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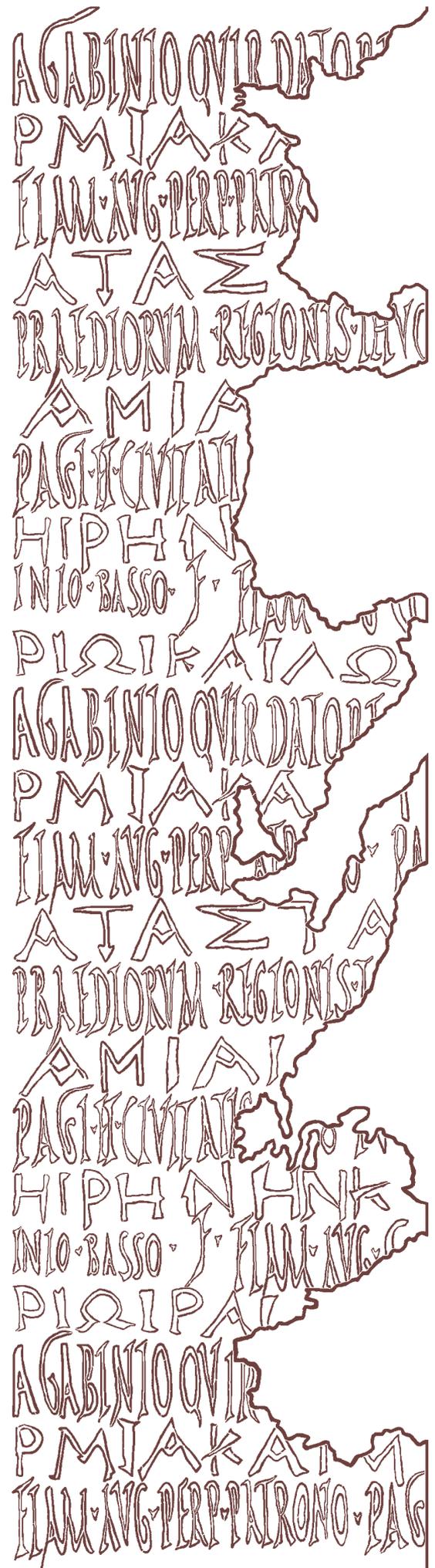
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PRIESTS AND SENATORS:
THE *DECEMVIRI SACRIS FACIUNDIS*
IN THE MIDDLE REPUBLIC (367 – 104 BCE)*

Renee Nicole O'BRIEN**, Frederik Juliaan VERVAET***

Résumé. – Cette étude explore la fonction politique du sacerdoce romain des *decemviri sacris faciundis* et leur consultation des *libri Sibyllini* pendant la période centrale de la République romaine, en se concentrant spécifiquement sur la période de 367 à 104 avant notre ère. S'appuyant sur des études antérieures, cet article soutient que le Sénat romain a toujours maintenu un contrôle fort sur le Décemvirat, et qu'il a par conséquent utilisé ce sacerdoce pour atteindre différents objectifs politiques sous couvert de sanction divine. Une analyse minutieuse d'un certain nombre de situations dans lesquelles le Sénat a recouru au décemvirat ainsi que la nature des expiations qu'ils ont recommandées jettent un nouvel éclairage sur les véritables raisons pour lesquelles le Sénat a consulté le matériel oraculaire.

Abstract. – This study explores the political function of the Roman priesthood of the *decemviri sacris faciundis* and their consultation of the *libri Sibyllini* during the Roman Middle Republic, specifically focusing on the period from 367 – 104 BCE. Drawing on earlier scholarship, this paper argues that the Roman Senate consistently maintained strong control over the decemvirate, and that it consequently used this priesthood to achieve different political objectives in the guise of divine sanction. Careful analysis of a number of situations in which the Senate resorted to the decemvirate as well as the nature of the *expiationes* they recommended casts a new light on the Senate's true reasons for consulting the oracular material.

Mots-clés. – période centrale de la République romaine, *decemviri sacris faciundis*, *libri Sibyllini*, le Sénat, religion romaine.

Keywords. – Middle Republic, *decemviri sacris faciundis*, *libri Sibyllini*, Senate, Roman Religion.

* *Abbreviations.* – *IG* = *Inscriptiones Graecae* (Berlin, 1895-); *OCD* = S. HORNBLOWER, A. SPAWFORTH, E. EIDINOW, eds., *The Oxford Classical Dictionary*, 4th ed. (Oxford: Oxford University Press, 2012); *SEG* = *Supplementum epigraphicum graecum* (Leiden, 1923-). The main results of this study were presented on 8 October 2019 at the University of Toulouse II – Jean Jaurès in a seminar on 'la religion et le pouvoir sous la république romaine' organized by the excellent and indefatigable Dr Thibaud Lanfranchi, and we are most thankful for the valuable feedback received during the ensuing discussion. We are especially grateful to Professor Corinne Bonnet for her strong encouragement to get this study published in a suitably prestigious journal. We are also much obliged to the anonymous referees for their useful suggestions and constructive criticism of an earlier draft of this paper. All remaining flaws and errors are ours alone. All dates are BCE, and all translations derive from the *Loeb Classical Library*, modified where necessary.

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1. – INTRODUCTION

The *decemviri sacris faciundis*¹ are well known as one of the three major priestly colleges of the Roman Republic, alongside the *augures* and the *pontifices*. Their religious function is understood as follows: to recommend expiatory rites from the *libri Sibyllini* when instructed by the Senate in response to the occurrence of *prodigia* and/or state crises thought to be inflicted by the gods. Whereas F. Van Haeperen and K. Webb have investigated the political roles of the *pontifices* and *augures* respectively, the senatorial prerogatives and objectives that may lie behind the decemvirate's recommendations have not yet been fully explored.²

In a pioneering study, A. Boyce traced the development of the decemvirate's activity and influence from their legendary foundation under the Roman monarchy to the destruction of the *libri Sibyllini* in 83.³ In the first monograph solely dedicated to the subject, C. Santi explores the role of the *decemviri* and the *libri Sibyllini* within Roman religion and social culture, for example exploring their role in maintaining the *pax deorum*.⁴ More recently, M. Monaca has highlighted the importance of the political context of the consultations, discussing a series of instances in which consuls and emperors resorted to the books for personal gain.⁵ In his most recent book on the decemvirate, A. Gillmeister explores the structure, activity and function of the *decemviri* within Roman public religion. Gillmeister argues that they were a religious commission of the Senate without a permanent mandate, prevalent in times of social unrest, and amply discusses their role in uniting the Italian peninsula through their *expiationes*.⁶ While this scholarship meritoriously addresses a number of gaps in the study of this particular college, the political function of the decemvirate is not their primary focus.

Others have looked at certain political aspects of the decemvirate's activities. G. Liberman and J. Scheid both investigate the series of official documents produced by the *collegium* through the process of consultation and recommendation.⁷ In a chapter dedicated to the *libri Sibyllini*,

1. Given the chronological scope of this inquiry herein consistently referred to as the *decemviri* or the decemvirate.

2. F. VAN HAEPEREN, *Le collège pontifical (3^e s. a.C.-4^e s. p.C.)*. Contribution à l'étude de la religion publique romaine, Brussels-Rome 2002 and K.T. WEBB, *A Prosopographical Study of the collegium augurum in the Roman Republic: from the Ogulnian plebiscite to the lex Domitia*, unpublished MA Diss., University of Melbourne 2015.

3. A.A. BOYCE, «The Development of the *Decemviri Sacris Faciundis*», *TAPhA* 69,1938, p. 161-187. On Livy's and Vergil's treatment of the arrival of the Sibylline Books in Rome, see now P.A. JOHNSTON, «Livy versus Vergil: The Beauty of Cattle, and How the Sibylline Books Came to Rome» in A. GILLMEISTER ed., *Rerum gestarum monumentis et memoriae. Cultural Readings in Livy*, Warsaw 2018, p. 53-65.

4. C. SANTI, *I Libri Sibyllini e i Decemviri Sacris Faciundis*, Rome 1985 and *id.*, «*I Viri Sacris Faciundis Tra Concordia Ordinum e Pax Deorum*» in M. ROCCHI, P. XELLA, J.A. ZAMORA eds., *Gli Operatori Culturali*, Verona 2006, p. 171-184.

5. M. MONACA, *La Sibilla a Roma – I Libri Sibyllini fra religione e politica*, Cosenza 2005.

6. A. GILLMEISTER, *The Guardians of the Sibylline Books – The Viri Sacris Faciundis College in Roman Religion*, Lugano 2019 and *id.*, «The Role of the *Viri Sacris Faciundis* College in Roman Public Religion» in D. MUSIAL ed., *Society and Religions. Studies in Greek and Roman History, Volume 2*, Toruń 2007, p. 57-74.

7. G. LIBERMAN, «Les documents sacerdotaux du collège *sacris faciundis*» in CL. MOATTI ed., *La mémoire perdue. Recherches sur l'administration romaine. Actes des tables rondes de Rome*, Rome 1998, p. 65-74 and J. SCHEID, «Les Livres Sibyllins et les archives des quindécemvirs» in *id.*, p. 11-26.

