

The ritual garb of the fetal priests

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The Ritual Garb of the Fetial Priests

By Linda Zollschan, Arad

Abstract: Modern discussions concerning the fetial priests generally devote scant attention, if any, to the dress they wore and as a result there has arisen a misconception that there is no information to be found on this subject in the ancient sources. The ritual garb of the fetial priests consisted of the *toga praetexta* and, when sacrificing, the *limus*. No ancient evidence attests to their wearing the *trabea*. The symbol, unique to their priesthood, was *verbena*, which was wound around their foreheads and carried in front of them. The oath scene gold stater (now dated to 216 BCE) does not depict a fetial ritual and may not serve as evidence for the garb of the *pater patratus*. The fetial rite did not use swords. Such a practice predated the introduction of the *ius fetiale* into Rome. The military nature of the scene indicates that the act in progress is the formation of a *coniuratio*.

All Roman priests of the official state cult wore clothing that set them apart at a glance from adult male citizens who were not priests. Election or co-optation into the priestly colleges was for life and herein lay, for the most part, the reason that priesthoods were most sought after and were a prized honour.¹

The office of priest came with the privilege of wearing garments that distinguished them from non-priests. When appearing in public to carry out their duties, priests had the right to wear the *toga praetexta*² (the *ius togae praetextae habendae*).³ Priests could even wear this toga when they attended public games but not when they attended the senate.⁴

There was a reason that priests wore the *toga praetexta*. The purple stripe denoted rank⁵ for the scarlet-purple dye was the most expensive and thus gave the wearer prestige.⁶ However, this item of clothing was not just a mechanism to display their elevated status. Indeed, the Romans thought that this garment

1 F. Millar, *The Emperor in the Roman World* (London 1977) 356.

2 Livy 34.72. All priests wore the *toga praetexta*. See J. Marquardt, *Römische Staatsverwaltung*, 3, (Darmstadt 1885) 222; P. Riewald, "sacerdotes", *RE* Ia, 2 (1920) 1647; J. Scheid, *An Introduction to Roman Religion* (trans. J. Lloyd, Edinburgh 2003) 132. On the *toga praetexta* in general see H. Gabelmann, "Römische Kinder in Toga Praetexta", *JDAI* 100 (1985) 322–372.

3 Cic. *Phil.* 2.43. For priests and *praetexta* see Livy 33.42; G. Wissowa, *Religion und Kultus* (München 1912) 498.

4 Th. Mommsen, *Römisches Staatsrecht* (Leipzig 1887) 1.422.

5 Livy 34.72. J.L. Sebastia, "Symbolism in the Costume of Roman Women", in: J.L. Sebastia/L. Bonfante Warren (eds.), *The World of Roman Costume* (Madison WI 1994) 47.

6 M. Dewar, "Spinning the *Trabea*: Consular Robes and Propaganda in the Panegyrics of Claudian", in: J.C. Edmondson and A. Keith, *Roman Dress and the Fabrics of Roman Culture* (Toronto 2008) 219.

preserved priestly purity, a purity that was essential if they were to continue in their duties, for example, the conduct of sacrifices. All priests had to be personally clean and untainted by anything that would pollute them. The notion of priests' personal purity dates back to early times.⁷ Their garment served notice on anyone who had been polluted by sexual and obscene acts that they had to keep their distance. The Romans feared that the symbols and servants of the gods would become polluted.⁸ Thus, the attire of Roman priests served to ensure the purity of their rituals. In general, priestly garments were an outward show that they were separate from the profane. They were *sacerdotes*, with the emphasis on *sacer*, that is, 'set apart'.⁹ In order to be acceptable to the gods they had to be separated from the people.¹⁰

The *toga praetexta* was, like the standard toga, made from white woolen cloth, but differed from the regular toga in that it had a purple border along its upper edge. The choice of wool for the toga was a deliberate one. Linen was not permitted, only wool, because linen was associated with the dead due to the custom of making funeral shrouds out of linen.¹¹ Linen was foreign to Roman ritual and accordingly, the fetials never wore linen garments.¹² White fabric was considered pure and uncontaminated.¹³ This was important in the clothing worn to carry out ritual.¹⁴ Moreover, in the context of the fetials' duties representing the Roman people, white represented the *publica fides*.¹⁵

The *toga praetexta* was a garment that carried sacred meaning.¹⁶ This purple-red edged toga was worn by officials who conducted blood sacrifices. The red on its border signified the life and strength that was found in the blood shed in the sacrificial act;¹⁷ hence, it came to be worn by priests at sacrifices.¹⁸ When a sacrifice was conducted by someone other than a priest, then the officiator wore

7 W. Warde Fowler, *The Religious Experience of the Roman People* (London 1922) 178.

8 Seneca, *Controv.* 1.2.7. See J. Sebastia, "The *toga praetexta* of Roman Children and Praetextate Garments", in: L. Cleland et al. (eds.), *The Clothed Body in the Ancient World* (Oxford 2005) 113–120, esp. 118.

9 On *sacer* see D. Sabbatucci, "Sacer", *Studi e Materiali di Storia delle Religioni* 23 (1951/2) 91–101; R. Schilling, "«Sacrum et profanum» essai d'interprétation", *Latomus* 30 (1971) 953–969; M. Morani, "Lat. «sacer» e il rapporto uomo-Dio nel lessico religioso latino", *Aevum* 55 (1981) 30–46.

10 Warde Fowler (see n. 7 above) 177.

11 Apuleius, *Met.* 4.11.

12 Serv. *ad Aen.* 12.120.

13 Plut. *Qu. R.* 26.

14 L. Cleland/G. Davies/L. Llewellyn-Jones (eds.), *Greek and Roman Dress from A–Z* (London 2007) 38.

15 M.G. Fusinato, "Dei feziali e del diritto feziale. Contributo alla storia del diritto pubblico esterno", *Memorie della classe di scienze morali, storiche e filologiche (Accademia nazionale dei Lincei)* Series 3, 13 (1884) 490.

16 Quint. *Decl.* 340.

17 Warde Fowler (see n. 7 above) 176. Sebastia/Warren (see n. 5 above) 51.

18 Serv. *ad Aen.* 8.552. See W. Warde Fowler, "On the Toga Praetexta of Roman Children", *CR* 10/7 (1896) 317; Mommsen (see n. 4 above) 1.406.

the *toga praetexta*.¹⁹ The garment denoted in ancient times those who were permitted to conduct sacrifices and came to be the standard garb of many priests.²⁰ The fetial priests were among the priests who conducted blood sacrifices in the treaty conclusion ceremony, which ended with the sacrifice of a pig. According to Livy (1.24.8), the *pater patratus* actually killed the animal himself with a flint knife (*silex*) without the use of intermediaries, such as, servants (the *uictimarius*, who held the rope and halter of the animal or the *popa* who killed the animal).²¹

In the performance of the rituals exclusive to their college, priests wore their own distinctive garb, which constituted, in effect, their symbols of office making them readily identifiable to the public even from a distance. The fetial priests, likewise, had clothing that they wore in common with all priests, but also they had clothing that was unique to them. All priesthoods had their own official insignia and the college of fetial priests was no exception.²²

In the early republican period, there had been three major colleges, the pontiffs, the augurs and the *decemviri sacris faciendis*. Where the fetial college was ranked originally is not clear. Beard and North (I.18) consider that in this early period, the fetial college ranked in fourth place. In 196 BCE, a fourth college was formally added, the *tresviri/septemviri epulonum*.²³ What this tells us about the rank of the fetial priests in the second century is unclear. What is clear, however, is that the fetial priests continued to carry out their functions throughout the second century.²⁴ Evidence for the relative ranking of the fetial college only comes later in the time of the emperor Tiberius. Tacitus reports (*ann.* 3.64) that the emperor in the course of settling a dispute as to the status of the fetial priesthood stated that ‘the Fetials never had that degree of dignity’, that is, they had never been equal to the four great colleges. As far as Tiberius was concerned, the fetial priests ranked fifth among the colleges after the *quattuor amplissima collegia*, that is, after the pontiffs, the augurs, the *decemviri* and the *tresviri/septemviri epulonum*.

