

Re-Dating the End of Cicero's *Imperium* in 47 BCE

Scholars have accepted that Cicero laid down his *imperium* after a return to Rome in October 47 (e.g. Gelzer 1969, Rawson 1983, Damon 2015). The usual citation for this date is *Pro Ligario* 7, where Cicero claims Caesar let him *fascis laureatos tenui quoad tenendos putavi*. However, I will argue that it is more likely that Cicero laid down his *imperium* when he left Brundisium in late September rather than when he crossed the *pomerium* in Rome at some later date in 47. Once Cicero had received assurances from Caesar that it was safe to remain in Italy, there was no reason for him to continue to possess his proconsular *imperium*. My reinterpretation of *Lig.* 7 not only clarifies Cicero's movements in late 47, for which we lack first-hand evidence, but also illuminates a specific component of Cicero's strategy for refashioning himself as an independent actor, one empowered to withdraw from politics on his own terms, and not simply another recipient of Caesar's famous *clementia*.

Caesar may well have told Cicero to keep his *imperium* as long as he wished, and Cicero certainly returned to Rome by the end of 47 (*Fam.* 9.1). But *Lig.* 7 does not provide a definite date, and we lack any correspondence securely datable to October to December 47 that might settle the matter. We know that Cicero left Brundisium in late September after his meeting with Caesar, as *Fam.* 14.20 to Terentia was written on 1 October from Venusia. Shackleton Bailey dates the meeting with Caesar to September 25, which gives Cicero approximately five days to travel to Venusia, some 200 kilometers from Brundisium along the Via Appia. Cicero told Terentia that he expected to be in Tusculum by the Nones, a trip of several hundred more kilometers. It is unlikely that Cicero would have deviated to Rome simply to step across the *pomerium*, especially since he showed no enthusiasm for returning to Rome (*Fam.* 9.1.2) and had told Terentia that he intended to stay for a long time at Tusculum.

We can reconcile the ambiguity in *Lig. 7* by accepting that Cicero laid down his *imperium* in Brundisium, not Rome. Not only was such an action possible, but probable. Three reasons support this revised date. First, there seems to be no prohibition for someone to lay down *imperium* if they wished. Cicero had twice during the civil war considered it, both times when crossing the *pomerium* would have been impossible (*Att. 7.7, 9.1.3*). Both Gelzer and Stroh 2010: 76 have considered that Cicero released his lictors before entering the city; however, Cicero often used his lictors as metonymy for his *imperium* (e.g. *Att. 7.12.4, 7.20.2*). Second, Cicero's *imperium* was completely ceremonial, as it had been since his refusal to take command in Campania and Pompeii during the civil war. He retained it only as long as it would provide him with protection against the Caesarians, particularly Antony, who controlled Italy in Caesar's absence. While Cicero believed that the war continued, and that Caesar's position was not entirely secure, holding *imperium* served as a shield of sorts. Cicero represented the last remnant of the pre-war Senate's authority remaining in Italy, and his death would have made him a martyr for the cause, making him a rallying point for continued resistance in Italy, as he had recognized in May 49 (*Att. 10.12a.2, 10.15.2*). After the meeting with Caesar, however, there was no need for Cicero either to fear for his own safety or remain in a position to command troops. Indeed, Cicero in *Lig. 7* links his *fascēs* with his own *salus*, and claims that Caesar would not have guaranteed his safety without the trappings that accompanied it. Finally, the statement in *Lig. 7* must be considered in light of the speech's rhetorical purpose. In the three Caesarian speeches, Cicero makes a concerted effort to reestablish his identity as an orator in the courts (e.g. Montague 1992: 573) and his ability to act independently of Caesar's wishes. The phrase *quoad tenendos putavi* turns Caesar's generosity into an independent act by Cicero, a proactive step that allowed him to go into retirement on his own terms. He could have maintained his

imperium, and played a role in Caesar's Rome, but instead he chose to lay it down immediately upon receiving permission to keep it.

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