E. Orlin argues that the *collegium*'s recommendations for temple building to particular gods reflect senatorial attempts to control whom the citizens could worship.⁸ E. Gruen investigates the diplomatic purpose behind the Magna Mater's introduction, claiming that the Senate chose this particular goddess because it was anxious to bolster friendship and alliances in the East.⁹ Z. Várhelyi contends that the three recommendations for the live burial of Greeks and Gauls were designed as an outlet for the psychological issues produced by constant warfare.¹⁰ In an article examining senatorial responses to *prodigia*, Y. Berthelet asserts that the Senate appeared to call on the decemvirate over the other *collegia* when their recommendations could provide a political or diplomatic benefit to Rome.¹¹ Though making significant inroads into the exploration of the decemvirate as a tool of senatorial power, these studies, too, only highlight specific aspects of the *collegium*'s political function.

For the period here considered, no study to date has attempted to elucidate the entire scope of the Senate's control of the *decemviri* and the political objectives behind the consultations. Building on the abovementioned scholarship, this article therefore endeavours to fill some of this void, hopefully sparking further interest in this deserving issue.¹² The *leges Liciniae Sextiae* of 367 provide a good point of departure, as one of these increased the membership of the college *sacris faciundis* from two to ten and mandated that five members must be plebeian, freeing the priesthood from involvement in the factional disputes of the Struggle of the Orders.¹³ The year 104 makes for a good *terminus ante quem* since the *lex Domitia* enforced popular election for the major *collegia*, removing the decemvirate's power to co-opt its own members.¹⁴ First, this enquiry will briefly elaborate on the Senate's overall relationship with the major priestly colleges in this period. This will be followed by a close look at the Senate's relationship with the decemvirate in order to determine the extent of its institutionalized and

8. E.M. ORLIN, *Temples, Religion and Politics in the Roman Republic*, Leiden 1997, p. 81-97.

9. E.S. GRUEN, *Studies in Greek Culture and Roman Policy*, Leiden 1990, p. 15-33.

10. Z. VÁRHELYI, «The Spectres of Roman Imperialism: The Live Burials of Gauls and Greeks at Rome», *ClAnt* 26, 2007, p. 277f., 301.

11. Y. BERTHELET, «Colère et apaisement des dieux de Rome. Remarques sur la réponse graduelle des autorités républicaines à l'angoisse suscitée par les prodiges», *Mythos* 4, 2010, p. 24f. For a comprehensive introduction into the subject of *prodigia* in Rome until the establishment of the Augustan new order, see D. ENGELS, *Das römische Vorzeichenwesen (753-27 v.Chr.). Quellen, Terminologie, Kommentar, historische Entwicklung*, Stuttgart 2007. For a sequel of sorts to Engels' sizable study, see F. SANTANGELO, «Prodigies in the Early Principate? » in L. G. DRIEDIGER-MURPHY, E. EIDINOW eds., *Ancient Divination and Experience*, Oxford 2019, p. 154-177. On prodigies in Livy, see now C. SANTI, «Livio e i prodigi» in A. GILLMEISTER ed., *op. cit.* n. 3, p. 67-83.

12. Compare Y. BERTHELET, *art. cit.* n. 11, p. 25, n. 99, who rightly observes that this topic needs to be examined in greater detail.

13. Livy VI, *Ab Urbe Condita*, 42.2. Given the high number of references to Livy's work in this study, we will continue to cite this source by the name of the author alone, omitting the reference to the name of his partly preserved history.

14. Cic. II, *De Lege Agraria*, 7 and Vell. Pat. II, *Historiae Romanae*, 12.3. On this law see J.A. NORTH, «*Lex Domitia* Revisited» in J.H. RICHARDSON, F. SANTANGELO eds., *Priests and State in the Roman World*, Stuttgart 2011, p. 39-49 and G.J. SZEMLER, *The Priests of the Roman Republic. A Study of Interactions between Priesthoods and Magistracies*, Brussels 1972, p. 30.

de facto control over this college. Subsequently, the focus will be on detecting unequivocal senatorial motives in a series of well-documented decemviral recommendations. This effort will concentrate on three particular themes: war crises, persistent *pestis* and the importation of foreign gods into the Roman pantheon.¹⁵ This paper will thus for the first time survey the extent of the decemvirate's political role in this period, revealing the numerous ways in which the Senate used this college to achieve a variety of political aims in the guise of divine sanction purportedly announced by the Sibyl.

2. – FUSING RELIGION AND POLITICS: THE SENATE AND THE *COLLEGIA*

Throughout the period under study, the Roman Senate grew significantly in power and importance. Initially, it was embroiled in the so-called Struggle of the Orders (494-287), the outcomes of which resulted in significant changes to its own organisation and composition. A series of successive laws steadily eroded the patrician monopoly on the most important political and religious offices of the Republic, allowing plebeians access to these elite positions and in turn to the Senate itself.¹⁶ By ca. 300, the ensuing patricio-plebeian nobility had been consolidated, and the Senate had acquired a stronger position vis-à-vis the consuls, enabling it to become a forerunner in all Roman affairs of state.¹⁷

Importantly, many members of the Senate were simultaneously members of the major *collegia*. Out of the total number of (possible) senators identified by T.R.S. Broughton during this period,¹⁸ at least 34 were *augures*, 47 *pontifices*, and 24 *decemviri*.¹⁹ These figures could potentially be much higher, given that the offices of many individuals in this period are either unknown or impossible to establish with certainty because of the meagre and unreliable source materials. Nonetheless, a strong interplay between religious office in the *collegia* and

15. The paper does not attempt to be exhaustive and will not analyse every consultation of the *decemviri* in this period, as there are far too many for the length of this article. Only those that are recorded in enough detail and are relevant to the study at hand will be examined, noting that no consultations in this period contradict the arguments made. For an exhaustive list of the consultations in this period see the tables compiled by M. MONACA, *op. cit.* n. 5, p. 279-284 and A. GILLMEISTER, *Strażnicy ksiąg sybillińskich Collegium viri sacris faciundis w rzymskiej religii publicznej*, Zielona Góra 2009, p. 179-192.

16. For a summary of the key legislation, see S.P. OAKLEY, «The Early Republic» in *The Cambridge Companion to the Roman Republic*, New York 2014², p. 5-7.

17. A. LINTOTT, *The Constitution of the Roman Republic*, Oxford 1999, p. 68-72 and S.P. OAKLEY, *A Commentary on Livy Books VI-X, Vol.3, Book IX*, Oxford-New York 2005, p. 386.

18. Unfortunately, an exact number cannot be reached. While we know that there were 300 members of the Senate in the pre-Sullan period, we do not know which ex-magistrates were admitted and who was expelled each year, meaning that the number of members across the period cannot be determined. On the membership of the Senate and the process of the *lectio senatus* in this period see Cic. III, *De Legibus*, 12; Festus, *Gloss. Lat.* 290; A. LINTOTT, *op. cit.* n. 17, p. 68-72 and S.P. OAKLEY, *art. cit.* n. 17, p. 384.

19. T.R.S. BROUGHTON, *The Magistrates of the Roman Republic, Vol. 1: 509-100 BC*, New York 1951, p. 113-562 and J. RÜPKE, *Fasti Sacerdotum: A Prosopography of Pagan, Jewish, and Christian Religious Officials in the City of Rome, 300 BC to AD 499, Revised Edition*, New York 2008, p. 69-112. See also the relevant biographies of the individuals.

political office in the Senate is evident. As co-optation typically preceded holding significant magistracies, membership in the major *collegia* constituted a vital requisite for young men and their budding political careers. Co-optation served as a form of political patronage for the prominent families who swamped the priesthoods. The new member would enter into friendship with the priests who were already politically prominent and could thus provide additional support for the newcomer as he advanced his own political career.²⁰ The *collegia* either co-opted sons or close relatives of their current members, or sons of exceptionally prominent fathers, whose favour the priests wished to gain or whose influence affected co-optation. This ensured that the elite families of Rome maintained a tight monopoly on the priesthoods, and, by consequence, the Senate.²¹ This control over the priesthoods was reinforced by the allegiance between the prominent families, forged by social ties such as marriage, in turn influencing political decisions made in the Senate.²² Thus the existence of senator-priests in republican Rome projected the Senate's already extensive influence into the religious realm.

3. – MAKING USE OF THE SIBYL'S AUTHORITY: THE SENATE AND THE DECEMVIRI

The Senate's involvement with, and control over, the decemvirate was particularly extensive in numerous ways, both in its official capacity and informally. The *decemviri*, like the other major republican *collegia*, were completely dependent upon senatorial activation for religious expiation. The ancient sources repeatedly state that the priests only consulted the *libri Sibyllini* upon the Senate's instruction.²³ After consulting the books, the *decemviri* had to report back to the Senate with a *responsum* containing the oracles they had found to be relevant to the situation at hand. Only after collaborating with the Senate were *expiationes* approved, published and implemented, maybe even formulated.²⁴ The extent to which the genuine oracles explicitly related to the crises and recommended specific *remedia* is doubtful, given the limited oracular material available for a wide variety of situations.²⁵ Unlike the oracle concerning hermaphrodites cited by Phlegon of Tralleis, which predicted the specific *prodigium* at hand

20. D.E. HAHM, «Roman Nobility and the Three Major Priesthoods, 218-167 B.C.», *TAPhA* 94, 1963, p. 82f.

21. G.J. SZEMLER, *op. cit.* n. 14, p. 28-33 and p. 69-76.

22. M. GELZER, *The Roman Nobility*, Oxford 1969, p. 62-122 analyzes in detail the various forms of political allegiances in republican Rome that united the leading aristocratic families, including personal relationships, patronage, political friendships and financial obligation.