Fetial priests were the guardians of sacred lore in two specifically defined areas: their *ius fetiale* governed the performance of two formal acts on behalf of the Roman state. They were tasked with conducting the procedures for a declaration of war and administering the oath (*execratio*) in the Roman state

19 Plin. *NH* 22.6.11.

20 Fowler (see n. 7 above) 317.

21 On the *popa* see M. Beard/J. North/S. Price, *Religions of Rome, I. A History* (Cambridge 1998) 368; M. Horster, “Living on Religion: Professionals and Personnel”, in: J. Rüpke (ed.), *A Companion to Roman Religion* (Oxford, 2007) 332. The *popa* killed the animal, see A. von Domaszewski, “Bonus Eventus”, in his *Abhandlungen zur römischen Religion* (Stuttgart 1909) 103. For the *uictimarius* see K. Moede, “Reliefs, Public and Private”, in: Rüpke (see this note) 165; M. Horster, “Living on Religion: Professionals and Personnel”, in: Rüpke (see this note) 332–334.

22 Wissowa (see n. 3 above) 401.

23 Cic. *Leg.* 2.8.20. See Scheid (see n. 2 above) 133; Beard/North/Price (see n. 21 above) 18.

24 See L. Zollschan, “The Longevity of the Fetial College”, in: O. Tellegen (ed.), *Roman Law and Religion in the Roman Republic* (Leiden 2011, forthcoming) 129–150.

treaty ceremony.²⁵ Both of these ritual acts were completed according to sacred formulae known only to them. Descriptions of their ceremonies may be found in Livy and Dionysius of Halicarnassus²⁶

From within the college a figure known as the *pater patratus* was chosen to perform the oath and sacrifice that were the main elements of the treaty ceremony. He also conducted the negotiations with those who had wronged Rome in order to give them the opportunity to make restitution and avoid war.²⁷ Dionysius of Halicarnassus reports that the *pater patratus* of the fetial college wore distinctive clothing. As he points out:

"One of these Fetials, chosen by his colleagues, wearing his sacred robes and insignia to distinguish him from all others, ..."²⁸

Do any ancient depictions of this figure and his appearance exist? In a recent study, Richardson has suggested that there is numismatic evidence for the ritual attire of the *pater patratus*. He considers that a gold stater from the period of the Second Punic War depicts the sacrifice that concluded the Roman treaty ceremony as described by Livy 1.24.6–9.²⁹ In order to assess the accuracy and validity of Richardson's interpretation one first needs to be acquainted with the details of the scene on the coin.



Fig. 1. Oath scene gold stater RRC 28/1–2, 216 BCE. Courtesy of Numismatica Ars Classica.

25 Two functions summarized by Varro *LL* 5.86.

26 Livy 1.24.4–9 for the treaty ceremony and 1.32.6–11 for the declaration of war ceremony. D. H. *Ant.* 2.72 gives a general overview of their functions and the steps leading up to the declaration of war.

27 Livy 1.32.11.

28 D. H. *Ant. Rom.* 2.72.6.

29 H. Grueber, *Coins of the Roman Republic in the British Museum* (London 1910) 2. 131, nos 75–77, Plate 13; E. A. Sydenham, *The Coinage of the Roman Republic* (London 1952) 6, nos 69, 70, Plate 13; M. H. Crawford, *Roman Republican Coinage* (Cambridge 1974) 1.144–145, nos 28/1–2, 29/1–2.

The reverse of this coin shows:

«Personnage à genoux entre deux guerriers
et tenant un petit cochon dans ses bras. Les
deux guerriers, dont l'un est barbu, vêtu de la
chlamyde grecque et armé d'une longue lance,
et l'autre, imberbe, portant le costume romain
et armé d'une haste courte, prêtent serment sur
la tête de l'animal.»³⁰

Those who interpret this scene as the oath taking in a treaty ceremony have then to decide whether the scene is a rendition of an historical event or of a mythological scene. This coin has attracted a certain amount of attention over the years resulting in several interpretations of the scene as a treaty conclusion ceremony. One interpretation of the tableau on the gold stater is that it is entirely mythological and depicts Aeneas (the figure on the right) making a compact with King Latinus (the figure on the left).³¹ Others have seen the scene as the making of an oath between a Campanian and a Roman³² or of the making of a treaty between Titus Tatius and Romulus or the historical treaty between Rome and Alba Longa.³³

Many scholars have sought to find in the scene an historical reference. Grueber placed the scene in Rome's distant past and identified the *foedus* as the one between Romulus and Titus Tatius.³⁴ Some thought it might refer to Rome's treaty with Hiero of Syracuse in 263 BCE.³⁵ Mommsen considered that this scene depicted the formation of the *foedus* of 321 BCE that extricated the Roman army from defeat at the Caudine Forks.³⁶ One of the many sponsors of this pact was the consul T. Veturius Calvinus whose descendent in 137 BCE issued a denarius with a similar scene. Against this view is the question whether the Romans would have wanted to commemorate such an inglorious episode in their history.³⁷ Another connection to the consul was found by Regling in the granting of *ciuitas* to the Campanians in 334 BCE when Veturius was consul.³⁸ Thomsen points out that this event would not require the sacrifice of a pig

30 E. Babelon, *Description historique et chronologique des Monnaies de la République romaine*, 1 (repr. Bologna 1963) 23.

31 A. Alföldi, "Hasta – Summa Imperii: The Spear as Embodiment of Sovereignty in Rome", *American Journal of Archaeology* 63 (1959) 21. Cf. H. Zehnacker, *Moneta. Recherches sur l'organisation et l'art des émissions monétaires de la république romaine (289–31 av. J.-C.)* (Rome 1973) 1.312–314.

32 A. Sambon, *Les monnaies antiques de l'Italie* (Paris 1903) 425.

33 Crawford (see n. 29 above) 715, n. 5.

34 Grueber (see n. 29 above) 2. 131, n. 1.

35 Referred to by H. Mattingly, "The First Age of Roman Coinage", *JRS* 35 (1945) 74.

36 Th. Mommsen, *Geschichte des römischen Münzwesens* (Berlin 1860 = Graz 1956) 556 n. 284.

37 K. Regling, "Zur Münzprägung der Brettier Janus 1.", in: K. Regling/H. Reich (eds.), *Festschrift für C.-F. Lehmann-Haupt* (Wien/Leipzig 1921) 153–154, n. 1.

38 M. Bahrfeldt, *Die römische Goldmünzenprägung während der Republik und unter Augustus*.

which is the central feature of the scene on the gold stater.³⁹ Too many of the above interpretations have struggled to find a link with the *gens Veturia* because of the reproduction of the oath scene on the denarius of 137 BCE. Thomsen quite rightly points out that the representations on the gold stater and the later denarius may not refer to the same event.⁴⁰ Several scholars were of the view that the scene represented the peace made with the Samnites in 290 BCE.⁴¹ In keeping with the idea that the scene represents the formation of a *foedus*, Frank thought that it showed Rome's alliance with Carthage during the Pyrrhic War.⁴²

If Richardson is correct and this coin does depict a treaty ceremony, then how does one explain the presence of swords in the hands of the figures who direct the points of the blades to the pig? Scant attention has been paid to this detail on the coin; yet, it is significant because the treaty ceremony, as described by Livy 1.24.9, specifically says that the sacrificial pig was killed with a flint knife (*sillex*) and not a sword. (*Id ubi dixit, porcum saxo silice percussit.*) The use of swords indicates that this scene (if it is a treaty ceremony) ought to be dated prior to the seventh century BCE, that is, before the introduction of the fetial rite into Rome.

Servius auctor in his commentary on the *Aeneid* 8.639–641 reported an older ritual that was used prior to the use of the fetial rite for treaty making.⁴³ It is worth quoting his words in full:

‘Nam cum ante gladiis configeretur, a fetialibus
inuentum ut silice feriretur ea causa, quod antiqui
Iovis signum lapidem silicem putauerant esse ...’

