At two critical junctures in Roman history, M. Tullius Cicero (cos. 63) bitterly complained that Caesar’s legally-guaranteed second quinquennium in the Gauls and Illyricum (from 1 March 54 to 1 March 49) had put him in a formidable position of power vis-à-vis a frustrated Senate.\(^1\) On the 9th of December 50, less then a month before the outbreak of civil war between Caesar and his opponents in the Senate, Cicero indicates in Ad Atticum 7.3.4 (Trebuila) that this second five-year term, protected by law, was one of the main factors that had made Caesar nigh-irresistible. He complains,

\[
\text{Cur imperium illi aut cur illo modo prorogatum est? Cur tanto opere pugnatum ut de eius absentis ratione habenda decem tribune pl. ferrent? His ille rebus ita conualuit ut nunc in uno ciui spes ad resistendum sit; qui mallem tantas ei uiris non dedisset quam nunc tam ualenti resisteret.}
\]

Why was his command extended, and in such a fashion [i.e., in 55 under the terms of the lex Pompeia Licinia]? Why was there such pressure to get the ten tribunes to bring in the law about his candidature in absentia [i.e., for a second consulship in 52, passed with the support of Cn. Pompeius as consul sine conlega]? By these steps, he has become so strong that hope of resistance now depends on one man; and I would rather that he [i.e., Pompeius] had not given Caesar such formidable strength in the first place than that he should resist him now that he is so powerful.

In Ad Atticum 7.6.2 (Formia, ca. 18 Dec. 50), Cicero repeats the same bitter complaint:

\[
\text{Cur autem nunc primum ei resistam(us)? ‘οὐ γὰρ δὴ τόδε μεῖζον ἔπι κακόν’ quam cum quinquennium prorogabamus, aut cum ut absentis ratio haberetur ferebamus, nisi forte haec illi tum arma dedimus ut nunc cum bene parato pugnaremus.}
\]

\(^1\) All dates are BCE, unless indicated otherwise.
And why should we start standing up to him now? ‘Sure, ’tis no worse a thing’ than when we gave him his five years extension or when we brought in the law authorizing his candidature in absentia. Or did we put these weapons into his hands only to fight him now that he is equipped and ready?

In September 44, Cicero again calls to mind in *Philippicae* 2.24 that Caesar’s legally-guaranteed second *quinquennium* proved a formidable weapon against the Senate:

*Duo tamen tempora inciderunt quibus aliquid contra Caesarem Pompeio suaserim; ea uelim reprehendas, si potes: unum ne quinquenni imperium Caesari prorogaret, alterum ne pateretur ferri ut absentis eius ratio habetur. Quorum si utrumuis persuasisses, in has miseris numquam incidissimus.*

However, there were two occasions when I advised Pompeius against Caesar’s interests, and you may blame me if you can: one when I advised him not to prorogue Caesar’s five-year command, the other when I cautioned him against letting through the proposal that Caesar should be permitted to stand for office in absentia. If he had listened to me on either point, we should never have fallen on these evil times.

Indeed, legally-defined tenure simply meant that the Senate alone could not recall the provincial commander concerned before the expiry date of his term. In this respect, it is also well worth calling to mind that at the beginning of 43, as Caesar Octavianus and Marcus Antonius were still fighting each other, the Senate passed a decree abolishing,

*πάνυ δ’οσα ἐν τῷ πρὶν δυναστείας τοῖν ἕξω τῶν πατρίων δοθέντα παρε-σχενάκει προκατέλλοσαν, ἐπ’ ἀμφοτέρος μὲν ποια τἀυτά ψηφισάμενοι ώς καὶ προκαταλήψαμεν δι’ αὐτῶν τὸν νικήσοντα, την δὲ αἰτίαν ἐς τὸν ἐτέρων τὸν ἤπτηδησόμενον μέλλοντες ἀναφέρειν. τοῦτο μὲν γὰρ ἀπο-πιστεύσαν μισθένα ἐπὶ πλείῳ χρόνον ἐνιαυτοῦ ἀρχεῖν, τοῦτο δὲ ἀπογόνοιςαν μήτε τινὰ σίτου ἐπιμελητὴν μήτε τροφῆν ἐπιστάτην ἕνα ἀίδεψθαι.*

all the privileges the granting of which hitherto to any individuals contrary to established customs had paved the way for supreme power; they voted, of course, that this decree should apply to both parties, intending thereby to forestall the victor, but planning to lay the blame upon the other who should be defeated. In the first place, they forbade anyone to hold office for a longer period than a year, and, second, they provided that no one man should be chosen superintendent of the corn supply or commissioner of food.²

² Dio 46.39.1–3.