

A NEW PERSPECTIVE ON THE EARLY ROMAN DICTATORSHIP, 501-300 B.C.

BY

Jeffrey A. Easton

Submitted to the graduate degree program in Classics
and the Graduate Faculty of the University of Kansas
in partial fulfillment of the requirements for the degree of
Master's of Arts.

Anthony Corbeill
Chairperson

Committee Members

Tara Welch

Carolyn Nelson

Date defended: April 26, 2010

The Thesis Committee for Jeffrey A. Easton certifies
that this is the approved Version of the following thesis:

A NEW PERSPECTIVE ON THE EARLY ROMAN DICTATORSHIP, 501-300 B.C.

Committee:

Anthony Corbeil

Chairperson

Tara Welch

Carolyn Nelson

Date approved: April 27, 2010

Page left intentionally blank.

ABSTRACT

According to sources writing during the late Republic, Roman dictators exercised supreme authority over all other magistrates in the Roman polity for the duration of their term. Modern scholars have followed this traditional paradigm. A close reading of narratives describing early dictatorships and an analysis of ancient epigraphic evidence, however, reveal inconsistencies in the traditional model.

The purpose of this thesis is to introduce a new model of the early Roman dictatorship that is based upon a reexamination of the evidence for the nature of dictatorial *imperium* and the relationship between consuls and dictators in the period 501-300 BC. Originally, dictators functioned as ad hoc magistrates, were equipped with standard consular *imperium*, and, above all, were intended to supplement consuls. Furthermore, I demonstrate that Sulla's dictatorship, a new and genuinely absolute form of the office introduced in the 80s BC, inspired subsequent late Republican perceptions of an autocratic dictatorship.

TABLE OF CONTENTS

| | |
|--|----|
| List of Abbreviations | vi |
| Chapter One. Introduction | 1 |
| Chapter Two. The Dictatorship Outside the Roman Polity | 15 |
| Chapter Three. The Nature of Dictatorial <i>Auspicia</i> and <i>Imperium</i> | 39 |
| Chapter Four. The Original Form of the Roman Dictatorship, 501-300 B.C. | 58 |
| Chapter Five. Conclusion: How Sulla Transformed the Dictatorship | 76 |
| Appendix One. Roman Use of the Dictatorship, 501-300 B.C. | 94 |
| Appendix Two. Roman Use of the Dictatorship, 299-202 B.C. | 95 |
| Bibliography | 96 |

LIST OF ABBREVIATIONS

| | |
|-------------------------------------|--|
| <i>CIL</i> | <i>Corpus Inscriptionum Latinarum, Volumes 1.2; 11.1; 14.</i> 1887-1918. Ed. T. Mommsen, et al. Berlin. |
| Consular and triumphal <i>fasti</i> | <i>Fasti Consulares Triumphalesque Romanorum.</i> 1838. Ed. J. Baiter. Turin. |
| <i>ILS</i> (Dessau) | <i>Inscriptiones Latinae Selectae.</i> 1892-1916. Ed. H. Dessau. Berlin. |
| <i>ILS</i> (Orelli and Henzen) | <i>Inscriptionum Latinarum Selectarum Amplissima Collectio, Volumes 1-3.</i> 1828, 1856. Ed. J. Orelli and G. Henzen. Turin. |
| <i>LSJ</i> | <i>Greek-English Lexicon.</i> 1996 ⁹ . Ed. H. Liddell, R. Scott, and H. Jones. Oxford. |
| <i>OCD</i> | <i>The Oxford Classical Dictionary, 3rd Edition.</i> 2003. Ed. S. Hornblower and A. Spawforth. Oxford. |
| <i>OLD</i> | <i>Oxford Latin Dictionary.</i> 2006, reprint. Ed. P. Glare. Oxford. |
| <i>TLL</i> | <i>Thesaurus Linguae Latinae.</i> 1900-. Leipzig. |