The Romans preserved a tradition whereby the fetial use of the flint knife had usurped an earlier rite where the pig had been killed by a sword. The presence of the sword on the gold stater indicates quite decisively that the scene ought to be dated earlier than the seventh century, as Wissowa had originally proposed.⁴⁴ The possibility that the scene presents a slice of mythology gains credence and the likelihood of an historical reference recedes.

There are several cogent reasons to abandon the connection between a *foedus* and this oath scene. The presence of swords would suggest either a *foedus* concluded before the fetial rite was introduced into Rome in the seventh cen-

Eine chronologische und metrologische Studie (Halle 1923) 12. Consulship: Vell. Pat. 1.14.

39 R. Thomsen, *Early Roman Coinage. A Study of the Chronology*, 2 (Copenhagen 1961) 279, n. 300.

40 Thomsen (see n. 39 above) 2. 279.

41 Grueber (see n. 29 above) 2.131ff, n. 1; W. Giesecke, *Italia Numismatica: eine Geschichte der italischen Geldsysteme bis zur Kaiserzeit*, (Leipzig 1928) 197 and L. Breglia, “Oro del giuramento e i denari romani e italici del I° sec.”, *Numismatica* 13 (1947) 70ff.

42 T. Frank, *An Economic Survey of Ancient Rome*, (Baltimore 1933) 1.81, n. 14.

43 Cf. J. Rüpke, *Domus militiae. Die religiöse Konstruktion des Krieges in Rom* (Stuttgart 1990) 113.

44 Wissowa (see n. 3 above) 552, n. 5.

tury or, in fact, a more military context. What may be said with certainty is that a ritual using swords rules out any connection with the fetial priests.

From another perspective, there is doubt that the figure on the oath scene gold stater could be a fetial priest. The image depicts a vow followed by a sacrifice and both figures are shown bareheaded where one would expect the two figures to have their heads veiled (*capite uelato*). When making a vow the Romans covered their heads⁴⁵ and when sacrificing the norm also was to cover one's head.⁴⁶ The flap of the toga was pulled over the head.⁴⁷ By any reckoning the figure on the left of the scene on the stater can in no way be a fetial and equally cannot be the *pater patratus* that Richardson would like him to be.⁴⁸ His ritual garb as shown on the gold stater provides no evidence for the dress of the *pater patratus* or of the fetial priests.

The scene is undoubtedly an oath taking scene of some description; however, several circumstances involving oaths could be referenced in this scene. Quite apart from theories relating the coin to *foedera* are some alternative views. Willers suggested that the coin referred to events in 209 BCE when the Romans used their gold reserve, some 4000 pounds of gold, to fund the war. Among the generals who received gold was the praetor L. Veturius Philo who was in charge of Gaul and this provides the link with the denarius of 137 BCE. The oath scene, according to Willers, refers to the revolt of twelve of the thirty Latin colonies who balked at the increasing financial burden. The gold stater was, therefore, dedicated in praise of the allies who remained loyal.⁴⁹ Babelon had associated the oath scene with the recapture of Campania from the Carthaginians in 211 BCE.⁵⁰ The objection to this view was simply that there was no reconciliation; rather, Capua had been punished for its defection to the enemy.⁵¹

The two figures in the oath scene are considered by many to represent two warriors.⁵² They are making a sacrifice *paludatus* (in armour) with spears and swords, one lightly armed and the other wearing heavy armour. The military context is clear which leads to the possibility that the scene has nothing to do

45 Verg. *Aen.* 3.403–407.

46 Plut. *Q.R.* 11; E. Fantham, "Covering the Head at Rome: Ritual and Gender", in: J. Edmondson, A. Keith (eds.), *Roman Dress and the Fabrics of Roman Culture* (2008) 160–161.

47 Plut. *Q.R.* 10. On veiled heads in general see F. Glinister, "Veiled and Unveiled: Uncovering Roman Influence in Hellenistic Italy", in: M. Gleba/H. Becker (eds.), *Votives, Places and Rituals in Etruscan Religion* (Leiden 2008) 193–215.

48 J.H. Richardson, "The *Pater Patratus* on a Roman Gold Stater: A Reading of *RRC* No.s 28/1–2 and 29/1–2", *Hermes* 136/4 (2008) 422 and 425.

49 H. Willers, "Die römische Goldprägung vom Jahre 209 v.Chr.", in: J. Evans et al. (eds.), *Corolla Numismatica. Numismatic Essays in honour of Barclay V. Head* (London/New York/Toronto 1906) 313–314 and 320–322.

50 Babelon (see n. 30 above) 24.

51 Grueber (see n. 29 above) 2.131–132, n.1; J. Heurgon, *Recherches sur l'Histoire, la Religion et la civilisation de Capoue Préromaine des Origines à la Deuxième Guerre Punique* (Paris 1942) 226–229.

52 Babelon (see n. 30 above) 23; Sydenham (see n. 29 above) 6; Crawford (see n. 29 above) 144.

with treaty making and the fetial priests but rather to do with a type of military pact. The swearing of a *coniuratio* was the joining together to take an oath in the event of a sudden emergency (*tumultus*) that required the arming of citizens.⁵³ Such a pledge was conducted in a ceremony involving a sacrifice;⁵⁴ according to the *ius ciuile* and not the *ius fetiale*.⁵⁵

The suggestion that the image on the gold stater represents the forming of a *coniuratio* is not new; it was made as far back as 1731 by Conradi in his study on the fetial priests.⁵⁶ In more recent times, Mattingly linked the gold stater with the *coniuratio* of Italy against Hannibal.⁵⁷ Bleicken in his study of *coniuratio* has traced its depiction on Roman coinage and on Roman engraved gems. He links the gold stater as one in a series of depictions of the *coniuratio*.⁵⁸ Bleicken identifies the scene on the gold stater with a specific event in 216 BCE. In that year, Livy reports an oath sworn by the soldiers drawn from the Latins and allies before the battle of Cannae. In normal circumstances, the oath was administered by the consuls in the form of a *sacramentum*, but in the circumstances after Cannae the oath was overseen by the military tribunes.⁵⁹ Re-examining the oath scene coin in a fresh light, Bleicken suggests that the two figures are common soldiers (*gregarii*) who are swearing a military *coniuratio*. The figure on the left holds a long lance *triarius* and the soldier on the right heavily armoured and holding a *pilum* is the *princeps* who calls the legion together and forms the troops into their units.

Bleicken's conclusion that the coin shows a military oath from 216 BCE meshes well with the modern dating of the gold stater.⁶⁰ In Thomsen's study of early Roman coinage, he found that the same die cutters who made the dies for the oldest quadrigati with the legend in relief also cut the dies for the oath scene

53 Servius, *ad Aen.* 7.614.

54 J. Bleicken, "Coniuratio. Die Schwurszene auf den Münzen und Gemmen der römischen Republik", *Jahrbuch für Numismatik und Geldgeschichte* 13 (1963) 66.