23. Dion. Hal. IV, *Antiquitates Romanae*, 62.5; Livy V, 13; V, 50; VII, 27; XXI, 62.6; XXII, 1.14-7; XXII, 9.8; XXII, 36.6; XXII, 57.4; XXV, 12; XXXI, 12.9; XXXIV, 55.3; XXXV, 9.5; XXXVI, 37.4; XL, 19.4; XL, 37.2; XLI, 21.10; XLII, 20 and XLV, 16.

24. Livy XXII, 9.9; XXV, 12.12 and XXXVI, 37.4. For an analysis of the step-by-step process see J. SCHEID, *art. cit.* n. 7, p.13.

25. The *libri Sibyllini* contained only three scrolls of oracles: Aul. Gell. I, *Noctes Atticae*, 19; Dion. Hal. IV, *Antiquitates Romanae*, 62; Lact. I, *Divinae Institutiones*, 6.10f.; Pliny XIII, *Naturalis Historia*, 27.88; Serv. VI, *Ad Aeneid*, 72 and Zon. VII, *Epitome Historiarum*, 11.1. On the written material available to and produced by the *decemviri* see G. LIBERMAN, *art. cit.* n. 7, p. 65-74 and J. SCHEID, *art. cit.* n. 7, p. 11-26.

and prescribed specific *expiationes*, they were more likely quite vague and general so that they could be applied to a variety of circumstances.²⁶ The Senate therefore had ample opportunity to influence the content of their recommendations before any expiatory action was taken. Furthermore, the Senate could outright ignore their advice if it was unsolicited, as was the case in 143 when the *decemviri* repeatedly warned that the *Aqua Marcia* should not be brought to the Capitol, but this was overruled in favour of the influential builder, Q. Marcius Rex (*pr.* 144).²⁷ The Senate therefore controlled the decemvirate's capacity to act and its entire procedure.

The very composition of the decemvirate further strengthened the Senate's sway over the college. As mentioned in the previous section, the overwhelming majority of the priests were simultaneously members of the senatorial elite. Unfortunately, the sources rarely name individual decemvirs, significantly limiting our prosopographical data for this *collegium*. From the priesthood's foundation under the Roman monarchy until 104, of the 29 decemvirs named in the sources, 15 held the consulship and 9 lower magistracies.²⁸ Given that most members were co-opted into the *collegium* prior to holding significant political office, their priestly and magisterial positions overlapped once enrolled into the Senate.²⁹ Importantly, this enabled the Senate to be involved in the single stage of the *collegium*'s process from which non-members were forbidden: the actual consultation of the *libri Sibyllini*.³⁰ Through the presence of senator-priests at the consultation, the Senate could indirectly influence the oracles chosen by the *decemviri* for each situation, consequently impacting upon the *expiationes* formulated.

26. Phlegon X, *De Mirabilibus*. On the genuineness of Phlegon's oracle and the likely reasons for its publication see L. BREGLIA PULCI DORIA, *Oracoli Sibillini tra Rituali e Propaganda: Studi su Flegonte di Tralles*, Naples 1983, p. 286-288; H. DIELS, *Sibyllinische Blätter*, Berlin 1890, p. 25-37; Phlegon of Tralles, *Book of Marvels*, translation and commentary by W. HANSEN, Exeter 1997, p. 126-137; B. MACBAIN, *Prodigy and Expiation: A Study in Religion and Politics in Republican Rome*, Brussels 1996, p. 127-135; T. MAZUREK, «The *Decemviri Sacris Faciendis*: Supplication and Prediction» in C.F. KONRAD ed., *Augusto Augurio: Rerum Humanarum et Divinarum Commentationes in Honorem Jerzy Linderski*, Struttgart 2004, p. 156f.; J.A. NORTH, «Prophet and Text in the Third Century B.C.» in E. BISPHAM, C. SMITH eds., *Religion in Archaic and Republican Rome and Italy: Evidence and Experience*, Edinburgh 2000, p. 102-104; E.M. ORLIN, *op. cit.* n. 8, p. 80; H.W. PARKE, *Sibyls and Sibylline Prophecy in Classical Antiquity*, London-New York 1988, p. 200f.; and S. SATTERFIELD, «Notes on Phlegon's Hermaphrodite Oracle and the Publication of Oracles in Rome», *RhM* 154, 2011, p. 117-124. On the nature of the Sibylline oracles in general see Cic. II, *De Divinatione*, 110-2; J.S. REID, «Human Sacrifices at Rome and Other Notes on Roman Religion», *JRS* 2, 1912, p. 38; H.W. PARKE, *op. cit.*, p. 6-15 and J. SCHEID, *op. cit.* n. 7, p. 12-17.

27. Front. I, *De Aquae Ductu Urbis Romae*, 7. On this topic see A. GILLMEISTER, *op. cit.* n. 6, p. 131-132 and M. MONACA, *op. cit.* n. 5, p. 75-77.

28. J. RÜPKE, *op. cit.* n. 19, p. 69-112 and relevant biographies of the individuals. The political careers of the remaining 5 officials are unknown. For similar prosopographical calculations for the period see T.R.S. BROUGHTON, *op. cit.* n. 19, p. 113-558; A. GILLMEISTER, *op. cit.* n. 15, p. 149-157; D.E. HAHM, *art. cit.* n. 20, p. 73-75; S.W. RASMUSSEN, *Public Portents in Republican Rome*, Rome 2003, p. 173; and G.J. SZEMLER, *op. cit.* n. 14, p. 157-166. We do not have enough named individual decemvirs and prosopographical information to determine whether all members of the *collegium* were senators.

29. For the *decemviri* specifically see G.J. SZEMLER, *op. cit.* n. 14, p. 186f.

30. Dion. Hal. IV, *Antiquitates Romanae*, 62.4-6 specifically states that only the officials and their public slaves were allowed to consult the oracles.

In addition, the changes made to the *collegium's* membership by the *leges Liciniae Sextiae* in 367 suggest uninterrupted senatorial domination. One of these laws increased their numbers from 2 to 10 officials and ruled that half the members must always be plebeian.³¹ This even composition of the *collegium* allowed for the constant possibility of stalemate in voting, in contrast to the uneven numbers of the *pontifices* and *augures* enforced by the *lex Ogulnia* 67 years later in 300, ensuring a majority would always be reached in their decision-making.³² Furthermore, the relative anonymity of the individual members in the sources may also be significant. When reporting on consultations, the sources typically refer to the *collegium* as a whole or the *libri Sibyllini* alone, rather than naming the officials individually.³³ From 367 – 104, only 27 *decemviri* are specifically named by the sources, compared to 45 *augures* and 52 *pontifices*.³⁴ This suggests that the *decemviri* possessed only collective power, requiring all members to be present to consult the oracles. They did not possess any individual power like the *pontifices* and *augures* who could act independently of their *collegium*.³⁵ Y. Berthelet even argues that the *decemviri* were only resorted to when the *pontifices* recommended it to the Senate, as secondary to their own priestly advice and only when the *prodigia* were new or particularly concerning.³⁶ The *decemviri* thus more likely voted in their capacity as members of the Senate than as priests of the *collegium*. Analysis of the *collegium's* procedure for consulting the *libri Sibyllini* and its composition strongly suggests that the *decemviri* were largely subordinate to the power and will of the Senate, moreso than the *pontifices* and *augures*. In light of this, examination of individual decemviral consultations can reveal different prerogatives of the Senate.

31. Livy VI, 42.2. In 81 Sulla's *lex Cornelia de Sacerdotibus* would again increase the *collegium's* numbers, specifically from 10 to 15. The members consequently became known as *quindecemviri*. For this law see Livy LXXXIX, *Periochae* and W. KUNKEL, R. WITTMANN, *Staatsordnung und Staatspraxis der römischen Republik. Zweiter Abschnitt. Die Magistratur*, Munich 1995, p. 708f.

32. Livy X, 6.3-9.2. The *pontifices* and *augures* were increased from three to nine members, five of which must always be plebeian.

33. For references to the *collegium* as a whole: Livy VII, 27.1; XXI, 62; XXII, 1; XXII, 9; XXII, 36; XXII, 57; XXV, 12; XXXI, 12; XXXIV, 55; XXXV, 9; XXXVI, 37; XXXVII, 3; XXXVIII, 35; XXXVIII, 36; XXXVIII, 44; XL, 19; XL, 37; XL, 45; XLI, 21; XLII, 2; XLII, 20; XLIII, 13 and XLV, 16. For references to the *libri Sibyllini* alone: Livy VII, 28.6-8; X, 31; X, 47; XXIX, 10; *Periochae*, XXII; XXIX and XLIX.

34. J. RÜPKE, *op. cit.* n. 19, p. 69-112. Only those names that are historically verified are included here. Only the proper *pontifices* (including the *pontifex maximus*) are included in the pontifical statistic, the constituents of the wider *collegium* – the *rex sacrorum*, *flamines*, *uestales* and *pontifices minores (scribae)* – are excluded. The number would be significantly higher if they were taken into account.

35. For the augurs' capacity to act individually, see J. LINDERSKI's magisterial «The Augural Law», *ANRW* 2, 1986, p. 2190-2222; for the pontiffs', particularly the *pontifex maximus*, see M. BEARD, «Priesthood in the Roman Republic» in M. BEARD, J.A. NORTH eds., *Pagan Priests: Religion and Power in the Ancient World*, London 1990, p. 25; R.M. OGILVIE, *The Romans and their Gods*, London 1969, p. 107f.; and F. VAN HAEPEREN, *op. cit.* n. 2, p. 86-88.