CHAPTER ONE

INTRODUCTION

In 327 B.C., the Romans engaged in conflict with the Samnites over control of the city of Neapolis in Campania.¹ This event ignited the Second Samnite War, which lasted until 304. This war strained the magisterial structure of the Roman polity more than any conflict in its history up to that point. The Romans confronted this challenge by employing the office of dictator. In fact, during the twenty-three-year conflict, the consular *fasti*, annual lists of magistrates recorded from the beginning of the Republic, register seventeen dictatorships for both military and civic functions. The *fasti* and ancient literary sources describing the conflict agree that these dictators served either as supplementary military commanders or as consular replacements for tasks within the city of Rome itself. A close reading of the literary sources, moreover, reveals that none of these dictators wielded *imperium* superior to that of the sitting consuls. The frequent occurrence of dictatorships in the Second Samnite War runs directly into conflict with traditional characterizations of the office but is, as I shall argue in this thesis, indicative of Roman use of the dictatorship during the early Republic.

The traditional view of the Roman dictatorship holds that dictators were granted unrestricted *imperium* and administered the Roman polity autonomously for a period of up to six months. This version of the dictatorship also emphasizes the seriousness of the office and, therefore, that its use was to be guarded. Three ancient descriptions of the institution are indicative of the traditional view. Polybius, whose brief mention of the dictatorship is the earliest extant literary analysis of the office, characterizes a dictator of the Second Punic War in this way (3.87.6-9):

1. All dates are B.C., unless otherwise noted.

Ῥωμαῖοι δὲ δικτάτορα μὲν κατέστησαν Κόιντον Φάβιον...ὁ δὲ δικτάτωρ ταύτην ἔχει τὴν διαφορὰν τῶν ὑπάτων· τῶν μὲν γὰρ ὑπάτων ἑκατέρω δώδεκα πελέκεις ἀκολουθοῦσι, τούτῳ δ' εἴκοσι καὶ τέτταρες, κἀκεῖνοι μὲν ἐν πολλοῖς προσδέονται τῆς συγκλήτου πρὸς τὸ συντελεῖν τὰς ἐπιβολάς, οὗτος δ' ἔστιν αὐτοκράτωρ στρατηγός, οὗ κατασταθέντος παραχρῆμα διαλύεσθαι συμβαίνει πάσας τὰς ἀρχὰς ἐν τῇ Ῥώμῃ πλὴν τῶν δημάρχων. οὐ μὴν ἀλλὰ περὶ μὲν τούτων ἐν ἄλλοις ἀκριβεστέρα ποιησόμεθα τὴν διαστολήν.

The Romans appointed Quintus Fabius dictator...The dictator has these distinctions from the consuls: twelve lictors accompany each of the consuls, but twenty-four accompany the dictator; the consuls (κἀκεῖνοι) are very much bound to the senate in making decisions, but the dictator (οὗτος) is an autonomous commander, and when he is appointed, it happens immediately that all magistracies in Rome except the plebeian tribunate are dissolved. Nevertheless, I shall give more precise details about these things at another time.²

I shall discuss this passage in detail in the final chapter of the thesis. Livy, recording the first dictatorial appointment in 501, characterizes the dictatorship this way (2.18.4-8):

*in hac tantarum expectatione rerum sollicita ciuitate, dictatoris primum creandi mentio orta. sed nec quibus consulibus quia ex factione Tarquiniana essent – id quoque enim traditur – parum creditur sit, nec quis primum dictator creatus sit, satis constat. apud ueterrimos tamen auctores T. Larcium dictatorem primum, Sp. Cassium magistrum equitum creatos inuenio. consulares legere; ita lex iubebat de dictatore creando lata. eo magis adducor ut credam Larcium, qui consularis erat, potius quam M'. Valerium Marci filium Volesi nepotem, qui nondum consul fuerat, moderatorem et magistrum consulibus appositum. ...creato dictatore primum Romae, postquam praeferrī secures uiderunt, magnus plebem metus incessit, ut intentiores essent ad dicto parendum; neque enim ut in consulibus qui pari potestate essent, alterius auxilium neque prouocatio erat neque ullum usquam nisi in cura parendi auxilium.*³