55 Bleicken (see n. 54 above) 59, 67.

56 C. Conradi, *De Fecialibus et iure feciali p. R.* (Helmstad 1731) 98.

57 Mattingly (see n. 35 above).

58 Bleicken (see n. 54 above) 51–70.

59 Livy 22.38.1–5.

60 Babelon (see above n. 30) 23–24 very early suggested a date of 211 BCE for the coin. Most scholars dated it much earlier: after 317 BCE see Ch. Lenormant, *Essai sur l'organisation politique et économique de la monnaie dans l'antiquité* (Paris 1863) 190–192, n.1; 193ff. From 396 BCE: Baron Pierre-Philippe d'Ailly, *Recherches sur la monnaie romaine depuis son origine jusqu'à la mort d'Auguste* (Lyon 1864) 1.182ff and P.R. Garrucci, *Le monete dell'Italia antica* (Roma 1885) 2.63; c. 300 BCE see M. Bahrfeldt, "Monete romano-campane", *RIN* (1899) 319ff. For c. 290–289 BCE see Grueber (see n. 29 above) 2. 131–132, n.1; Giesecke (see n. 41 above) 197; Breglia (see n. 41 above) 70–72. Later than 269 BCE see Willers (see n. 49 above) 319ff. After 260–203 BCE Sambon (see n. 32 above) 425–426 and 435ff. For 218–217 BCE see Mattingly (see n. 35 above) 73. For 212–205 BCE see Frank (see n. 42 above) 83–84. For 209 BCE Alföldi (see n. 31 above) 20–21.

gold stater.⁶¹ Thomsen estimates that the gold stater was introduced not long after the quadrigatus.⁶² Since the quadrigatus was introduced before the denarius, it must date prior to 215 BCE the date at which Thomsen after a convincing argument based on the numismatic evidence alone, places the first denarius.⁶³ Thomsen dates the oath scene gold stater to 216 BCE.⁶⁴ Such a date would rule out suggestions that the coin refers to events in 209 BCE.

The gold stater engendered a series of later coins and gems with a similar image. Kuttner sees them as having their origin in a common source. The model on which they were all based (including the oath scene gold stater) was a monument consisting of a group of free-standing statues that depicted the sacrifice made by Romulus and Tatius that sealed their treaty.⁶⁵ It had once stood on the Via Sacra near the temple of Jupiter Stator. According to Bleicken, the gold stater was the prototype for the later coins such as the Sulpicius and Veturius denarii, the former dating to the period 108–102 BCE⁶⁶ and depicts the *coniuratio* put together in the emergency where Rome was threatened by the Cimbri and Teutoni.⁶⁷

Similar scenes were common place on coins minted by the Italians during the Social War (91–88 BCE).⁶⁸ The line of transmission runs from the oath scene gold stater to the denarius of Veturius.⁶⁹ On the reverse of the latter, the figure on the left leans on his lance whereas on the oath scene gold he holds it in his outstretched left hand. The coin of C. Papius Mutilus with two oath swearers also has the figure on the left leaning on his lance. This coin in turn then becomes the model for the other coins from the Social War which have four and eight oath swearers depicted.⁷⁰ These coins likewise depict the swearing of the troops to a *coniuratio* in time of emergency, in this case, the Italian uprising against Rome.⁷¹

61 P. Gentilhomme, "Le quadrigati nummi et le dieu Janus", *RN* 4.37 (1934) 18; Thomsen (see n. 39 above) 2.273.

62 Thomsen (see n. 39 above) 2.261.

63 Quadrigatus: Thomsen (see n. 39 above) 2.265–267; introduction of the denarius vol. 2.264.

64 Thomsen (see n. 39 above) 2.285.

65 *Serv. Aen.* 8.639–641. See A. L. Kuttner, *Dynasty and Empire in the Age of Augustus: the case of the Boscoreale cups* (Berkeley 1995) p. 125.

66 Sulpicius denarius: Sydenham (see n. 29 above) 572; Veturius denarius: Sydenham (see n. 29 above) 527.

67 Bleicken (see n. 54 above) 68. For the emergency after multiple defeats at the hands of the Cimbri and Teutoni see *Plut. Marius* 15–21.

68 Grueber (see n. 29 above) 2.323 nos 1–6, 327, 329, 331 no. 35, 332 no. 39, 335 no. 43; Sydenham (see n. 29 above) nos 619–621, 626, 629, 634, 627, 640. See also G.G. Belloni, *Le monete romane dell'età repubblicana* (Milano 1960) 101ff.

69 Thomsen (see n. 39 above) 2.279, n. 302.

70 For the Italian coinage of the Social War see Breglia, (see n. 41 above) 67–79; A. Voirol, "Die Münzen des Bellum Sociale und ihre Symbolik", *Schweizer Münzblätter* 4 (1954) 64–67; E. Bernareggi, "Problemi della monetazione dei confederati italici durante la guerra sociale", *RIN* 14 (1966) 61–90 and A. Campana, *La monetazione degli insorti italici durante la guerra sociale (91–87 a.C.)* (Soliera 1987).

71 L. Cappelletti, "Il giuramento degli Italici sulle monete del 90 A.C.", *ZPE* 127 (1999) 92.

These coins in turn became the prototype for engraved gems from the mid to late first century BCE. Four specimens, two presently in the Staatliches Museum in Berlin (Inv. No. 1135⁷² and 1136⁷³) and two other examples in the Kunsthistorisches Museum in Vienna (Inv. No. 624⁷⁴ IXB 899⁷⁵) are similar to the gold stater and coins from the Social War. The two men face a piglet and touch it with the tips of their swords. Furtwängler dates the first to the first century BCE during the Social War⁷⁶ and the second is dated to the second half of the first century on the basis of the details of the heads and hairstyles.⁷⁷ Furtwängler classifies the scene as a depiction of an alliance between Rome and Campania at the end of the 4th century and the first half of the 3rd century and the style, he maintains, is the same as the Veturius denarii from 137 BCE.⁷⁸ A fourth gem in the Fol Collection at the Musée d'art et d'histoire in Genève (Inv. No. 2758.⁷⁹) shows two soldiers pointing their swords at a sacrificial animal which is being held by a kneeling figure.

Scenes of oath taking appeared on both coins and engraved gems and this would suggest a more generic symbolism rather than a reference to a specific event. Considerable doubt exists whether the oath scene gold stater depicts a *pater patratus* at all. The use of swords in the ceremony would place the scene back in a time before the fetial rite had been introduced to Rome. That the scene is not a religious one may be seen by the unveiled heads of those standing each side of the piglet. The military clothing and the presence of swords and spears points more directly to the act being the formation of a military pact. The clothing of the figures on the gold coin, therefore, should not be taken as evidence for the dress of the fetial priests or, for that matter, the *pater patratus*. For evidence for the fetial garb, the historian has to turn to the literary evidence.

One could be misled into thinking that we know scarcely anything about the dress of the fetial priests, for this is the impression gained from the modern literature.⁸⁰ With the exception of Fusinato in 1884, all mention of fetial dress has vanished from the literature.⁸¹ Although we do not know as much as we would like about the garb of the fetial priests, it would not be entirely accurate to say that 'The sources do not say precisely what the *pater patratus* usually

72 A. Furtwängler, *Die antiken Gemmen* 1 (repr. Osnabrück 1984) Taf. XXVII, 34; 2.135–136; 3.277.

73 Bleicken (see n. 54 above) Taf. 8, Nr. 17.

74 Illustrated in Furtwängler vol. 1 (see n. 72 above) Taf. 27, Nr. 34; description vol. 2, 221.

75 E. Zwieler-Diehl, *Die antiken Gemmen des Kunsthistorischen Museums in Wien*, II (München 1979) 129–130, Taf. 84, Nr. 1098.

76 Furtwängler (see n. 72 above) 2.221.

77 Zwieler-Diehl (see n. 75).

78 Furtwängler (see n. 72 above) 2.136.

79 See Bleicken (see n. 54), Pl. VIII, no. 17.

80 Fusinato (see n. 15 above) 451–589 provides bibliographic references to the early literature and F. Santangelo, 'The Fetials and their *ius*', *BICS* 51 (2008) 1–49 to the modern literature.

81 Fusinato (see n. 15 above) 490.

wore, and are equally vague about the costume of the *fetiales* too, ...⁸² The ancient literary sources provide quite a few details of the attire that was specific to fetial priests, attire which served to distinguish them not only from non-priests, but also from priests from other colleges. Particularly important evidence may be found in the commentaries of Servius on Vergil's *Aeneid*.