36. Y. BERTHELET, *art. cit.* n. 11, p. 25. The *pontifices* recommended consulting either the *decemviri* or the *haruspices*.

4. – PACIFYING POPULAR PANIC: WAR CRISES

Throughout this period, the Senate frequently called upon the *decemviri* to propitiate the gods after Rome experienced military disaster. This was particularly the case during the Second Punic War, a period for which J-C. Lacam highlighted the Roman people's strict observance of all religious practises and an unwavering commitment to restoring the *pax deorum*, in a determined bid to stave off military defeat.³⁷ In the first three years of the war, viz. 218 to 216, the Senate ordered the decemvirate to consult the *libri Sibyllini* five times in response to the succession of military defeats that enabled Hannibal to close in on Rome, posing a major threat to the Republic's existence. Never before had the *libri* been consulted so frequently, including the first known instance of two consultations within the same year (namely 217).³⁸ In addition, there is a considerable peak in the detail, number and variety of *expiationes* the priests recommended from these particular consultations.³⁹ So why did the Senate resort to this particular *collegium* for religious advice so frequently in such a short period of time?

As Livy and Polybius' accounts of the war show, the occurrence or threat of military defeat produced the sort of mass hysteria and widespread religious panic that could threaten civil order in Rome.⁴⁰ As A. Gillmeister cogently argues, the *decemviri* figure particularly prominently in our sources during such times of social unrest.⁴¹ In 1979, J. Liebeschuetz hypothesized that Roman *diuinatio* served as a means for the Senate to dispel such panic, generate confidence, boost morale and reinforce senatorial authority among the army and general public in times of defeat, disaster and crisis. He argued that this was achieved by consulting the religious experts and implementing their *expiationes*. He believed that, in conjunction with senatorial wishes, the *remedia* were geared to generate a ritual sense of community action and divine reconciliation that unified the *res publica* in times of doubt and uncertainty.⁴² Regardless of the utility of this theory, Liebeschuetz's generalist approach earned him some due criticism. First and foremost, he failed to apply his hypothesis to a particular type of *diuinatio* or its *expiatio*. Second, his argument about the unity, solidarity and control created by the *remedia* can be

37. J-C. LACAM, *Variations rituelles. Les pratiques religieuses en Italie centrale et méridionale au temps de la deuxième guerre punique*, Rome 2010, p. 21f.

38. W.W. FOWLER, *The Religious Experience of the Roman People, from the Earliest Times to the Age of Augustus*, London 1911, p. 318. It occurred in 217 and then again immediately after in 216. See n. 44 below for the ancient source references to each.

39. For more on this see A.A. BOYCE, *art. cit.* n. 3, p. 179-182; T. MAZUREK, *op. cit.* n. 26, p. 151-155 and H.W. PARKE, *op. cit.* n. 26, p. 197 and 202.

40. W.W. FOWLER, *op. cit.* n. 38, p. 315 and J. SCHEID, «Livy and Religion» in B. MINEO ed., *A Companion to Livy*, Chicester 2015, p. 85.

41. A. GILLMEISTER, *op. cit.* n. 6, p. 87-89.

42. J.H.W.G. LIEBESCHUETZ, «The Late Republic» in *Continuity and Change in Roman Religion*, Oxford 1979, p. 9f. and 16.

said of any repeated community activity or ritual during crisis.⁴³ Application of his argument specifically to the consultations of the *decemviri* during the Second Punic War will therefore test his theory.

Close analysis of one of these five consultations should suffice to demonstrate the validity of J. Liebeschuetz's hypothesis when applied specifically to the *decemviri*.⁴⁴ In the winter of 218 the Romans lost the first battle of the war at Trebia due to the poor command of their consul Tiberius Sempronius Longus. This defeat allowed Hannibal to cross the Po River into Roman territory, making it clear that the war would be fought in close proximity to Rome.⁴⁵ When news of this defeat hit the city, Livy details the popular panic that erupted in Rome:

Romam tantus terror ex hac clade perlatus est ut iam ad urbem Romanam crederent infestis signis hostem uenturum nec quicquam spei aut auxilii esse quo portis moenibusque uim arcerent.

"In Rome news of this disastrous defeat caused such panic that people fancied that at any moment Hannibal would be at the city gates. There was no hope, it seemed, nothing to help them defend the gates and walls from assault."⁴⁶

Fear and uncertainty thus gripped the Roman public. Numerous ominous *prodigia* were reported throughout Rome and Italy, indicating that the defeat sparked strong *superstitio* in the populace.⁴⁷ Despite his appreciation for republican adherence to *prodigia*,⁴⁸ Livy condemns the public's religious anxiety as excessive and unfounded, suggesting that they were becoming irrational:

Romae aut circa urbem multa ea hieme prodigia facta aut, quod euenire solet motis semel in religionem animis, multa nuntiata et temere credita sunt.

"In the course of that winter many queer things happened in Rome and the country around it – or at least they were said to have happened, and believed, on small evidence, as is the way when men's minds are shaken by superstitious fears."⁴⁹

43. J.A. NORTH, «Diviners and Divination in Rome» in M. BEARD, J.A. NORTH eds, *op. cit.* n. 34, p. 62f.

44. For the four remaining consultations see: Livy XXI, 63-22.1 (Flaminius' religious misconduct, 217), Livy XXII, 7-10 and Polyb. III, *Historia*, 85-7 (defeat at Lake Trasimene 217), Livy XXII, 36.6-9 (general consultation for *prodigia*, 216) and Livy XXII, 54-8 and Polyb. III, *Historia*, 112-8 (Cannae, 216). For a brief analysis of these four remaining consultations see Table 1 *infra*.

45. Livy XXI, 52-7 and Polyb. III, *Historia*, 70-6 recount how Sempronius ignored his colleague Scipio's advice to be patient and cautious so that their troops might recover, and how this led to their defeat by being lured into an ambush at the Trebia River.

46. Livy XXI, 57.1-2. Cf. Polyb. III, *Historia*, 75, who has the details of the defeat come to Rome more gradually after Longus attempted to conceal the truth about the defeat he caused.

47. For the list of *prodigia* see Livy XXI, 62.2-6. Livy details ten but he claims that there are only some of them, suggesting that he has only included the most alarming as he specifically states on other occasions: see, for example, X, 23.1 and XXII, 57.1.

48. Livy XLIII, 13.1-3.

49. Livy XXI, 62.1f.

Evidently, a panicked atmosphere had arisen in Rome at the very beginning of the war, and this needed to be addressed to prevent further chaos erupting in the city as the war continued to play out. Consequently, the Senate ordered the *decemviri* to consult the *libri Sibyllini* and a closer look at the extensive *expiationes* they recommended reveals that they clearly served a pacifying purpose. The *remedia* implemented included two *lectisternia*, two *supplicationes*, a *lustratio*, an *obsecratio*, a sacrifice of *hostiae maiores* and opulent dedications to various gods,⁵⁰ as well as a *votum* by the praetor Gaius Atilius Serranus for no further grievous change to the Republic's situation in the next ten years.⁵¹ Prior to this consultation, the *decemviri* had only ever recommended one or two standard *expiationes*. This extensive list would have taken a considerable amount of time, effort and money to fulfil, revealing the Senate's perception of the extent of the popular agitation it was facing. Importantly, Livy emphasises that "almost the entire community was engaged in the business of expiation."⁵² These *expiationes* were therefore intended to involve and unite the entire Roman people, distracting them from their anxiety about the future by giving them all tasks to complete. At the same time, the act of religious propitiation generated hope among them that things would soon improve or at least not worsen, as Livy states that the "vows and expiatory rites, authorized by the *libri Sibyllini*, considerably relieved the public mind from its superstitious fears."⁵³ Thus the Senate's recourse to the decemvirate and the extensive *remedia* they implemented in 218 served to quell popular panic about the disastrous situation that was unfolding in the infant years of the war, at least for the time being. This exemplary consultation therefore suggests that Liebeschuetz's hypothesis is essentially correct in regard to this particular form of *diuinitio*.

5. – CONCERN FOR STATE AFFAIRS: PERSISTENT PESTIS

The major cause of the Senate resorting to the decemvirate was not military disaster, however, but virulent plagues afflicting Rome and Italy. Throughout this period, the Senate instructed the *decemviri* to consult the oracles for advice on plague relief at least eleven times, the *pestis* either considered an omen itself or accompanied by other *prodigia*.⁵⁴ In particular, E. Orlin has discovered that the Senate usually requested decemviral advice when the plague

50. Many of these *expiationes* occurred at the sites of the reported *prodigia* and were dedicated to the gods whose manifestations were involved in the *prodigia*. The gods venerated by the *expiationes* included Juno, Fortuna, Juventas, Hercules and Genius. W.W. FOWLER, *op. cit.* n. 38, p. 317 argues that the Senate hoped that sacrifice to Juventas – the deity of young recruits - would increase the male population for manpower.

51. For the more detailed list of *expiationes* see Livy XXI, 62.7-11.

52. *et subinde aliis procurandis prope tota ciuitas operata fuit*: Livy XXI, 62.6.

53. *Haec procurata uotaque ex libris Sibyllinis magna ex parte leuauerant religione animos*. Livy XXI, 62.11.