When the city was shaken in the expectation of such threats, the mention of creating a dictator arose for the first time. But it is not well understood which consuls were trusted too little, because of their association with the Tarquins – for this also is handed down – or who was made the first dictator. Nevertheless, in the most ancient sources I find that T. Larcus was appointed as the first dictator, and Sp. Cassius as *magister equitum*. They selected men of consular rank, since a law about creating dictators was passed in this in such a way. I am led more to believe that Larcus, who was of consular rank, rather than M'. Valerius, son of Marcus and grandson of Volesius, who had not yet been a consul, was appointed as a magistrate to direct the consuls...After a dictator was created at Rome for first time, a great fear fell upon the plebeians as soon as they saw the *fasces* being carried in front of [the dictator], with the result that they were more intent upon obeying his orders. For, unlike when there were consuls, who were equal in their authority, there was no intervention (*auxilium*) from the other colleague (*alterius*), nor was there the right of *provocatio*, nor any other assistance at any time beyond obedience.

Dionysius of Halicarnassus offers the following assessment of the first dictatorial appointment

(*Ant. Rom.* 5.73.1-2):

οὗτος πρῶτος ἐν Ῥώμῃ μόνναρχος ἀπεδείχθη πολέμου τε καὶ εἰρήνης καὶ παντὸς ἄλλου πράγματος αὐτοκράτωρ. ὄνομα δ' αὐτῷ τίθενται δικτάτορα, εἴτε διὰ τὴν ἐξουσίαν τοῦ κελεύειν, ὅτι θέλοι, καὶ τάττειν τὰ δίκαιά τε καὶ τὰ καλὰ τοῖς ἄλλοις, ὡς ἂν αὐτῷ δοκῆ· τὰ γὰρ ἐπιτάγματα καὶ τὰς διαγραφὰς

2. Translations throughout are my own.

3. Some MSS record the name of the first dictator as *T. Largius*, but I follow Ogilvie 1965: 281-283, who reads *T. Larcus*. See also Broughton 1951a: 10 n. 2.

τῶν δικαίων τε καὶ ἀδίκων ἡδίκτα οἱ Ῥωμαῖοι καλοῦσιν· εἴτε ὡς τινες γράφουσι διὰ τὴν τότε γενομένην ἀνάρρησιν, ἐπειδὴ οὐ παρὰ τοῦ δήμου τὴν ἀρχὴν εὐρόμενος κατὰ τοὺς πατρίους ἐθισμοὺς ἔξειν ἔμελλεν, ἀλλ' ὑπ' ἀνδρὸς ἀποδειχθεὶς ἐνός. οὐ γὰρ ᾤοντο δεῖν ἐπίφθονον ὄνομα καὶ βαρὺ θέσθαι τινὶ ἀρχῇ πόλιν ἐλευθέραν ἐπιτροπευούσῃ, τῶν τε ἀρχομένων ἕνεκα, ἵνα μὴθὲν ἐπὶ ταῖς μισουμέναις προσηγορίαις ἐκταράττωνται, καὶ τῶν παραλαμβανόντων τὰς ἀρχὰς προνοίᾳ, μὴ τι λάθωσιν ἢ παθόντες ὑφ' ἐτέρων πλημμυεῖς ἢ δράσαντες αὐτοὶ τοὺς πέλας, ὧν φέρουσιν αἰ τοιαῦται δυναστεῖαι· ἐπεὶ τό γε τῆς ἐξουσίας μέγεθος, ἧς ὁ δικτάτωρ ἔχει, ἥκιστα δηλοῦται ὑπὸ τοῦ ὀνόματος· ἔστι γὰρ αἰρετὴ τυραννὶς ἢ δικτατορία.