Servius' work was highly valued for its erudition in his lifetime. Even in his youth, he had gained a reputation for learning. He was honoured by membership of the Symposium of Macrobius, who considered Servius the authority on questions of Virgilian scholarship.⁸³ One can see that in his commentary Servius was an enthusiast for the old religion and recorded and preserved antiquarian details of its forms and rituals in great detail. He used only the best commentators, such as, Verrius Flaccus, Hyginus, Cornutus, Asper, Valerius Probus of Berytus, Terentius Scaurus and Sulpicius Apollinarius.⁸⁴ Therefore, it is no surprise that Servius is one of our chief sources of information on the fetial priests, whose commentaries on Vergil's *Aeneid* provide invaluable information that is not found elsewhere.⁸⁵

In terms of information on fetial dress, the details are supplied by Servius auctus, otherwise referred to as Servius Danielinus (whose name derives from that of the French scholar, Pierre Daniel, who in 1600 first published the commentary). This work was based on a more complete version of Servius' commentary⁸⁶ He was an abbreviator of Donatus' commentary, but in a mechanical way with the result that he preserved large portions of the original of this commentary also with a good degree of accuracy.⁸⁷

Servius auctus describes a type of the attire belonging to the *pater patratus* and the other priests of the fetial college which may have been worn only when they were carrying out the sacrifice that concluded the treaty ceremony. The context of the commentary is Vergil's recreation of the conclusion of a treaty of peace between Aeneas and Turnus. The garb of the priests who officiate at the ceremony is pictured by Vergil⁸⁸ as 'clothed in a *limus* and their brows bound with *verbena*'.

82 Cf. Richardson (see n. 48 above) 422.

83 Macrobius 1.4.1; 1.24.20; 2.8.12; 6.72. On Servius' reputation as a scholar see E.H. Sihler, "Servius the Commentator of the *Aeneid* and Some of his Predecessors Part 1", *The New York Latin Leaflet* vol. 6, no. 143 (March 12, 1906) 2.

84 E.G. Sihler, "Serviana", *AJP* 31 (1910) 2–3, 7.

85 M. Stansbury, "Introduction", in: C.M. McDonough/M. Stansbury/R.E. Prior, *Servius' commentary on Book four of Virgil's Aeneid* (Wauconda IL 2004) xi.

86 D. Daintree, "The Virgil Commentary of Aelius Donatus – Black Hole or 'Éminence Grise'?", *Greece and Rome* 37 (1990) 67.

87 R.B. Lloyd, "Republican authors in Servius and the Scholia Danielis", *HSCP* 65 (1961) 26.

88 *Aen.* 12.119–120: *alii fontemque ignemque ferebant | uelati limo et uerbena tempora uincti.*

Servius auctus assumes (somewhat anachronistically⁸⁹) that the priests taking part in the treaty formation ceremony are fetial priests and then proceeds to describe what these fetial priests wore. His comments are worth quoting in full:

VELATI LINO atque fetiales et pater patratus, per quos bella uel foedera confirmabantur, numquam utebantur uestibus lineis. adeo autem a Romano ritu alienum est, ut, cum flaminica esset inuentum tunicam laneam lino habuisse consutam, constitisset ob eam causa piaculum esse commissum. unde dicemus errore factum, ut linea uestris contra morem adhiberetur ad foedera, quae firma future non errant. ... Caper tamen et Hyginus hoc loco dicunt lectionem esse corruptam: nam Virgilium ita reliquisse confirmant 'uelato limo'. limus autem est vestries, qua ab umbilico usque ad pedes proper teguntur pudenda poparum. haec autem uestris habet in extreme sui purpuram limam, id est flexuosam, unde et nomen accipit: nam 'limum' obliquum dicimus, unde et Terentius limis oculis dicit, id est obliquis.⁹⁰

The commentary reports that the words *uelato lino* had incorrectly entered the manuscript and that instead the text should read *uelato limo*. This correction restores the original text of Vergil who understood that the fetial priests wore a *limus* during the ritual sacrifice in the ceremony for the making of a treaty.⁹¹ Servius auctus quotes two sources, the first of which is Hyginus, who was Augustus' librarian on the Palatine. C. Iulius Hyginus was a philologist who commented on selected passages of Vergil.⁹² The other source is Flavius Caper who lived under Trajan and whose scholarship was highly prized by Priscian who described him as '*antiquitatis doctissimus inquisitor*'.⁹³ These two reliable sources bear witness that Vergil wrote *uelato limo*. They knew this to be correct because of the ban on wearing linen. When the correct reading *uelato limo* is restored one may see the elegance of the poetry, as commented upon by Timpanaro, who has effectively dealt with the objections that Zetzel and others who would prefer *uelato lino* and who objected to the reading *uelato limo*.⁹⁴ Servius' correction of the text in the manuscript is today generally accepted and followed.⁹⁵

The practice of wearing a *limus* during the ritual of sacrifice is well-docu-

89 R. Penella, "War, Peace, and the *ius fetiale* in Livy I", *CPh* 82 (1987) 233–234.

90 Serv. *ad Aen.* 12.120.

91 Reading '*velati limo*' instead of '*velati lino*'. See Fusinato (see n. 15) 489–490 with references. The *OLD* s.v. '*limus*' 1032 accepts the reading of '*limo*' as does N.W. DeWitt, "Semantic Notes to Latin Etymologies", *Language* 16/2 (1940) 93; S. Timpanaro, *Per la storia della filologia virgiliana antica* (Rome 1986) 86–88 and N. Horsfall, in his review of Timpanaro in *CR* 37 (1987) 179.

92 W. Hübner, "Nachlese zu Hyginus", *Hermes* 113 (1985) 208–224; P.L. Schmidt, *DNP*, s.v. Hyginus, C. Iulius, vol. 6 (Leiden/Berlin 2005) col. 606.

93 H. Keil, *Grammatici Latini* 2 (Leipzig 1855 = repr. Olms 1961) 344–349.

94 Timpanaro (see n. 91) 63. Cf. J.E.G. Zetzel, *Latin Textual Criticism in Antiquity*, (Salem NH 1984) 32.

95 Representative: W. Ernst/E. Jakab, *Usus Antiquus Juris Romani* (Berlin/Heidelberg 2005) 169–171.

mented.⁹⁶ In historical times, the *limus* was typically worn by the officiator and his attendants, who actually killed the victim, at the sacrifice.⁹⁷ Domaszewski considered that the garment was originally worn by the priest officiating at the sacrifice because, at one time, he was the one who killed the animal and that, over time, this duty was taken over by assistants, who then wore the *limus*.⁹⁸ The *limus* may be seen on the figure on the left of the scene on a relief (now in Florence) that depicts the sacrifice made to commemorate the twentieth anniversary (*Vicennalia*) of Hadrian's rule and on a relief depicting the triumph of Marcus Aurelius.⁹⁹ Livy (1.24.9) quotes the words accompanying the oath that the *pater patratus* took on behalf of the Roman people and he reports that after enunciating the words of the oath the *pater patratus* actually struck the sacrificial pig. He wore the *limus* because he physically laid hands on the animal and killed it.

What is known about the *limus* is that it was a straight seamless piece of cloth that was worn like a skirt and tied around the waist.¹⁰⁰ The *limus* formed an apron-type garment that was, at first, short, but, by the time of Servius in the fourth century CE, it was much longer and reached to the feet. It was *cinctus*, that is, draped across the body and had a slanting purple stripe along the lower edge.¹⁰¹ The garment derived its name from the adjective, *limus*, meaning 'transverse' or 'oblique', which refers to the transverse purple stripe along the border of the garment.¹⁰²

The *limus* is illustrated on a *cista* dating to c. 100 BCE from Praeneste.¹⁰³ It is also shown in depictions of deities where it is worn over a toga. Thus, for example, a monument to the god Bonus Eventus, found in Isca (modern Caerleon in Wales), shows the god clothed in a toga with the apron like garment over the top.¹⁰⁴ The *limus* can be seen clearly with its border falling from the waist to below the knees.

96 F. Fless, *Opferdiener und Kultmusiker auf stadtrömischen historischen Reliefs. Untersuchungen zu Ikonographie, Funktion und Benennung* (Mainz 1995) 70–78 and A. Weiss, "Limocincti in Irni. Zur Ergänzung des Duumvirnparagrafen 18 der lex Irnitana", *ZPE* 135 (2001) 284–286.