54. The plagues considered an omen in itself (sometimes accompanied by famine) occurred in 346 (Livy VII, 27), 293 (Livy X, 47), 272 (Oros. IV, *Historiarum Adversum Paganos*, 5), 249 (Val. Max. II, *Factorum et Dictorum Memorabilium*, 4.5), 187 (Livy XXXVIII, 44), 180 (Livy XL, 37), 165 (Iul. Obs., *Liber Prodigiorum*, 13) and 142 (Iul. Obs., *Liber Prodigiorum*, 22). The plagues accompanied by specific *prodigia* occurred in 295 (Livy X, 31), 181 (Livy XL, 19) and 174 (Livy XLI, 21).

had proved to be persistent, in that it had defied previous attempts at expiation.⁵⁵ Numerous other scholars have recognized a general connection between this *collegium* and *pestis*.⁵⁶ None, however, have explored which specific effects of the plague prompted the consultations, meaning that the Senate's true motives in referring the matter to the *decemviri* have not yet been adequately discussed.

Our examination of the plague-related consultations suggests that the Senate was not primarily motivated to respond to the crises by the suffering of the public, but rather by the interruption of state affairs. Analysis of one of the eleven consultations from this period related to plague, viz. that of 181 dealing with a particularly deadly and widespread outbreak of *pestis* which would last into the next year, will elucidate the Senate's self-interest in responding to such unrelenting plagues.⁵⁷ By the time this particular consultation was ordered, so tells us Livy, the plague had already killed a great many people in Rome and Italy:

Pestilentia in agris forisque et conciliabulis et in urbe tanta erat, ut Libitina fune<ribus> uix sufficeret.

“There was a plague of such virulence in the countryside, in the rural towns and administrative centres, and in the city, that Libitina could scarcely cope with the funerals.”⁵⁸

Roman *religio* and *superstitio* required swift and proper disposal of a corpse because of the risk of death-pollution, both spiritual and physical, for those in its proximity.⁵⁹ According to Horace, failure to do so posed a serious threat to the community: the corpse's spirit would fail to pass into the underworld and would haunt and endanger the living until it was put

55. E.M. ORLIN, *op. cit.* n. 8, p. 87f. At all events, it is important to observe that the period here considered saw considerable variation as regards both the religious advisory body chosen by the Senate to expiate *pestis* and the timing of consultation.

56. As discussed above, E.M. ORLIN, *loc. cit.* n. 55, demonstrates senatorial reliance on the *decemviri* for the alleviation of persistent *pestis*. A.A. BOYCE, *art. cit.* n. 3, p. 174 claims that over time, pestilence came under the *decemviri*'s religious jurisdiction. H.W. PARKE, *op. cit.* n. 26, p. 193f. argues that the *lectisternium*, an innovation of the *libri Sibyllini*, became a standard *expiatio* issued by the government for plague relief. M. MONACA, *op. cit.* n. 5, p. 121-129 has highlighted a pattern in the decemvirate's plague-related recommendations, typically recommending *supplicatio*, *lectisternium* and construction or restoration of temples to deities with healing powers.

57. Livy XL, 36f. records that this plague persisted into 180, when it triggered a second consultation of the Sibylline Books. In 36.14, in his account of this second consultation, Livy explicitly states “the epidemic (...) had been ravaging the city of Rome and Italy for two years.” For the sake of brevity, we here only discuss the first consultation of 181. For brief analysis of the consultation of 180 and other significant plague-related consultations in this period, see Table 2 *infra*.

58. Livy XL, 19.3. A similar account is given by Iul. Obs., *Liber Prodigiorum*, 6. Libitina was the Roman goddess of corpses and burials. The undertakers and morticians resided in her temple along with the death registers and funerary facilities. On her cult see J. BODEL, «Dealing with the Dead: Undertakers, Executioners and Potter's Fields in Ancient Rome» in V.M. HOPE, E. MARSHALL eds., *Death and Disease in the Ancient City*, London-New York 2000, p. 135-143 and H. LINDSAY, «Death-Pollution and Funerals in the City of Rome» in *id.*, p. 157-160.

59. J. BODEL, *art. cit.* n. 57, p. 129; V. HOPE, «Contempt and Respect: the Treatment of the Corpse in Ancient Rome» in V.M. HOPE, E. MARSHALL eds, *op. cit.* n. 57, p. 105 and H. LINDSAY, *art. cit.* n. 57, p. 152-154. Belief in death-pollution was a combination of both religious taboos and practical concerns for public health and hygiene.

to rest.⁶⁰ Thus these unburied corpses would have sparked superstitious fear among the Roman people. This would have been compounded by the unfavourable *prodigia* that accompanied the epidemic throughout Italy as unequivocal indicators of the *ira deorum*: blood rained in the temples of Vulcan and Concord, the spears shook and Juno Sospita's statue at Lanuvium wept.⁶¹ Regardless of the particularly deadly and persistent nature of this plague, which wreaked havoc on Rome and Italy for two successive years, public suffering was most likely not the primary motivation for the Senate's response.⁶² What appears to have prompted this consultation was failure to fulfil the Senate's decree for a small army to be levied from the Latins and other allies to repress revolt in Corsica and Sardinia. According to Livy, "so virulent was the plague (...) that the dead and sick were everywhere too numerous for such a total to be reached."⁶³ The Senate was acutely aware that the situation was now at crisis point, with the death toll so high that they could not raise an army to quash rebellion so close to Italy. Livy details that this disastrous combination of *pestis* and *prodigia* mostly frightened the Senate, not the people, and prompted the expiatory measures.⁶⁴ Indeed, despite the devastating impact of the plague, there is no mention of any popular reaction, in contrast to what typically transpired during military emergencies and war crises. In this particular case, the Senate's own anxieties needed addressing, as many ranking senators no doubt feared that the rising death-toll would continue to disrupt important affairs of state. This prompted them to take serious expiatory action, both on their own behalf as well as through consultation of the *decemviri*. The Senate itself decreed that the consuls must sacrifice *hostiae maiores* to the gods and passed the *decemviri*'s recommendations for a day of *supplicatio* at all *puluinaria*, as well as three days of *supplicationes* and *feriae* throughout all of Italy.⁶⁵ Livy suggests that the authorities heavily enforced observation of these rites by all Romans and Italians alike as he stresses that they were decreed by the Senate, the *decemviri* as well as the consuls.⁶⁶ This emphasis on the binding nature of these rites for all of Italy represents a remarkable novelty: until this point the decemvirate's recommendations had only applied to Rome and, occasionally, some other Italian communities.⁶⁷ This speaks to the depth of the Senate's concern with the situation. The inclusion of the entire Italian peninsula in the *expiationes* indicates official recognition of non-Roman suffering from the plague, regardless of the significantly delayed response to

60. Horace I, *Carmina*, 28.

61. Livy XL, 19.2. The spears referred to here were probably the *hastae Martiae* located in the Regia on the Forum Romanum.

62. Cf. n. 57 *supra*.

63. *tantum hominum demortuum esse, tantum ubique aegrorum consules renuntiauerint, ut is numerus effici militum non potuerit*: Livy XL, 19.6-8. The levy was for 8,000 infantry and 300 cavalry.

64. Livy XL, 19.4.

65. Livy XL, 19.4-6.

66. Livy XL, 19.6.

67. While the decemvirate's recommendations throughout 218-217 also applied to Lanuvium and Caere, they did not apply to all of Italy. H.W. PARKE, *op. cit.* n. 26, p. 203 has highlighted the increasing involvement of Roman Italy in the *decemviri*'s *expiationes* from the second century onwards.

the situation. Therefore, this instance amounts to a deliberate attempt of the Senate to bolster Italian unity and affirm their solidarity with the allies in the face of disaster, lest they become dissatisfied with Rome's level of concern for their health and safety. After all, the Senate was heavily reliant on them for manpower.⁶⁸ The consultation in 181 thus represents a good example of how the Senate consulted the *decemviri* on questions of plague because of their deep concern with the potential impact upon important affairs of state, in this case military manpower, rather than the suffering and distress of the Roman public.

6. – CONTROLLING PUBLIC RELIGION: FOREIGN GODS

Throughout the republican period, the *decemviri* recommended the worship of numerous foreign gods to alleviate plagues and aid Roman victory in war: Ceres, Liber, Libera, Apollo, Venus Erycina, Mens and Venus Verticordia to name a few.⁶⁹ They even called for some of them to be formally imported into the Roman pantheon, namely Aesculapius and the Magna Mater.⁷⁰ The true reasons behind such recommendations have longed been debated by scholars. Many have simply argued that the *decemviri* and the *libri Sibyllini* were the primary means through which foreign religious innovations were added to the traditional Roman system without question.⁷¹ E. Orlin and J. Scheid argue against this Roman/foreign polarity, claiming that Roman religion was far more open and fluid than this.⁷² After all, the *libri Sibyllini* were themselves foreign yet wholly integrated into Roman religion since the monarchy. Others have gone further than this, surmounting the obvious religious function with a diplomatic purpose

68. On the topic of the unifying power of the decemvirate's recommendations for the Italian peninsula see A. GILLMEISTER, *op. cit.* n. 6, p. 141-147 and 159.

69. E.M. ORLIN, *op. cit.* n. 8, p. 97-105; M. MONACA, *op. cit.* n. 5, p. 197-228 and H.W. PARKE, *op. cit.* n. 26, p. 192 and 212. These recommendations for worshipping foreign gods were specifically for temples to be built to them. Ceres, Liber and Libera in 496: Dion. Hal. VI, *Antiquitates Romanae*, 16 and 94; Apollo in 433: Livy IV, 25.3; Venus Erycina and Mens in 217: Livy XXII, 9.8; Venus Verticordia in 114: Iul. Obs., *Liber Prodigiorum*, 37 and Val. Max. VIII, *Factorum et Dictorum Memorabilium*, 15.