[Larcius] was appointed as the first absolute ruler in Rome, an autonomous magistrate in war, in peace, and in every other matter. They applied the name dictator to him, either on account of his authority in giving orders as he wishes and the fact that he does things justly and honorable as would best to him – for, the Romans call commands and decrees of both just and unjust things ‘edicts’ – or, as many write, on account of the appointment then introduced, since he was to receive the office not by obtaining it from the people, according to ancestral custom, but from appointment by a single man. For, they did not think it necessary to give an invidious and severe name to an office that would rule a free city on account of those being ruled, so that they would not be agitated by despised titles, and those taking up the magistracy with foresight, so that they neither unknowingly suffer something outrageous from others nor themselves wrong those around them, which things such absolute positions allow. Moreover, the greatness of the power which the dictator possesses is shown least of all by the name; for, the dictatorship is a tyranny that can be taken up.

These passages comprise the canonized model of the Republican dictatorship as an extraordinary magistracy with an unrestricted jurisdiction. This traditional paradigm has also governed modern analyses of the dictatorship ever since. A brief glance at the work of four scholars from different periods is indicative of conventional perceptions of the dictatorship. Mommsen (1887), one of the first scholars to examine the office in depth, followed the traditional model closely.⁴ His discussion of the relationship of dictators to consuls and praetors includes this summation⁵:

Seiner Amtsgewalt nach ist der Dictator im Allgemeinen aufzufassen als ausserordentlich eintretender College der Consuln und Prätoeren. Derselbe Amtsname *praetor* wird in ältester Zeit auf alle drei Kategorien gleichmässig bezogen. Die Insignien des Amtes sind durchaus die gleichen, nur dass Zahl der Lictoren nicht dieselbe ist. Ganz mit demselben Recht, wie der Prätor mit der Hälfte der consularischen Fasces *collega consulum* heisst *atque iisdem auspiciis creatus*, kann auch **der Dictator mit der doppelten Anzahl von Lictoren** so genannt werden. Die unter diesen dreien der königlichen unmittelbar nachgebildete Gewalt ist die consularische, die darum auch in der Zahl der Lictoren der königlichen gleichgesetzt wird; die Fasces wurden bei dem Prätor gehälftet, **bei dem Dictator verdoppelt**, um damit greifbar auszudrücken, dass, wie dem Prätor eine der des Consul gleichartige, aber schwächere, so **dem Dictator eine der des Consul gleichartige, aber stärkere Gewalt (*maius imperium*) zukommt**. Ausdrücklich gesagt wird es allerdings in unserer Ueberlieferung nicht, dass der Dictator College der Consul sei...Die sogenannte Dictatur ist also eigentlich die Anordnung, dass bei Abschaffung der lebenslänglichen Monarchie den neuen Jahrherrschern gestattet ward nach Ermessen einen dritten Collegen hinzuzunehmen, hinsichtlich dessen das Volk vorher nicht zu befragen, **der aber an Macht ihnen beiden überlegen war**.⁶

4. Full discussion of the dictatorship at Mommsen 1887: 2.141-172.

5. This passage is quoted from Mommsen 1887: 2.153-154.

6. Phrases in bold font in this and subsequent quotations from modern authors indicate my emphases.

In accordance with the power of his office, a dictator is generally considered to be an additional extraordinary colleague of the consuls and praetors. The same office-name of *praetor* is conferred equally on all three offices in the early period. The insignia of the office are very much the same, except for the number of lictors. While having equal powers, just as a praetor with half the number of consular *fasces* is said to be *collega consulum atque iisdem auspiciis creatus* [created as a colleague of the consuls and under the same type of auspices], the dictator can also be referred to in the same way, although having **double the number of lictors**. Among these three the regal power is directly reproduced as consular, which is made equal even in the number of lictors: there are half the *fasces* for a praetor and **double for a dictator**, meant to express tangibly that, just as a praetor has lesser authority than the consuls, so, too, a **dictator has equivalent but greater authority (*maius imperium*) than the consuls**. It is, however, clearly not stated in our sources that the dictator is a colleague of the consuls...The so-called dictator is thus actually a formation that, with the abolishment of a monarchy that lasts for life, was established for adding to annual senior magistrates a third colleague, as needed, about whom the people would not be asked beforehand, but who was **superior in power to [the other two colleagues]**.