97 A.H. Bryce, *The Works of Virgil* (London 1800) 251. See also *CIL* 5.3401.

98 A. von Domaszewski, "Bonus Eventus", in his *Abhandlungen zur römischen Religion* (Stuttgart 1909) 123.

99 K. Moede, "Reliefs, Public and Private", in: Rüpke (see n. 21 above) 169, Fig. 12.2 and F. Fless and K. Moede, "Music and Dance: Forms of Representation in Pictorial and Written Sources", in: Rüpke (see n. 21 above) 250, Fig. 18.1.

100 Tiro *apud* Gell. 12.3.3.

101 Isid. *Orig.* 19.33.4; L. Bonfante Warren, "Roman Costumes. A Glossary and Some Etruscan Derivations", *ANRW* 1.4 (1973) 609.

102 Adjective: Fest. p.116 M; transverse purple stripe: Hyg. Gr. *agrim.* p. 132.

103 L. Bonfante Warren, "A Latin Triumph on a Praeneste Cista", *AJA* 68 (1964) 38; Plate 13, fig. 4 – the figure on the left.

104 Domaszewski (see n. 98) fig. 21, 122.

The Servius commentary (*ad Aen.* 12. 120) affirms that the *linus* was worn in the course of concluding a treaty. The *pater patratus* of the fetial priests, as the officiator at this sacrifice, was clothed in a *linus*. For Richardson's identification to be valid one would need to see the figure on the gold stater wearing a *linus*. Such a garment left the shoulders bare; but Richardson maintains that there is 'a suggestion of material across his right shoulder.'¹⁰⁵ The garment shown on the coin also has no stripes so that it equally cannot be a *linus* or a *trabea*, as Richardson suggests.¹⁰⁶

For a possible illustration of the clothing of the fetial priests the numismatic record presents one possibility. A denarius from 16 BCE minted by the moneyer C. Antistius Vetus¹⁰⁷ has a scene on the reverse that can be identified as a treaty ceremony because it is clearly stamped with the legend C. ANTIST VETVS FOEDVS P R QVM GABINIS. This coin commemorates the Roman treaty with Gabii,¹⁰⁸ a city with whom the Antistii claimed an ancestral connection.¹⁰⁹ The city was only 18 km east of Rome within the state of Latium.



Fig. 2. Denarius of C. Antistius Vetus, 16 BCE. Courtesy of Numismatica Ars Classica.

Both men on the coin have their heads veiled (*capite uelato*) which indicates that they are priests performing a religious ceremony. The figure on the right is wearing a toga while the one on the left is wearing a long garment that is *cinctus*, namely, bound around his waist. So distinctive was the wrapping of the *linus* around the waist, that the attendants of magistrates who wore

¹⁰⁵ Richardson (see n. 48) 415.

¹⁰⁶ Richardson (see n. 48) 422.

¹⁰⁷ C.H.V. Sutherland/R.A.G. Carson (eds.), *Roman Imperial Coinage*, 1 (rev. ed. London 1984) 363–369.

¹⁰⁸ For this treaty see D.H. *Ant. Rom.* 4.58; R.E.A. Palmer, 'A New Fragment of Livy throws light on the Roman Postumii and Latin Gabii', *Athenaeum* 78 (1990) 5–18 and C. Gabrielli, 'Lucius Posturnius Megellus at Gabii. A New Fragment of Livy', *CQ* 53 (2003) 247–259. For the excavations of the city of Gabii see J.A. Becker, M. Mogetta, N. Terrenato, 'A New Plan for an ancient Italia city: Gabii revealed', *A.J.Arch.* 113 (2009) 629–642.

¹⁰⁹ G.D. Farney, *Ethnic Identity and Aristocratic Competition in Republican Rome* (Cambridge 2007) 288–289.

the garment in this manner were called *limocincti*.¹¹⁰ The depiction resembles more closely the *limus* rather than the *trabea*, which was not worn in this way around the waist. Richardson¹¹¹ dismisses the use of this coin as evidence for the practices from the early republic because it was minted in the Augustan period and he considers this precludes its having any historical reliability for the earlier period. On this basis, one would have to dismiss the literary evidence for the *trabea* itself because that too is based on evidence from the Augustan period, namely, Vergil *Aen.* 7.187–188 where it is mentioned for the first time.¹¹² So too, most of the evidence for the Roman toga in the Republican period could be dismissed also because visual representations come from the late Republican period.¹¹³

Additionally, on this coin there are only two figures and not three as in the oath scene gold stater and the coins from the Social War. There is no figure in the middle holding the sacrificial pig. Instead, the two figures stand with an altar between them both holding onto the legs of a piglet without the aid of any assistance. It is not that the *uictimarius* is never shown on coins; in fact, a rare gold coin also minted by the very same moneyer, Antistius, from approximately the same year (16 BCE) shows on the reverse a veiled priest standing left, holding *patera* over a lighted and garlanded altar, to which a *uictimarius*, holding knife in his right hand, leads a bull.¹¹⁴ If one wants to find an image from antiquity of an oath swearing that accompanied a treaty ceremony then the denarius of Antistius is possibly the only known representation to date.

In the face of the clear evidence from the commentary of Servius auctus that the *pater patratus* wore a *limus* when taking the execration oath during the treaty ceremony, Richardson suggests that the garment of the *pater patratus* was the *trabea*.¹¹⁵ No ancient author connects the fetial priests with this type of clothing. Only the *limus* is explicitly mentioned in the ancient sources as the garment of the *pater patratus*.

One cannot confuse the two garments or mistake a *limus* for the *trabea* as there were very marked differences between them. The *trabea* was a short

110 See for example the attendants of the aediles called *limocincti* in *CIL* 1.594, Tab. 1,3, line 18.

111 Richardson (see n. 48) 421 acknowledges that the presentation of the ritual differs from the gold stater Crawford (see n. 29 above) no.s 28/1–2 and 29/1–2. More importantly the dress of the figures is presented differently.

112 Bonfante Warren (see n. 101) 613.

113 See H.R. Goette, *Studien zu römischen Togadarstellungen* (Mainz 1990) passim.

114 M.M. Evans, "Hair-dressing of Roman Ladies as Illustrated on Coins", *Numismatic Chronicle* (1906) pl. III, 10; J. Evans, "On Some Rare and Unpublished Roman Gold Coins", *Numismatic Chronicle* (1908) 1 and pl. 10,1.

115 Richardson (see n. 48) 422–423. For the *trabea* see W. Helbig, "Toga und Trabea", *Hermes* 39 (1904) 161–181.

garment, a type of toga¹¹⁶ that covered the upper body and was fastened on the right shoulder with a fibula;¹¹⁷ while the *limus* left the upper body bare.

The *trabea* was a garment whose whole surface was covered with vertical stripes; while the *limus* had stripes on its border only and in a diagonal not vertical direction.

While the *trabea* meant a garment with stripes (etymology from *trabs*),¹¹⁸ these stripes went from top to bottom in a vertical direction. A *trabea* may be seen on the Praeneste mirror from the 4th century BCE.¹¹⁹ A clearer representation may be found on a silver platter from Stáže in Slovakia.¹²⁰ Here the vertical stripes can be discerned quite clearly. Additionally, the *trabea* shown on this silver plate covers the upper body and goes over the right shoulder. The stripes around the border may be seen on a mosaic from Sfax in Tunisia that depicts a figure clothed in a *trabea*.¹²¹

The *trabea* was purple and scarlet with a purple border.¹²² It cannot be confused with the *limus* in which the fetial priests in the treaty ceremony were clothed, which was white with purple only on its border.¹²³ According to Suetonius, there were three types of *trabea*: one worn by the gods, which was purple all over; one by the kings, which was purple with some white; and a third type worn by the augurs, which was purple and crimson.¹²⁴

What is known about the *trabea* is that it was the attire of the early kings of Rome when performing ceremonial duties.¹²⁵ Its purple colour was the richest and most prestigious of dyes and, as such, denoted royalty.¹²⁶ After the expulsion of the kings, in the republic, consuls wore the *trabea* during the ceremony of the opening of the gates of Janus.¹²⁷ This garment was unique to the Romans and was considered a mark of the highest honour.¹²⁸ Many priests wore the *tra-*

116 Serv. *ad Aen.* 8.188; Isid. *Orig.* 19.24.8.

117 F. Courby, "trabea", in: C. Daremberg/E. Saglio, *Le Dictionnaire des Antiquités Grecques et Romaines* (Paris 1877–1919) 5.1, 382; E. Schuppe, "trabea", *RE* 6A (1937) 1860–1862.