70. Aesculapius in 293: Arn. VII, *Adversus Nationes*, 44-8; Aug. *De Civitate Dei*, III, 12; III, 17; X, 16; *De Viris Illustribus*, XXII, 1-3; Lact. II, *Divinae Institutiones*, 7 and 16; Livy X, 47.6-8; *Periochae*, XI; Ov. XV, *Metamorphoses*, 622-745; Oros. III, *Historiarum Adversum Paganos*, 22.5 and Val. Max. I, *Factorum et Dictorum Memorabilium*, 8.2. Magna Mater in 205: App. VI, *Historia Romana*, 9.56; Arn. VII, *Adversus Nationes*, 49; Cic. XXXVIII f., *De Haruspicum Responso*; *De Viris Illustribus*, XLVI, 1; Dio Cass. LVII, *Historia Romana*, 61; Diod. Sic. XXXIV/XXXV, *Bibliotheca Historica*, 33.2; Her. I, τῆς μετὰ Μάρκον βασιλείας ἱστορία, 11.1-3; Livy XXIX, 10f.; Ov. IV, *Fasti*, 247-348; Strabo XII, *Geographica*, 5.3; Val. Max. VIII, *Factorum et Dictorum Memorabilium*, 15.3 and Varro VI, *De Lingua Latina*, 15.

71. C. BAILEY, *Phases in the Religion of Ancient Rome*, Berkeley 1932, p. 127; G. DUMÉZIL, *Archaic Roman Religion, Volume I*, Chicago 1970, p. 568f.; W.W. FOWLER, *op. cit.* n. 38, p. 256-265; K. LATTE, *Römische Religionsgeschichte*, Munich 1960, p.243-245; J.A. NORTH, «Conservatism and Change in Roman Religion», *PBSR* 44, 1976, p. 8f.; J.A. NORTH, «Religion and Politics, from Republic to Principate», *JRS* 76, 1986, p. 252f.; H.W. PARKE, *op. cit.* n. 26, p. 194-196 and G. WISSOWA, *Religion und Kultus der Römer*, Munich 1902, p. 358.

72. E.M. ORLIN, «Foreign Cults in Republican Rome: Rethinking the Pomerial Rule», *MAAR* 47, 2002, p. 2-4 and J. SCHEID, «*Graeco Ritu*: A Typically Roman Way of Honoring the Gods», *HSCP* 97, 1995, p. 16-19.

for the Senate. These scholars argue that by incorporating a particular foreign god into the Roman pantheon, the Senate hoped to create an alliance with the god's homeland and prevent future hostilities with them.⁷³ While significant research has addressed the diplomatic and innovative purposes of these recommendations, few have considered that there may have also been a domestic social function for the Senate.

The Roman Senate was heavily concerned with controlling and monitoring public religion in Rome, particularly which deities the citizens could worship, because it reinforced their religious authority and ensured the continued observance of Roman *mores*. In *De Legibus*, Cicero said that:

Separatim nemo habessit deos neue novos neue aduenas nisi publice adscitos (...) Diuos et eos qui caelestes semper habiti sunt cohunto et ollos quos endo caelo merita locauerint.

“No one shall have gods separately, whether new gods or alien gods, unless recognized by the State (...) They shall worship as gods both those who have always been thought to dwell in heaven, and also those whose merits have admitted them to heaven.”⁷⁴

While Cicero was describing his own ideal religious laws, his words reflect the Senate's approach to public religion. The acceptance of foreign gods into the Roman pantheon required the Senate's ratification and sometimes modification because the new rites could not be allowed to conflict with Roman *mores*.⁷⁵ Foreign gods gathering followers throughout Italy and within Rome itself without senatorial authorisation would be seen to undermine the Senate's religious authority. The *decemviri*'s recommendation to import particular foreign gods may therefore have served to establish the Senate's control over cults that were being practised without their approval, given the evidence that they were already popular in Roman territory prior to their formal importation.

Examination of the Greek healing deity Aesculapius' introduction to Rome in 293 provides a strong example. Aesculapius was brought to Rome from Epidaurus on advice from the *decemviri* on the pretext of plague alleviation. However, analysis of the situation reveals that his introduction may have served other purposes for the Senate. At the end of Book 10, Livy narrates the following:

73. P. BORGEAUD, *Mother of the Gods: From Cybele to the Virgin Mary*, Baltimore 2004, p. 57-71; P. BOWDEN, *Mystery Cults in the Ancient World*, London 2010, p. 93-95; E.S. GRUEN, *op. cit.* n. 9, p. 15-33; E.M. ORLIN, *op. cit.* n. 8, p. 106-108; L.E. ROLLER, *In Search of God the Mother: The Cult of Anatolian Cybele*, Berkeley 1999, p. 263-286; S. SATTERFIELD, «Intention and Exoticism in the Magna Mater's introduction into Rome», *Latomus* 71, 2012, p. 373-391; J. SCHEID, *Religion et piété à Rome*, Paris 1985, p. 97f.; and B.L. WICKKISER, *The Appeal of Asklepios and the Politics of Healing in the Greco-Roman World*, Ph.D. Diss. University of Texas 2003, p. 223-237.

74. Cic. II, *De Legibus*, 19.

75. M. DILLON, L. GARLAND, *Ancient Rome: From the Early Republic to the Assassination of Julius Caesar*, London-New York 2005, p. 152; J. RÜPKE, «Roman Religion» in H.I. FLOWER ed., *The Cambridge Companion to the Roman Republic*, Cambridge 2014, p. 225 and J. SCHEID, «Le délit religieux dans la Rome tardo-républicaine» in *Le délit religieux dans la cité antique*, Rome 1981, p. 70.

portentoque iam similis clades erat, et libri aditi quinam finis aut quod remedium eius mali ab dis daretur. Inuentum in libris Aesculapium ab Epidauro Romam arcessendum.

“The devastation [the plague] caused was thought to be an evil omen, and the Sibylline Books were consulted to find what limit or remedy the gods proposed for its ravages. The books revealed that Aesculapius must be summoned from Epidauros to Rome.”⁷⁶

The brief passage relates a very unusual consultation of the *decemviri* compared to others from the period. First, Livy does not stress that the *pestis* was so disastrous as to warrant such an extreme measure. This represents the first time the *decemviri* formally recommended the importation of a foreign god and the first (known) instance of such an action for plague relief. It is unclear whether it was a fresh outburst of *pestis* or the continuation of a previous plague.⁷⁷ Livy does not suggest that this plague was particularly disastrous: he does not detail the abandoned corpses in the streets, the disruption of warfare, the death of leading magistrates or *sacerdotes* as he does in most other instances.⁷⁸ In fact, Rome’s quest for supremacy over Italy was succeeding with the decisive victory over the Samnites at Sentinum in 295, so the consultation was certainly not prompted by a military crisis.⁷⁹ Second, Livy does not imply that the Romans were dealing with a rupture in the *pax deorum*. While the *pestis* itself was considered a *prodigium*, there is no indication that the authorities believed they were experiencing divine wrath. They searched for a “limit or remedy” to the plague from the gods, not for how to placate them and restore divine favour as in other consultations. Consequently, what the *decemviri* recommended was not an *expiatio*, since their advice did not concern the veneration of gods or demonstrations of Roman submission to them through offerings, prayers, sacrifices or vows, as had been the case in other consultations. The Senate

76. Livy X, 47.6f.

77. According to Val. Max. I, *Factorum et Dictorum Memorabilium*, 8.2, the plague was in its third year by the time of consultation. Therefore, it must be a continuation of the plague reported briefly by Livy X, 31 in 295 which was also referred to the decemvirate. This plague was accompanied by *prodigia* (earth rained in several places and several men in Appius Claudius’ army were struck by lightning) but the *decemviri*’s *expiationes* are not mentioned. However, Livy’s account of the 293 consultation does not state that it was a persistent *pestis* that had plagued Rome for three years; instead his wording suggests that it had only been around for that year: *multis rebus laetus annus uix ad solacium unius mali, pestilentiae urentis simul urbem atque agros, suffecit: portentoque iam similis clades erat, et libri aditi quinam finis aut quod remedium eius mali ab dis daretur* – “The year had been a happy one in many ways, but this was hardly adequate consolation for one major disaster: the plague which raged through town and countryside alike.” (X, 47.6).

78. For examples of such details given by Livy in other consultations see XL, 19.3-8; XL, 37.1 and XLI, 21.4-8.

79. For the battle of Sentinum, see Livy X, 27-31; for its importance see M. HUMM, «From 390 BC to Sentinum: Political and Ideological Aspects» in B. MINEO ed., *op. cit.* n. 39, p. 342. The victory was decisive because it broke the powerful coalition of the Samnites with the Etruscans, Umbrians and Gauls, all of whom pulled out of the war after this defeat. It thus paved the way for Rome to eventually overcome and defeat the Samnites, securing Rome’s hegemony over Italy as far as Magna Graecia. For the remaining course of the Third Samnite War and the Samnites’ subsequent defeat by Rome five years later in 290 at Samnium, see Livy X, 32-46.

merely looked for a way to end a plague that did not seem to have been particularly virulent. The grounds for importing Aesculapius seem inadequate and there thus must have been other reasons for his introduction.