Loewenstein (1973), a political scientist examining the administration of the Roman Republic, characterizes the position of the dictatorship in this way:

The political power connected with the dictatorship consisted – positively – in the **all-embracing character of his *imperium*** –, negatively – in his exemption from the intercession of any and all other magistrates, whether a consul or a tribune. Since there existed no coequal colleague, **the power was monolithic in the fullest sense of the term.**⁷

while Cornell (1995) writes this of the dictatorship:

In cases of emergency a dictator was appointed...**to act as supreme commander and head of state**. The dictator himself appointed a Master of the Horse (*magister equitum*). This, together with the fact that an alternative name for the dictator was *magister populi* (probably, commander of the army), indicates that his primary function was to act as a military commander. **The consuls remained in office, but were subject to the dictator's authority, against which there was no appeal.**⁸

Finally, Lintott (1999), a leading scholar in the study of the Roman constitution, offers this assessment:

The dictatorship seems to have been conceived as a short-term magistracy with special powers, which could be created with the minimum of delay, since the man was simply nominated, not elected. ...**The supremacy of the dictator was manifested by 24 *fasces*** – though perhaps only 12 were normally displayed in the city...How absolute the power of the dictator was, seems to have been an issue which was determined not by statute or by any clear rule, but by casuistry, and it remained debatable at the time when the annalistic tradition was being developed in the last two centuries of the Republic.⁹

All of these characterizations – ancient and modern – stress the supremacy of the dictator's position in the Roman polity. Within the framework of this traditional model of the

7. Loewenstein 1973: 78. See pp. 75-88 for a full analysis of the dictatorship.

8. Cornell 2001: 226-227.

9. Lintott 1999: 110-112.

dictatorship, there are references that imply that ancient commentators noticed inconsistencies. This is most evident on the subject of consular versus dictatorial *imperium*. Polybius describes the dictator as an *αὐτοκράτωρ* and claims that dictatorial *imperium* was unrestricted (3.87.7-9). His portrayal of consular *imperium* evokes his description of the power wielded by dictators: he notes that consular authority was nearly supreme (*σχεδὸν αὐτοκράτορα τὴν ἐξουσίαν ἔχουσι*, they have authority approximate to an autonomous magistrate, 6.12.5) and remarks that anyone viewing the consulship would think it a monarchy (*ὥστ' εἰκότως εἰπεῖν ἄν...διότι μοναρχικὸν ἀπλῶς καὶ βασιλικὸν ἐστὶ τὸ πολίτευμα*, the result is that one would reasonably say...that it was simply a monarchical or sovereign state, 6.12.9). Cicero's definitions of dictatorial and consular *imperium* are similarly ambiguous. He clearly views the two forms of *imperium* as equal, with the only distinction being his notion that a dictator held *imperium* with no colleague. Cicero maintains that the Romans assigned to dictators a new form of authority: *novumque id genus imperii visum est et proximum similitudini regiae* (That new form of *imperium* seemed to be very much like royal authority, *Rep.* 2.56). His summary of the nature of consular *imperium* is quite similar: *atque uti consules potestatem haberent tempore dumtaxat annuam, genere ipso ac iure regiam* (and the consuls at that time had not more than annual power, but power that was regal in its very form and jurisdiction, *Rep.* 2.56). In both cases, the authors appear to be engaging the idea of parity between consular and dictatorial *imperium*.

