

HOSPITEM OR HOSTEM?

hic tu me etiam, custodem defensoremque Capitolii templorumque omnium, 'hospitem Capitolinum' appellare ausus es, quod, cum in Capitolio senatum duo consules haberent, eo venerim? (Cic. Dom. 7).

hospitem Shackleton Bailey: *hostem* codd.

The best edition of *De Domo*, cited in the above lemma, adopts Shackleton Bailey's conjecture instead of the codices' reading¹). Now there can be no doubting the palaeographical soundness of this choice in view of the codices' error at Dom. 66, correctly diagnosed and mended by Shackleton Bailey (and rightly accepted by Maslowski²). But does that settle the matter? *Hospitem* seems rather lame here: it would hardly be the most jabbing taunt heard by Cicero in the aftermath of his exile (which raises a question as to why he bothers to quote it here), nor is it an especially audacious insult from the *popularis* noble³).

Part of the problem with this passage lies in the determination of previous scholars to understand *hostem Capitolinum* solely in the light of Cicero's own reaction to the phrase, which tends to suggest that Clodius meant to imply that Cicero was what nowadays might be called a coup plotter⁴). That was absurd in 57 B.C., as Cicero knew, hence his misleading treatment of the jibe, a deflecting technique quite in fitting with Roman habits of invective⁵). The immediate context of our passage stresses that inasmuch as Cicero had been entreated by the consuls to attend the senate (in despite of his personal preference, cf. Dom. 6) and owing to the kindnesses tendered him by both magistrates, it would have been improper, if not downright craven (cf. Dom. 8), had he avoided the session in question. In view of such worthy motives for attending, the orator hopes to demonstrate, Clodius' barb was grossly inapt. This is not to say that Cicero's *quod* clause (or the tone of the passage generally) accurately reflects Clodius' original meaning or the actual reception of the insult: at the very least Cicero has diluted the strength of Clodius' comment and he has very likely altered its context somewhat. In its new setting, however, it seems difficult to resist the conclusion that it is the force of *hostem* which Cicero means to neutralize, an intention evident in the orator's emphasis on terms like *custodem* and *defensorem*, words that appear pointless (or at best dull) in rebuttal of *hospitem* but very apt as counters to the claim he is a foe of the state.

The same motif recurs at Dom. 100, where Cicero insists that the reality of

1) T. Maslowski, *M. Tulli Ciceronis scripta quae manserunt omnia*, fasc. 21 (Leipzig 1981); D. R. Shackleton Bailey, *HSCPh* 83 (1979) 264.

2) *HSCPh* 83 (1979) 265.

3) Presumably *ausus es* here is meant to suggest the *audax popularis*; cf. C. Wirszubski, *JRS* 51 (1961) 12 ff. *Hospitem Capitolinum* certainly pales next to *peregrinus rex* (Sull. 21 ff.) or even *homini Arpinati* (Att. 1. 16.10), nor does it suit the context very well (see below).

4) E.g. R. G. Nisbet, *M. Tulli Ciceronis De Domo ad Pontifices Oratio* (Oxford 1939), pp. 198 f., though Nisbet's discussion is otherwise packed with perceptiveness.

5) Stark examples of such parrying movements can be found in the famous slanging match between Cicero and Clodius in 61 (Att. 1. 16. 10); one rebuts by altering the sense or direction of the criticism.

his restoration from exile depends on the pontiffs' returning his home site. Otherwise the *monumentum doloris* (that is, the *aedes Libertatis*) will render his recall an eternal punishment and will force him again to remove himself from Rome (an appeal difficult to understand if Cicero had the slur *hospes* ringing in his ears). At that point in the speech (Dom. 101), Cicero, describing himself as the *urbis servator*, laments the destruction of his house *non ab inimico meo, sed ab hoste communi*. Thereupon he begins his catalogue of the genuine *hostes* of the past whose houses, like the orator's own, were demolished by the Roman people (Dom. 101 f.), a list offered in evidence of the injustice of Cicero's current predicament.

Once Cicero's immediate amplification of the phrase is jettisoned, *hostem Capitolinum* appears straightforward enough: (i) the adjective is appropriate in part because the slander was actually cast on the Capitol and (ii) the conjunction of the word for public enemy and the adjectival form of the city's citadel makes for a most potent oxymoron. However put to use, it was a keen insult. But the particular pertinence of the phrase resides in Clodius' steady *popularis* characterization of Cicero as a would-be tyrant⁶). Clodius may or may not have employed the phrase to imply that Cicero was planning a *coup d'état*, but there is no doubting that he persisted in his *popularis* abuse of Cicero while he defended the integrity of the *aedes Libertatis* (whose *popularis* symbolism is too obvious to require extended discussion). Clodius' phrase, if the manuscripts are right, represents (as Nisbet observed) a colorful and clever reworking of Cicero's anti-Catilinarian expression *domesticus hostis* (Cat. 3. 14; Vat. 25 – both instances are plurals actually). In fact, Cicero had applied the phrase to Clodius as well immediately upon his restoration from exile (Red. Sen. 18).

One must not forget the purpose of the *De Domo*. The razing of Cicero's house, as the orator painfully points out, was the visible symbol not merely of his exile but especially of his status (however unjust) as *hostis*⁷). Hence his insistence that his *domus* be restored, lest he remain counted in the number of Sp. Maelius, Sp. Cassius, M. Vitruvius Vaccus – or M. Manlius Capitolinus, who might himself once have been dubbed *hostis Capitolinus* by the tradition and in any case must be deemed an obvious (and relevant) allusion in Clodius' phrase⁸). In the aftermath of

6) The charge of tyranny can be traced back to the time of the *Bona Dea* scandal; cf. W. Allen, Jr., TAPhA 75 (1944) 7 ff.; W. J. Tatum, CPh 85 (1990) 205 ff., though it intensified in 58 B.C. and following. Clodius went so far as to claim Cicero had divine pretensions, identifying himself with Jupiter (Dom. 92); Clodius often called the orator *tyrannum atque ereptorem libertatis* after Cicero succeeded in regaining his *domus* (Sest. 109; cf. Vat. 23; [Sall.], Cic. 5 f.). The recent discussion of *regnum* in Roman invective by A. Erskine, CQ 41 (1991) 106 ff., esp. 113 ff., usefully points out that Roman attitudes toward monarchy were not uniform or free from inconsistency; in my view, however, Erskine is rather overly schematic in his approach and lays too much stress on the dictatorship of Caesar in the construction of the best documented Roman attitudes. In any event, his paper demonstrates the potency of this invective in the first century B.C.

7) Cic. Dom. 101 f. Cf. P. Moreau, Athen. 75 (1987) 478 ff.; W. Nippel, *Auf-ruhr und 'Polizei' in der römischen Republik* (Stuttgart 1988) 116 f. The public and symbolic function of the *domus*: A. Wallace-Hadrill, PBSR 56 (1988) 43 ff.

8) Dom. 101. This is not to mention M. Fulvius Flaccus (cos. 125, tr. pl. 122), who can not be dismissed as a dim figure from the early republic; cf. Dom. 102. The reputations of Cassius, Maelius and Manlius, however effected by post-Gracchan redaction, did not have to await Caesar's dictatorship to become powerful exempla, as demonstrated by Dom. 101 f. and Mil. 72; cf. Erskine, art. cit. 114 f.

Cicero's recall (which represented a resented change and decline in Clodius' fortunes) and before the restoration of his *domus*, *hostis Capitolinus* remained bitter – and strikingly meaningful – abuse, attractive to the angry Clodius and harmful enough for Cicero to deem it worth challenging explicitly in the *De Domo*.

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