The choice to import Aesculapius becomes even more suspicious when one considers the close proximity of other healing deities in Rome and Italy more suited to plague alleviation. By the early 4th century, a number of gods with potential healing powers were already worshipped in Rome. In 433, a temple was vowed to Apollo to avert plague and from thereon he was associated with this ability.⁸⁰ Castor and Pollux, whose worship was established in Rome ca. 499, were likewise thought to have healing powers.⁸¹ Furthermore, thousands of anatomical votives dedicated to unknown deities have been found in Rome dating to the republican period, indicating that the Romans believed that some of their gods were capable of healing physical ailments.⁸² Even if they thought that these gods could not alleviate this particular *pestis*,⁸³ they could have used other healing deities located closer to Rome throughout Italy. The discovery of anatomical votives in Etruria, Latium, Campania and Sicily attests to this.⁸⁴ While again the individual recipients of these are unknown, they must have possessed some healing properties. In contrast to beliefs about the healing powers of these divinities, Aesculapius himself was not renowned specifically for plague alleviation. While he was associated with relieving plague in Athens after he was introduced there in 420, there are problems with this story: he was brought to Athens ten years after the plague hit and its eradication was actually attributed to Apollo and Herakles.⁸⁵ Furthermore, while he was the most important healing god throughout the Mediterranean at the time and the only god whose

80. Livy IV, 25.3. Although it appears that placating Apollo failed to avert the plague as Livy IV, 25.4 details that a greater mortality was sustained.

81. Castor and Pollux were not brought to Rome via the *decemviri* and the *libri Sibyllini*. According to Val. Max. VI, *Factorum et Dictorum Memorabilium*, 3, their cult was established in Rome after they had simultaneously appeared as cavalymen in the Forum as well as in battle against the Latins at Lake Regillus and aided Roman victory. Cf. Livy II, 20.11-3 who simply states that the dictator Aulus Postumius vowed a temple to Castor mid-battle to ensure victory.

82. A. COMELLA, «Tipologia e Diffusione dei Complessi Votivi in Italia in Epoca Medio- e Tardo-Repubblicana», *MEFRA* 93.2, 1981, p. 736. Dating these objects is difficult because many may be secondary deposits. Stylistically, however, they have been dated to the mid to late Republic (ca. 4th-1st centuries).

83. For instance, if these particular deities had been invoked in the *expiationes* associated with the consultation of the Sibylline Books in 295, it may follow that the subsequent continuation of the plague led to the *decemviri* seeking a radical new approach. Nevertheless, this is speculative given the lack of evidence.

84. O. DE CAZANOVE, «Some Thoughts on the 'Religious Romanisation' of Italy before the Social War» in E. BISPHAM, C. SMITH eds, *op. cit.* n. 25, p. 72; A. COMELLA, «Riflessi del Culto di Asclepio sulla Religiosità Popolare Etrusco-laziale e Campana di Epoca Medio- e Tardo-Repubblicana», *Annali della Facoltà di Lettere e Filosofia, Università degli studi di Perugia* 20.6, 1981, p. 238f.; I.E.M. EDLUND, «Mens Sana in Corpore Sano: Healing Cults as a Political Factor in Etruscan Religion», *Boreas* 15, 1987, p. 53. Again, precise dating of these objects is difficult because many were found in secondary deposits. Nonetheless, they are believed to date to the 4th century based on their style.

85. *SEG* 25.226 = *IG* 2² 4960f.; B.L. WICKKISER, *op. cit.* n. 73, p. 133-136 and *id.*, *Asklepios, Medicine, and the Politics of Healing in Fifth-Century Greece*, Baltimore 2008, p. 64-6.

sole function was health-related,⁸⁶ his Epidaurean cult associated him with healing *individual* cases of chronic illness, not with plague eradication *en masse*.⁸⁷ Given the variety of sources for divine healing available to Rome, the distant god Aesculapius made for a particularly peculiar choice. Therefore, the decision to import his cult must have been motivated by reasons other than *pestis*.

Unsurprisingly, the true reason for the official introduction of the cult of Aesculapius has been widely debated. Some suggest that the Romans were genuinely desperate and believed in the famous healing capacity of Aesculapius from Athens and Epidaurus. Alternatively, however, numerous scholars argue this decision was motivated by a desire to diffuse the threat of war with the powers of Magna Graecia and mainland Greece, as Rome began pushing into Hellenic territory in Southern Italy after defeating the Samnites.⁸⁸ While arguments about the diplomatic purpose of Aesculapius' introduction are compelling, the domestic context warrants closer consideration. Aesculapius was already widely worshipped throughout Italy in this period, primarily by the Greek colonists of Magna Graecia.⁸⁹ According to Julian the Apostate, Aesculapius' cult had arrived and become popular in Pergamum, Ionia and Tarentum before it was formally brought to Rome.⁹⁰ Given the community of Greek medics present in Magna Graecia at this time, it seems plausible enough that this Greek healing deity was worshipped there.⁹¹ In addition, a 4th century Epidaurean inscription that lists the cities visited by representatives of Aesculapius' cult to announce the celebration of his festival in Epidaurus includes numerous towns of Magna Graecia.⁹² Furthermore, there is evidence that Aesculapius was already worshipped in Latium before his formal introduction in Rome. According to Valerius Maximus and the anonymous *De uiris illustribus*, when Aesculapius' snake was in transit to Rome, he disembarked the ship at Antium and resided at Aesculapius' temple there for

86. S.G. COLE, «Greek Cults» in *Civilization of the Ancient Mediterranean: Greece and Rome, Volume 2*, New York 1988, p. 901-904 and B.L. WICKKISER, *op. cit.* n. 85, p. 37-41.

87. Inscriptions from Epidaurus reveal that he commonly healed ailments on an individual basis that had persisted for a long time despite previous treatment by other means. These included: blindness, deafness, mutism, infertility, prolonged pregnancy, paralysis, epilepsy, headaches, insomnia, ulcers, tumours, wounds, worms, leeches and lice among others. For a compilation and translation of these Epidaurean inscriptions see L.R. LIDONNICI, *The Epidaurian Miracle Inscriptions: Text, Translation and Commentary*, Atlanta 1995, p. 84-131.

88. M. MONACA, *op. cit.* n. 5, p. 208; E.M. ORLIN, *op. cit.* n. 8, p. 106-108; J. SCHEID, *op. cit.* n. 73, p. 97f.; and B.L. WICKKISER, *op. cit.* n. 73, p. 223-237. The bellicose Samnites had served as a sort of buffer zone between Rome and Magna Graecia. Their eventual subjugation inevitably paved the way for Roman interference in Southern Italy and Sicily.

89. H.H. SCULLARD, *Festivals and Ceremonies of the Roman Republic*, London 1981, p. 54f.; and *OCD* s.v. "Aesculapius".

90. Jul. CC, *Contra Galileos*. Admittedly, he is a much later source, writing in the 4th century CE.

91. For evidence of the thriving Greek medical community present in Magna Graecia at the time see the corpus compiled by J. LONGRIGG, «Philosophy and Medicine until the Fourth Century: 'Sicilian' Medicine and its Influence» in J. LONGRIGG ed., *Greek Medicine: From the Heroic to the Hellenistic Age – A Sourcebook*, New York 2013², p. 61-83.

92. *IG* 4², 95.

three days before continuing his journey.⁹³ While the exact date of this temple's construction is unknown, it obviously predates Aesculapius' official arrival in Rome.⁹⁴ A sanctuary to Aesculapius has also been found in nearby Fregellae, and while it is unclear whether this existed before 293, it appears that the cult reached Fregellae without Roman influence.⁹⁵ Even in Rome, the anatomical votive offerings mentioned above could very well have been dedicated to Aesculapius.⁹⁶ Orlin believes that the lack of further evidence for his Italian presence is probably simply due to the "vagaries of archaeological discoveries" rather than indicating an absence of his worship.⁹⁷ Thus by 293, Aesculapius' cult was no doubt widespread throughout Italy, the regions surrounding Rome and perhaps within Rome itself. However, the Senate had not yet permitted his worship and this could be seen to undermine their control of public religion. By having Aesculapius brought to Rome through the decemvirate's recommendation from the *libri Sibyllini*, the Senate reinstated its religious authority by suggesting that it had authorized his Roman following. It could then supervise and regulate his worship, ensuring that it was practiced in accordance with Roman *mores*. Whilst the introduction of Aesculapius via the decemvirate no doubt also served diplomatic purposes, closer investigation of the domestic situation suggests the main aim was to establish senatorial control over an unauthorized if popular cult.

7. – CONCLUSIONS

Religion and politics were inextricably linked in republican Rome. As political action required divine sanction, those in power needed to occupy both realms in order to control the political affairs of the state. Throughout 367-104, the Roman Senate became significantly more powerful, independent and central to state affairs. Accordingly, the Senate's tight control over the major *collegia* became one of the key means to achieve its political will. Investigation into the decemvirate *sacris faciundis* and their activity throughout this era reveals that this college *par excellence* served as an instrument to secure senatorial objectives. In order to achieve this, the Senate maintained a tight grip on the priesthood in numerous ways. It controlled their ability to act, the entire consultation procedure, and decided whether or not their recommendations would be accepted and implemented. As many of its members were simultaneously senators, the Senate could even influence those parts of the college's procedure

93. *De Viris Illustribus*, XXII, 3 and Val. Max. I, *Factorum et Dictorum Memorabilium*, 8.2. The snake coiled itself around a palm tree in the precinct of the temple of Aesculapius and remained there for three days. Cf. Ovid XV, *Metamorphoses*, 720-5 who details that it was Apollo's temple. Nevertheless, Apollo is Aesculapius' father and thus this still suggests knowledge of Aesculapius in Antium.