Ancient etymological discussions on the precise meaning of the title *dictator* point to further inconsistencies within traditional ancient views of dictatorial supremacy. Modern linguistic analysis reveals that the term *dictator* is a properly formed de-verbal agentive noun. This formation, according to the entry for *dictator* in *OLD*, is comprised of the fourth principal part of a verb, here, *dictat-* from *dictare*, plus the *-or* agentive ending; the *-or* suffix conveys an

active meaning.¹⁰ Ernout and Meillet and Vaan, however, suggest that the noun *dictator* predated the verb *dictare*.¹¹ Even so, the root of the word is related to the verb *dicere*, and based upon the proper formation of this type of agentive noun, *dictator* should denote ‘the one who gives orders.’

Ancient authors noted confusion about the formation of this noun. Varro gives this etymology for *dictator*: *dictator, quod a consule dicebatur, cui dicto audientes omnes essent* (The dictator, so called because he was accustomed to be named by a consul, is the one whose commands everyone obeys, *LL* 5.82). In this single sentence, Varro offers two explanations. First, he implies that the meaning of *dictator* comes from the fact that consuls appointed them. Second, he tells us that all Romans were obliged to obey the dictator’s orders. He adds a less ambiguous entry at *LL* 6.61: *hinc dictator magister populi, quod is a consule debet dici* (Therefore, the *magister populi* is called dictator because he must be named by a consul).

Dionysius’ etymology, contained in the passage quoted above, is equally unresolved (*Ant. Rom.* 5.73.1):

ὄνομα δ’ αὐτῷ τίθενται δικτάτορα, εἴτε διὰ τὴν ἐξουσίαν τοῦ κελεύειν, ὅτι θέλοι, καὶ τάττειν τὰ δίκαιά τε καὶ τὰ καλὰ τοῖς ἄλλοις, ὡς ἂν αὐτῷ δοκῆ· τὰ γὰρ ἐπιτάγματα καὶ τὰς διαγραφὰς τῶν δικαίων τε καὶ ἀδίκων ἠδίκτα οἱ Ῥωμαῖοι καλοῦσιν· εἴτε ὡς τινες γράφουσι διὰ τὴν τότε γενομένην ἀνάρρησιν, ἐπειδὴ οὐ παρὰ τοῦ δήμου τὴν ἀρχὴν εὐρόμενος κατὰ τοὺς πατρίους ἐθισμοὺς ἕξειν ἔμελλεν, ἀλλ’ ὑπ’ ἀνδρὸς ἀποδειχθεὶς ἐνός.

They applied the name dictator to him, either on account of his authority in giving orders as he wishes and the fact that he does things justly and honorably as would seem best to him – for, the Romans call commands and decrees of both just and unjust things ‘edicts’ – or, as many write, on account of the appointment then introduced, since he was to receive the office not by obtaining it from the people, according to ancestral custom, but from appointment by a single man.

10. *OLD*: 538 notes that *dictator* is from the verb *dictare*, a frequentative form of *dicere*. The Latin language contains a number of similarly formed de-verbal agentive nouns, such as *actor* (from *ago, agere, egi, actus*) and *scriptor* (from *scribo, scribere, scripsi, scriptus*).

11. Maltby 1991: 186-187; Vaan 2008: 169-170. Ernout and Meillet 1985: 174 write: Le sens général de la racine était « montrer ». Mais on voit par gr. *δίκη* et par la forme germanique qu’elle a servi à désigner des actes sociaux de caractère juridique. Et c’est ainsi qu’elle est parvenue au sens de « dire ». L’usage de la racine pour désigner une déclaration en forme s’est prolongé en latin, où un dérivé aussi évidemment récent que *dictator* a fourni le nom d’un magistrat.

