

Cicero's Lictors and the Symbolism of Legitimacy in the Civil War

Cicero's decision to keep the lictors assigned to him as proconsul of Cilicia – despite his repeated comments about the trouble which they were causing him (e.g. *Att.* 7.10.1, 8.1.3, 10.4.10, 11.6.2) – is usually attributed to his naïve desire to celebrate a triumph for military activities in his province [e.g. Marshall 1984, 124]. Cicero certainly entertained hopes of a triumph. But desire for a triumph cannot stand alone as the reason why Cicero continued to endure their presence. If Cicero had truly desired recognition for his military achievements, he could have celebrated a triumph on the Alban Mount, or anywhere outside of Rome's pomerium, without the approval of the Senate, the people, or, after January 49, Caesar (Drogula 2007, 443; cf. *Att.* 11.7.1).

The lictors must have meant more to Cicero. In a telling passage from a letter dated 22 January 49, Cicero comments to Atticus that the lictors which had been granted to him as proconsul of Cilicia were one of many impediments to his freedom of action in the early stages of the civil war (*me cum multa tum etiam lictores impediunt*, *Att.* 7.12.4). Possession of lictors pushed him towards staying, while his friendship with Pompey urged him to go (*Att.* 7.20.2). Ultimately, the lictors accompanied Cicero to Greece and back to Italy after Pharsalus; he dismissed them only after his meeting with Caesar in Brundisium in October 47.

It is strange that Cicero would make specific mention of his lictors as a consideration for his plan of action, and even more curious that he didn't dismiss them given his annoyance at their presence. I propose that the continued possession of his proconsular imperium, and thus his lictors, was part of a strategy of legitimization which was tied inextricably with Cicero's desire to remain neutral in the civil war. In *De Re Publica* (2.55), the lictors and their fasces symbolized the sovereign power of the Roman people and thus the Senate; indeed, Publicola's reforms of the

use of the fasces is tied to the continuance of *libertas*. The lictors symbolized Cicero's appointment by the Senate, the ostensibly free version which operated before the war.

Furthermore, the lictors were a physical manifestation of both Cicero's *dignitas* and the legitimacy of the Senate as the representative of the Roman state. His lictors had been bestowed by the state when Cicero was commissioned proconsul of Cilicia, and the laurels which now decorated them had come as the result of his acclamation as imperator for military actions carried out during his governorship. The lictors, for Cicero at least, became symbols of legitimacy; he was a victorious proconsul, appointed by the Senate and honored by his troops (cf. his comments about Sestius in *Att.* 11.7.1). Contrary to Ullman's (1964, 48) argument, Cicero's continued possession of the lictors was not an attempt 'to restore a bit of his previous popular favor.' Instead, it was part of Cicero's attempt to promote himself as one of the few legitimate representations of the Republic left in Italy while simultaneously augmenting – or increasing – his *dignitas* (Bell 1997, 11; Marshall 1984, 130).

The outbreak of war in January 49 signaled that the Senate – and even the *populus* – was no longer the source of *potestas* or *imperium*. Even the Pompeians dispensed with the usual processes for appointing magistrates; Caesar (*Civ.* 1.6) calls attention to the fact that before the abandonment of Rome magistrates had been sent out 'contrary to all the ancient precedents' (*contra omnia vetustatis exempla*). Authority and power now rested only on the possession of armed soldiers. But by keeping his lictors, Cicero could claim that he was a Roman magistrate, duly appointed by the unified power of the Senate, *populus*, and gods. The symbols of his position provided a public demonstration of his freedom of action, and that he was neither a partisan of Caesar nor of Pompey.

Cicero's dismissal of the lictors after his meeting with Caesar in Brundisium in October 47 signaled that he had accepted Caesar's victory. In Caesar's Rome, there was no place for a Republican magistrate. Freedom had been replaced by a necessary servility. Cicero understood this, and, with the release of his lictors, he acknowledged the death of the Republic and advent of Caesar's autocracy.

Works Cited

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