001, esp. 49-62; Arena 2012, esp. 200-220, and Tan 2013, 117-132.

²¹ Claassen 1992; Robinson 1994; Narducci 1997 (an Italian version can be found in Narducci 2004, 95-113); Venturini 2009.

²² Kelly 2006. Cf. Claassen 1999 and Gärtner 2007 (for Cicero, see esp. Cohen, "Cicero's Roman Exile", 109-128).

²³ E.g. May 1988, 88-127; Dyck 2004; Kurczyk 2004, 219-229; Degl'Innocenti Pierini 2007; van der Blom 2010, esp. 194-225.

²⁴ Berg 1997; Bodel 1997; Roller 2010. Cf. already Allen 1944.

²⁵ Classen 1984 and Stroh 2004 – Stroh's is, without doubt, the most insightful contribution on the structure and argument of the speech to date. The chapter in MacKendrick 1995, 147-176 offers additional material as regards the language and imagery of the speech. On the legal argument at the heart of *De domo*, see also Tatum 1993.

mental changes in the ways we conceive of Classical commentaries²⁷, but a plethora of studies advancing our understanding of the speech and its contexts that await a judicious survey and synthesis.

Time is ripe for a comprehensive commentary on the speech²⁸, and readers may not be surprised to learn that the author has recently started to work on one – modesty, perhaps, not being his strong suit either. The short survey of research on *De domo* is, in fact, written *pro domo*²⁹. Lest his project end as another ill-fated schoolboy's work, he kindly invites the readers of *Ciceroniana* to share and discuss recent (or, indeed, ongoing) research on the speech with him.

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²⁷ For (re-)evaluations of Classical commentary writing, see the contributions in Most 1999; Gibson-Kraus 2002; Henderson 2006, *passim* and, recently, Kraus-Stray 2016.

²⁸ After Nisbet 1939, a handful of annotated editions and translations have appeared but no fully fledged commentary: e.g. Wuilleumier 1952; Gallo 1969; Fuhrmann 2013⁴; Kasten 1988⁵; Shackleton Bailey 1991.

²⁹ On the proverbial use of the title, see Stroh 2004, 314 n. 4.

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