

Cicero, Caesar, and the SCU of January 49

Why did Cicero lay down his imperium in September 47 BCE in Brundisium instead of in Rome sometime in October? Scholars have long accepted, based on *Pro Ligario* 7, that following his meeting with Caesar on 25 September Cicero, assured that he could keep his imperium as long as he wanted and that his person was now safe, went immediately to Rome to cross the pomerium and lay down his imperium (e.g. Gelzer 1969: 263; Shackleton Bailey 1977: 504; Wistrand 1979: 199; Rawson 1983: 208).

However, I argue in this paper that Caesar's assurances were not enough to convince Cicero to lay down his imperium, and that Cicero certainly didn't cross the pomerium in October. In order to maintain his *dignitas*, Cicero used Caesar's return to Italy as a terminus for the SCU of 7 January 49 that had prorogued his imperium and activated it within Italy. The unique nature of the SCU allowed Cicero to ceremoniously lay down his imperium by returning to Brundisium instead of crossing the pomerium in Rome. Caesar's position in September 47 was much stronger than it had been in January 49. Furthermore, Dio reports that Caesar's return to Italy in 47 also put an end to the public emergency signaled by the SCU issued against Trebellius and Dolabella (D.C. 41.33.1). After the meeting with Caesar, Cicero had cover not only in Caesar's assurances of safety but also in the fact that the conditions that had prolonged his imperium were no longer in existence.

The unusual wording of the SCU, which, contrary to previous incarnations, mentioned praetors and promagistrates in addition to the consuls, is key to understanding the end of Cicero's imperium (Vervaeke 2006: 903-7). The SCU was issued only as a response to a domestic crisis, and the passage of the SCU was tied to the stability of the state and a recognition that a

crisis existed (Golden 2013: 148). Cicero recognized the uniqueness of the SCU (*Att.* 11.6.2; *Fam.* 2.7.4, 15.9.2, 15.14.5; cf. *Caes. Civ.* 1.6). Cicero had twice, before the passage of the SCU, commented that he would lay down his imperium the moment it became embarrassing to him (*Att.* 7.3.2, 7.7.4), and in the second reference he noted that despite being unable to return to Rome to cross the pomerium, wrote that he would use the first gate he saw to get rid of it. Even after the war had started and his imperium activated in Italy he felt that he could simply renounce his imperium by either setting his lictors aside or dismissing them outright (*Att.* 9.1.3), and Mommsen has demonstrated that voluntary *abdicatio* was certainly possible (1887: I.624-30). However, Wisstrand (1979: 64) has argued that it was the SCU that prevented Cicero from returning to private life; for Cicero to refuse his responsibilities would make him a traitor in Pompey's eyes, but to execute them would make him an enemy of the Caesarians. Cicero's letters from January-May 49 are full of indecision and centrist tight-rope walking (sources collected in Wisstrand 1979: 61-161); all he wanted was peace for Rome, neutrality for himself.

This balancing act between Pompey and Caesar was made even more difficult by the passing of the SCU. However, the meeting with Caesar on 25 September 47 created an opportunity for Cicero to abandon his centrist position because Caesar's return made it clear to Cicero that his war was over. The expiration of the SCU allowed Cicero to make a ceremonial *abdicatio* in Brundisium before heading to Tusculum, his intended destination after Brundisium (*Fam.* 14.20). The pessimism in 46 about Caesar's ultimate victory over the Pompeian forces in Africa, and later in 45 after Munda, shows that Cicero was none too happy about the political situation. However, Caesar's return had restored stability to Italy, and, as the last magistrate in Italy covered by the SCU, Cicero could now feel confident that the SCU had expired and he had done his part. With Caesar's goodwill assured and his obligations to Pompey and the state under

the SCU of 7 January 49 fulfilled, Cicero felt secure enough to return to his villa at Tusculum and begin his search for the *otium cum dignitate* that he craved.

Bibliography

Gelzer, M. 1969. *Cicero: ein biographischer Versuch*. Stuttgart.

Golden, G.K. 2013. *Crisis Management During the Roman Republic*. Cambridge.

Mommsen, T. 1887. *Römisches Staatsrecht, I-III*. Leipzig.

Rawson, E. 1983. *Cicero: A Portrait*. Ithaca.

Shackleton Bailey, D.R. 1977. *Cicero: Epistulae ad Familiares*, Vol. I. Cambridge.

Vervaeke, F.J. 2006. "The official position of Cn. Pompeius in 49 and 48 BCE." *Latomus* 65.4: 928-953.

Wisstrand, M. 1979. *Cicero Imperator: Studies in Cicero's Correspondence 51-47 B.C.*
Göteborg.