94. Livy XLIII, 4.7 also attests to this temple of Aesculapius in Antium later in 170.

95. It is believed to date to the second century. For more information on the Aesculapius sanctuary at Fregellae see A. DEGRASSI, «Il Culto di Esculapio in Italia Durante il Periodo Repubblicano» in F. COARELLI ed., *Fregellae 2: Il Santuario di Esculapio*, Rome 1986, p. 145-150.

96. B.L. WICKKISER, *op. cit.* n. 73, p. 202f.

97. E.M. ORLIN, *op. cit.* n. 8, p. 107, n. 113.

from which non-members were strictly excluded. In addition, the general anonymity of the *decemviri* in the sources and the even number of members established by one of the *leges Liciniae Sextiae* in 367 further suggest a lack of independence and subjection to senatorial power. The Senate thus held large sway over the *decemviri* and the nature of the advice that they could retrieve from the Sibyl.

Analysis of a number of well-documented instances in which the Senate called upon the *decemviri* to consult the *libri Sibyllini* reveals a great deal about the Senate's true reasons for seeking their religious advice in the first place. Further exploration of their peak in activity during wartime, particularly the Second Punic War, suggests that J. Liebeschuetz's general hypothesis about the pacifying power of Roman *divinatio* is valid when applied to the decemvirate. The extensive *expiationes* they recommended served to quell panic about the war and generate hope that things would soon improve because divine favour had been restored. Examination of the times in which the Senate enlisted the *decemviri* to alleviate persistent plagues, however, reveals a motivation very different to that of the war crises: that they were prompted by concern for the plague's impact upon state affairs, rather than the suffering and distress of the citizens. Lastly, when the decemvirs recommended the importation of a foreign divinity into the Roman pantheon, this first and foremost served to establish the Senate's official control over unauthorized and, therefore, possibly subversive cults in Roman territory, regardless of arguable diplomatic benefits. In all events, senatorial influence manifests in both the various circumstances in which the *collegium* was called upon and in the ensuing outcomes. There is every indication that consultations were invariably prompted by senatorial concerns and that the *expiationes* recommended were geared to fulfil senatorial wishes. Therefore, the *decemviri sacris faciundis* appear to have been a significant cog in the Senate's "religious machinery" in this period,⁹⁸ as it was used by the Senate to provide its political objectives with unquestionable divine sanction from the Sibyl.

98. D.E. HAHM, *art. cit.* n. 20, p. 83.

TABLE 1. – OTHER CONSULTATIONS IN THE FIRST THREE YEARS OF THE SECOND PUNIC WAR

Date and Event	References	Example of Popular Panic	Expiationes Recommended	Analysis of Outcome
217 Flaminius' religious misconduct, neglect of senatorial authority and numerous <i>prodigia</i>	Livy XXI.63 - XXII.1	<i>Augebant metum prodigia ex pluribus simul locis nuntiata.</i> “All of this was a cause of anxiety; and the alarm was increased by reports of unnatural things occurring simultaneously in widely separated localities.”	Lavish gifts to Jupiter, Juno and Minerva. Sacrifice of <i>hostiae maiores</i> to Juno Regina on the Aventine and Juno Sospita at Lavinium. Matrons to donate money for gifts to Juno Regina and there celebrate a <i>lectisternium</i> . Freedwomen to donate what money they can for offerings to Feronia.	Strong focus on female participation in the <i>expiationes</i> suggests that widespread negative sentiment amongst the matrons at this time was deemed to pose a significant threat to public order in Rome. With their husbands and sons serving in the failing war, they feared for the safety of their loved ones. By having all matrons actively participate in the religious propitiation, the Senate ensured that they felt they were helping to restore the <i>pax deorum</i> to ensure divine protection of their loved ones.
217 Pre-battle <i>prodigia</i> , defeat at Lake Trasimene and Flaminius' death	Livy XXII.7-10 Polyb. III.85-7	<i>Romae ad primum nuntium cladis eius cum ingenti terrore ac tumultu concursus in forum populi est factus. Matronae uagae per uias, quae repens clades adlata quaeue fortuna exercitus esset, obuios percunctantur. Et cum frequentis contionis modo turba in comitium et curiam uersa magistratus uocaret, tandem haud multo ante solis occasum M. Pomponius praetor “pugna,” inquit “magna uicti sumus.”</i> “When news of the disaster first arrived in Rome, terror and confusion swept the city. People thronged into the Forum, matrons roamed the streets (...) The crowds swelled to the proportions of a mass meeting, and when they turned to (...) the Senate-house and began to call for the city magistrates, then, and only then (...) the praetor Marcus Pomponius gave his answer: ‘We have been beaten,’ he said, ‘in a great battle.’”	Re-perform <i>votum</i> to Mars for military victory correctly. <i>Ludi magni</i> vowed to Jupiter. Temples vowed to Venus Erycina and Mens. A <i>supplicatio</i> . A <i>lectisternium</i> . Vow of a <i>uer sacrum</i> if they were victorious and peace returned in the next five years.	Re-performing the <i>votum</i> to Mars would calm the fears of the public and restore their faith in Rome's capacity to win the war, having the god of warfare on their side. The temple vowed to <i>Mens</i> , the personification of reason and modesty, was a senatorial attempt to promote calm and rationality amongst the public in order to counteract any uncontrollable panic, anxiety, and <i>superstitio</i> about the future.

<p>216</p> <p>General consultation for <i>prodigia</i></p>	<p>Livy XXII.36.6-9</p>	<p>(...) <i>Decemviri libros adire atque inspicere iussi propter territos uolgo homines nouis prodigiis (...) id. quidem etiam, quod saepius acciderat, magis terrebat (...)</i></p> <p>“(...) the <i>decemviri</i> were instructed to consult the [Sibylline] books on account of the general alarm occasioned by strange portents (...) a prodigy all the more alarming from it having occurred so often (...)”</p>	<p><i>Ea prodigia ex libris procurata.</i></p> <p>“These prodigies were expiated as the Books directed.”</p>	<p>Unfortunately this consultation is recorded too briefly, both in terms of its context and the <i>expiationes</i> recommended, to conduct any analysis.</p>
<p>216</p> <p>Defeat at Cannae, <i>prodigia</i> and the <i>crimen incesti</i> of 2 Vestal Virgins</p>	<p>Livy XXII.54-8 Polyb. III.112-8</p>	<p><i>Cum in malis sicuti ingentibus ita ignotis ne consilium quidem satis expedirent, obstreperetque clamor lamentantium mulierum et nondum palam facto uiui mortuique per omnes paene domos promiscue complorarentur (...)</i></p> <p>“Their troubles, already great enough, were made worse by the lack of firm news; the streets were loud with the wailing and weeping of women, and nothing yet being clearly known, living and dead alike were being mourned in nearly every house in the city (...)”</p>	<p>Human sacrifice of a pair of Gauls and a pair of Greeks, male and female, by live interment in the <i>forum boarium</i>.</p>	<p>The Greeks and Gauls were current enemies of Rome, as numerous Gallic and Greek communities defected to Hannibal after the series of military defeats. Thus the sacrifice of a pair of each was a punishment for treachery, addressing the public’s emotional reaction to the war crisis and channelling it into a powerful rite that provided both an outlet for their emotions and generated confidence that the situation would soon improve because formidable foes had been ritually expelled.</p>

TABLE 2. – OTHER SIGNIFICANT PERSISTENT PLAGUE CONSULTATIONS
IN THIS PERIOD

Date and Event	References	Example of Disrupted State Affairs	Expiationes Recommended	Analysis of Outcome
180 - plague persisted from previous consultation in 181).	Livy XL.37	<p><i>Praetor Ti. Minucius et haud ita multo post consul C. Calpurnius moritur; multique alii omnium ordinum illustres uiri. postremo prodigii loco ea clades haberi coepta est.</i></p> <p>“The praetor Tiberius Minucius died at this time, and not long after him so did the consul Gaius Calpurnius and many other distinguished men of all classes. Eventually the calamitous death toll became regarded as a portent.”</p>	2 days of <i>supplicatio</i> for the return of the country’s health all throughout Roman territory, in which all people over 12 years old must participate.	There is no mention of the public’s fear and suffering in this consultation. The focus rather is on the impact of the plague on the Senate and how the deaths of two leading senators lead to a delay in the affairs of the state, prompting the consultation of the Sibylline Books. The <i>expiationes</i> appear to be designed to unite all adult members of the affected communities, Romans and non-Romans alike, in the Senate’s expiatory effort to restore the <i>pax deorum</i> so that they could return to the normal administration of the state.
174 – plague had persisted for 2 years	Livy XLI.21	<p>The consuls were unable to conduct the levy of 2 new legions as well as 10,000 infantry and 600 cavalry due to the lack of manpower from the plague.</p> <p>The plague killed 6 <i>sacerdotes</i> from the major <i>collegia</i> who also had prominent political careers.</p>	<p>Immediate one day <i>supplicatio</i>.</p> <p>A <i>uotum</i> in the Forum that if sickness and plague would leave Roman territory, they would hold 2 days of <i>feriae</i> and <i>supplicatio</i> – this was performed in 173 when the plague subsided.</p>	Despite the sources detailing the extent of the plague’s impact on the public, with the bodies of slaves and freeborns lying unburied and rotting in the streets, the consultation is prompted by and serves to address the plague’s impact on the war and the religio-political leaders of the state.

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