118 Courby (see note 46) 5.382.

119 T.P. Wiseman, *Remus. A Roman Myth* (Cambridge 1995) 68.

120 B. Svoboda, "The Silver Lanx as Means of Propaganda of a Roman Family", *JRS* 58 (1968) Pl. IV. M. Steinhart, *Bilder der virtus. Tafelsilber der Kaiserzeit und die grossen Vorbilder Roms: die Lanx von Stráže* (Stuttgart 2009).

121 Mosaic: E. Fortier/E. Malahar, "Les fouilles à Thina (Tunisie) exécutés en 1908–1909", *Bulletin archéologique du comité des travaux historiques et scientifiques* (1910) 82ff., 97–98, Plate 22. Illustration of mosaic: H. Wrede, "Zur Trabea", *JdI* 103 (1988) 391, fig. 4. For identification of the garment as a *trabea* see H. Gabelmann, "Ein eques Romanus auf einem afrikanischen Grabmosaik", *JDAI* 94 (1979) 594ff., Plate 1. Followed by Wrede (see this note) 391; Cf. Goette (see n. 113) 6, 101.

122 Bonfante Warren (see n. 101) 613.

123 Hyg. *Gr. agrim.* p. 132.

124 Serv. *ad Aen.* 8.188.

125 Romulus and the *trabea*: Ov. *Fast.* 1.37; 2.503f.; 6.375, 796; Plin. *NH.* 9.63. For Servius Tullius and the *trabea* see Livy 1.41.6.

126 Dewar (see n. 6 above) 218.

127 Verg. *Aen.* 7.612.

128 D. H. *Ant. Rom.* 2.70.2; Helbig (see n. 44) 174; H. Gabelmann, "Die Ritterliche Trabea – Nach-

bea, including the Salii¹²⁹, the augurs,¹³⁰ the Flamen Dialis, the Flamen Martialis¹³¹ (prior to the third century BCE)¹³² and the Luperci¹³³; there is, however, no evidence from antiquity to support the proposition that the fetial priests wore the *trabea*.¹³⁴

There is, however, literary evidence that supplies additional details about the ritual attire of the fetial priests. Apart from clothing, the fetial priests wore other attire that was unique to them. Part of the insignia of the fetials was a distinctive head covering. They wore a woolen head covering when they approached the border of enemy territory to make demands for restitution. Livy reports¹³⁵ that when an envoy came to the borders of the people from whom he sought reparations, he covered his head with a priest's head band made of wool.

Exclusive to the fetial priests was a garland of verbena wound around the forehead and this was worn both within and outside the city of Rome. Servius (*ad Aen.* 12. 120) is the most informative on this point. He says that verbena was taken from a sacred place on the Capitol and that the fetials and the *pater patratus* were crowned with it.

This sacred herb was torn from the actual earth on the Capitol with its roots and earth still hanging from it. The earth was considered to give this herb special powers and efficacy.¹³⁶ This plant was central to the ritual of the fetials and also to their attire. The touching of the head with verbena or the sacred herb is mentioned as the method by which one of the fetials was transformed into the *pater patratus*.

The creation of a *pater patratus* had its own ritual which is reported by Livy (1.24.4–6). In the regal period, the ceremony was conducted in front of the king. The ceremony had two parts. First, the initiative came from the fetial priest who demanded of the king to hand over the sacred herb (*sagmina*) to which the king replied that he should take it untainted (*pura*). Once this permission was given, the fetial then brought from the citadel (*arx*) the blade of grass untainted (*graminis herba pura*). Festus (p. 424L) tells us that verbena, *sagmina* and *herbae purae* were the same thing.

The touch of the soil, in this case the soil attached to the roots of the sacred herbs or grasses, had a special significance for the Romans.¹³⁷ The soil came

trag", *JDAI* 92 (1977) 322–372.

129 D. H. *Ant. Rom.* 6.13; 2.70.2; Bonfante Warren (see n. 101) 613.

130 D. H. *Ant. Rom.* 2.70.2; Serv. *ad Aen.* 7.612.

131 Serv. *ad Aen.* 7.190.

132 R. Hurschmann, "Trabea 1", *DNP* 14 (Leiden/Boston 2009) 818.

133 Val. Max. 2.2.9.

134 Wrede (see n. 121) 386.

135 1.32.6: *Legatus ubi ad fines eorum uenit unde res repetuntur, capite uelato filo — lanae uelamen est ...*

136 Fusinato (see n. 15) 490 with references.

137 H. Wagenvoort, *Roman Dynamism: Studies in ancient Roman thought, language and customs* (Oxford 1947) 17.

from the Arx, whose very soil was sacred.¹³⁸ Varro (LL 5.47) stated that the Arx was associated with augury.¹³⁹ By touching the priest on the head,¹⁴⁰ this was a gesture of purification, but also a means of transmitting a particular power that emanated from the Citadel.¹⁴¹ Verbena represented the centre (*caput*) of power of the god.¹⁴² Verbena was thus permeated with the god's power.¹⁴³ This ceremony of touching with the sacred herbs can be understood as a magical ritual, performed in order to transfer the god's power to the priest.¹⁴⁴

Verbena is particularly singled out for attention in the sources due to the fact that it is green and has a pleasant odour.¹⁴⁵ Because this plant remains green, some have seen in this a symbol of enduring vitality, an analogy for the enduring status of the treaty.¹⁴⁶ In magical terms, verbena has an apotrophic effect in that it guards against any evil entering into the ceremony.¹⁴⁷

Verbena was used in religious rituals and to drape over altars: *ad aras coronandas* ...¹⁴⁸ The close association of verbena with the treaty ceremony caused Varro to give it the value of a symbol of peace.¹⁴⁹ Taken together, *sagmina* and verbena became symbolic of treaty making and were used by the poets to refer to the striking of a treaty.¹⁵⁰ Just what these herbs were is not certain; but Servius says that verbena is formed of the fronds of laurel, olive or myrtle trees.¹⁵¹ In Livy's account of the treaty ceremony, when he used the words *sagmina*, this stood for legitimization (of the *pater patratus*), and when he used verbena this stood for protection.¹⁵²

In Livy 1.24.5, the sacred herb is also called *gramen*. This is a generic term for sacred herbs. According to Servius, these herbs were consecrated to Mars.¹⁵³ Suggestions regarding the connection between Mars and a treaty that ended a state of war must remain in the realm of speculation. In this context in Livy, *gra-*

138 Wagenvoort (see n. 137) 46.

139 Cic. *off.* 3.66.

140 For the suggestion that *verbena* originally meant 'the herb that touches' see: G. Guillaume-Coirer, "Arbres et herbe. Croyances et usages rattachés aux origines de Rome", *MEFR* 104 (1992) 367–370.

141 A. Wagenvoort, "Wesenszüge altrömischer Religion", *ANRW* I.2 (1972) 372.

142 Fest. p. 473 L.

143 Wagenvoort (see n. 137) 22.

144 Cf. Rüpke (see n. 43 above) 102.

145 Serv. *ad. Ec.* 8.56–68.

146 B. Liou-Gille, *Une lecture « religieuse » de Tite-Live I. Cultes, rites, croyances de la Rome archaïque* (Paris 1998) 207.