Just like Varro, Dionysius records alternative explanations for the meaning of the title *dictator*, one emphasizing the dictator's authority and the other the procedure of appointment. Plutarch's account follows Varro and Dionysius. He writes the following about the etymology of *dictator* (*Marc.* 24.12):

ἀλλὰ τῶν ὑπάτων τις ἢ τῶν στρατηγῶν προελθὼν εἰς τὸν δῆμον ὃν αὐτῷ δοκεῖ λέγει δικτάτορα. καὶ διὰ τοῦτο δικτάτωρ ὁ ῥηθεὶς καλεῖται· τὸ γὰρ λέγειν δίκηρε Ῥωμαῖοι καλοῦσιν· ἔνιοι δέ <φασιν> τὸν δικτάτορα τῷ μὴ προτιθέναι ψῆφον ἢ χειροτονίαν, ἀλλ' ἀφ' αὐτοῦ τὰ δόξαντα προστάττειν καὶ λέγειν οὕτως ὠνομάσθαι·

But one of the consuls or generals approaches the people and names as dictator whom he sees fit. It is because of this that he, after being named, is called dictator; for, the Romans say 'to name' as *dicere*. Others say that the dictator is so named because he does not set up voting procedures but proclaims and carries out what seems best to him.

Plutarch's word-choice of λέγει δικτάτορα and direct reference to the Latin verb *dicere* (δίκηρε) recall the Latin phrase *dictatorem dicere* that was thought by other ancient commentators to have given the dictator his title. Finally, even Cicero, a contemporary of Varro, is undecided about the meaning of *dictator* (*Rep.* 1.63)¹²:

gravioribus vero bellis etiam sine collega omne imperium nostri penes singulos esse voluerunt, quorum ipsum nomen vim suae potestatis indicat. nam dictator quidem ab eo appellatur, quia dicitur, sed in nostris libris vides eum, Laeli, magistrum populi appellari.

But in more serious wars our [people] wanted all authority to lie with an individual man without a colleague, whose name is indicative of his power. For, he is called dictator because he is appointed, but in the augural books, Laelius, you see him named as *magister populi*.

Cicero's access to the augural books (*nostris libri*) implies that his account was more likely to meet with popular conceptions. Even so, his introductory sentence on the meaning of *dictator* suggests that his etymology will confirm notions of dictatorial supremacy. His explanation, however, emphasizes the fact that dictators derived their title from the manner of their appointment, that is, the *dictator* is named.

Each of these ancient etymologies on the meaning of *dictator* requires an incorrect noun

12. Zetzel 1995: 150.

formation. Nevertheless, these ancient etymologies are important not so much for their accuracy as for what they reveal about Roman perceptions of the dictatorship. The two derivations of the name have opposite meanings: ‘the one who is named’ and ‘the one who gives orders.’ The former etymology, although incorrect, contains no reference to dictatorial supremacy and thus undercuts traditional views of the office. The fact that we hear of this alternative meaning in four accounts may indicate a separate tradition in antiquity. Following this false etymology, the dictator’s very name came from the fact that he was appointed for specific, and I argue ad hoc, duties. Such a denotation makes perfect sense with Roman use of the dictatorship in the early Republic.

Finally, some recent scholars have noted Roman use of the dictatorship for tasks that did not require unrestricted authority, such as holding elections or managing religious functions. Loewenstein, for example, notes the variety of these tasks and suggests, ‘It is idle to speculate why the Romans resorted to so ponderous a device [i.e., the dictatorship] for secondary purposes.’¹³ Similarly, Brennan identifies the shift away from use of the dictatorship following the Second Samnite War, speculating that the senate may have grown weary of using an ‘emergency institution’ in place of regular magistracies.¹⁴ As implied by these examples, my analysis of scholarship on the dictatorship has yet to uncover a satisfactory explanation of why the Romans used dictators in a way so inconsistent with the traditional model. Keyes, approaching this question in a short article on the relationship of consular and dictatorial *imperium*, goes only so far as to suggest that in the Second Punic War, dictators might have allowed consuls to retain their *imperium* and exercise independent commands.¹⁵ Even this idea, however, presupposes dictatorial supremacy over the consuls.