147 J. van Ooteghem, "Le cérémonial romain d'un traité de paix", *Les Etudes Classiques* 23 (1955) 313.

148 Acro, *ad Hor. Carm.* 4.11.7.

149 Varro in Nonius, 529.

150 Verg. *Ec.* 8.65; Ov. *Fast.* 1.381.

151 Serv. *ad Aen.* 12.120.

152 Rüpke (see n. 43) 102–103.

153 Liou-Gille (see n. 146) 207.

men doubtless is a shortened form of *graminis herba* meaning a blade of grass.¹⁵⁴ Nevertheless, the touching of the head of the fetial priest with the sacred herbs in the lead up to the treaty ceremony was used by the poets as a synecdoche for the treaty ceremony itself. So, in Vergil and Ovid, the *sagmina* and *verbena* serve as a metaphor for the striking of a treaty.¹⁵⁵

The formation of a binding treaty was achieved through a quite specific ritual. The *pater patratus* chanted the oath, read out the terms of the treaty and chanted the words of the execration oath. In the act of declaring war or of commencing hostilities, on the other hand, where the *pater patratus* performed the act of throwing a spear into enemy territory,¹⁵⁶ there is no record that he had *verbena* wound around his forehead for this ceremony.¹⁵⁷

In addition to *verbena* conferring power on the *pater patratus*, it was significant for another reason. The fetial priests carried it as an external sign of their sanctity. Pliny (*n.h.* 22.3.2) explains that *verbena* was the plant that was carried in the hand of the envoys, who went to speak with the enemy. Symmachus provides testimony that *verbena* was carried exclusively only by the fetials and as such it served as their own distinguishing marker.¹⁵⁸ The *verbena* showed that they possessed inviolability.¹⁵⁹ Their status was represented by the sacred herb. Coming as it did from the citadel, *verbena* became a symbol of Rome itself and the sanctity of the Capitol, a sacred site for Romans where important temples, such as the Temple of Iuppiter Optimus Maximus, the Temple of Iuppiter Feretrius, were to be found, as well as the residence of the augurs and other sacred institutions of Rome.¹⁶⁰ The fetial priesthood, in fact, was one of the rare public offices in Rome whose members enjoyed inviolability both outside and inside Rome itself.¹⁶¹

Additionally, *verbena* was considered a symbol of peace. Varro notes this fact and connects the carrying of the *verbena* with the *caduceus*.¹⁶² Servius took this a step further and, in a confused passage, seemed to suggest that the fetials carried a *caduceus*, for which there is no evidence.¹⁶³ Pliny names an official who carried the *verbena* as a *uerbenarius*.¹⁶⁴

154 For a similar usage see Verg. *Ec.* 5.26.

155 Verg. *Ec.* 8.65; Ov. *Fast.* 1.381.

156 Serv. *ad Aen.* 9.52; J.W. Rich, *Declaring War in the Roman Republic in the Period of Transmarine Expansion*, Collection Latomus 149 (Bruxelles 1976) 56–57; 105–107; Rüpke (see n. 43) 105–108.

157 Not mentioned in the descriptions of the ritual in Livy 1.32.6 and D. H. *Ant. Rom.* 2.72.6.

158 Symm. *Or.* 5.2: *vestra opinio est, ut per fetiales quodammodo evocaretur; verbenae tantum et sagmina defuerunt.*

159 Serv. *ad Aen.* 12.129; Fusinato (see n. 15) 485.

160 Fusinato (see n. 15) 491.

161 Tac. *Ann.* 3.80; Fusinato (see n. 15) 485.

162 Varro, *Vita p. R. 2*, *apud* Non. p. 848 = 528 M.

163 Serv. *ad Aen.* 4.242.

164 *NH.* 22.5.

Some further details of the emblems of the *pater patratus* is provided by Festus, who explains that they had their own official implements, a sceptre and a flint knife, both kept until needed in the temple of Jupiter Feretrius.¹⁶⁵ Wissowa considered that, when the *pater patratus* had these two articles of ritual, he was imbued with the actual attributes of the god, Jupiter.¹⁶⁶

The sceptre was a symbol that was connected with Jupiter. Jupiter Optimus Maximus had a rod made of ivory atop of which rested an eagle.¹⁶⁷ Jupiter Feretrius likewise had a sceptre which was kept in his temple on the Capitol. Festus connects this scepter with the one that was present when treaties were concluded.¹⁶⁸ Servius noted that the sceptre was used when making a treaty because they wanted an image of Jupiter to be in attendance at the ceremony. Servius is clear also in his testimony that the *pater patratus* carried a sceptre as a symbol of his office and as a symbol of Jupiter as sovereign of the gods.¹⁶⁹ The sceptre was also associated with sovereignty in the regal period when it was a sign of royalty.¹⁷⁰ Servius (*ad Aen.* 4.242) reports that the fetials carried a wand when they went to declare war or make peace, but he incorrectly associates this with the caduceus, with its entwined serpents.

Some numismatic evidence may permit a reconstruction of the appearance of the sceptre of the fetial priests. Several republican coins depict Jupiter holding a sceptre topped by an orb.¹⁷¹ One is tempted to consider that it may have had the same appearance as the scepter belonging to the emperor Maxentius that was discovered at the foot of the Palatine in 1996 by Clementina Panella from Rome's La Sapienza University.¹⁷² It had been placed in a wooden box wrapped in layers of cloth one made of silk and the other of linen. The grip was made of orichalcum, an alloy of brass with the appearance of gold. It was topped by an orb resting on a base of a carved flower.¹⁷³

In conclusion, while we do not have as much information as we would like about the dress and appearance of the fetial priests, it is incorrect to say that we

165 81 L.

166 Wissowa (see n. 3 above) 552.

167 Juvenal 10.43; *CIL* 10.1709.

168 Fest. 81, 16–18 L.

169 Servius *ad Aen.* 12.206: *ut autem sceptrum adhibeatur ad foedera, haec ratio est, quia maiores semper simulacrum Iovis adhibebant: quod cum taediosum esset, praecipuo quando fiebant foedera cum longe positis gentibus, inventum est, ut sceptrum tenentes quasi imaginem simulacra redderent Iovis: sceptrum enim ipsius est proprium. unde nunc tenet sceptrum Latinus, non quasi rex, sed quasi pater patratus.* See J. Yates, "sceptrum", in: W. Smith, *A Dictionary of Greek and Roman Antiquities*, (London 1875) 1011.

170 Verg. *Aen.* 12.206.

171 225–212 BCE: *RRC* 28/4, Pl. II, 13; 106 BCE *RRC* 311, 1d, Pl. XLI, 16 and 86 BCE *RRC* 348/1 Pl. XLV, 19.

172 See L. Pasquali, "I segni del potere", *Forma Urbis* 12/3 (2007) 16–20. The sceptre is now on display in Rome at the Palazzo Massimo.

173 See www.roma2000it/zmunaro. For newspaper coverage of its discovery see Telegraph 27 February 2007 with photograph at www.telegraph.co.uk/news/worldnews/1544019/sceptre.

know next to nothing about their attire. The *pater patratus* wore the *toga praetexta* and when conducting a sacrifice he wore a *limus*, the apron type garment. The gold stater that dates from the Second Punic War shows two figures taking an oath. The legend on the coin is simply ROMA and thus provides no context for oath; but, the military nature of the scene is quite evident. The oath scene gold stater has nothing to do with the treaty ceremony of the fetial priests because they did not use swords. The weight of the evidence leans more strongly to the likelihood that the act shown on the coin was an oath to form a *coniuratio*. It is extremely doubtful that the figure on the reverse of that coin may be identified as a *pater patratus* with any reliability. If the scene were to show a *pater patratus*, he should be veiled and wearing a *limus*; but he is not. The suggestion that the fetial priests wore a *trabea* finds no support in the literary, numismatic or archaeological record. The group of figures on the oath scene stater includes a *uictimarius* which was not the case with the fetial ritual where the *pater patratus* and his fellow fetial colleagues conducted the sacrifice themselves. The view of Bleicken that the oath scene gold represents two military figures forming a military oath in order to form a *coniuratio* is the most satisfactory explanation and one which fits the ancient evidence as we have it.

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