13. Loewenstein 1973: 80.

14. Brennan 2000a: 75.

15. Keyes 1917: 298-305.

My purpose in this thesis is to introduce a new model of the Roman dictatorship. This model is based upon the form of the office used in the early Republic, and I will reconcile its use with the inconsistencies noted above. Contrary to traditional perceptions, I argue that the dictatorship existed in an original form, used primarily in the period 501-300, and a post-Sullan form. I seek to demonstrate that according to this original version of the office, dictators were equipped with consular *imperium*, served as colleagues of the consuls, and were implemented on a provisional basis for consular military or civic functions. I argue, moreover, that accounts of all-powerful dictators presented by authors of the late Republic were influenced directly by Sulla, who introduced a different and truly unrestricted form of the dictatorship onto the Roman political scene in 82. Late Republican commentators, writing in the aftermath of Sulla's regime, were so influenced by him that they viewed all Republican dictatorships with *a priori* assumptions of dictatorial supremacy and thus erroneously applied the post-Sullan form of the office to all dictatorships from the Republican period.

Methodology

My approach for this study focuses on defining the nature of dictatorial *imperium* and identifying the form and function of the original version of the office. I begin in Chapter Two by examining how the dictatorship was used in other Italic republics. Elsewhere in Latium, dictators served as regular annual magistrates or were appointed for provisional tasks, but the evidence shows that none of these Latin dictators should be considered a supremely powerful ruler. These Latin dictatorships find parallels in Roman dictatorial use. Moreover, this survey of the dictatorship outside the Roman polity introduces three examples of Roman sources referring to Carthaginian *dictatores*, magistrates who apparently functioned as field commanders. These external uses of the dictatorship provide a secure historical precedent for my proposal that the

Roman dictatorship existed in an original form that was not superior to the consulship.

Chapter Three explores the two fundamental elements that made up a Roman magistrate's authority: *auspicia* and *imperium*. I collect evidence for consuls and dictators engaging in the same procedures and being subject to the same restrictions in terms of their *imperium* and access to public *auspicia*. The aim of the chapter is to demonstrate parity between consular and dictatorial *auspicia* and *imperium* and, therefore, to argue that the two offices were equivalent.

In Chapter Four, I build upon the model of the dictatorship constructed in the previous two chapters by identifying a series of key dictatorships from the period 501-300 that explicate the original version of the office in Rome. These examples encompass dictators implemented for both military and civic functions and demonstrate not only that the dictatorship was equivalent to the consulship, but also that these dictatorships were used only because the sitting consuls were otherwise engaged and unable to fulfill consular functions.

I conclude my study in Chapter Five by analyzing the end of use of the original form of the dictatorship, an analysis that reaches into dictatorial usage in the third century. The gradual disappearance of the dictatorship was the result, at least in part, of the development of the praetorship, an office that eventually supplanted many dictatorial competences. Also in this final chapter, I seek to trace the influences behind late Republican views that the dictatorship was an all-powerful magistracy. I demonstrate that Sulla's version of the office was responsible for these mistaken views.

Sources

The greatest challenges to the study of Roman magistracy in the early Republic are lack of contemporary sources and the question of the reliability of information recorded in later

literary sources. Moreover, reconstructions of a particular office often must be made from disparate pieces of information scattered across various sources. This problem is certainly evident in an analysis of the early Roman dictatorship. Even so, good evidence can be collected. In this thesis, I deploy a variety of source materials in an effort to arrive at the clearest picture possible of the early dictatorship. The earliest literary accounts on Roman magistracy date to the final decades of the third century, the period both when Romans began writing down their history and when the original form of the dictatorship lapsed.¹⁶ The few surviving fragments of these early literary works are preserved in later authors. For the period before the late third century, we must rely primarily on three sources: the *annales maximi*, consular and triumphal *fasti*, and records of elite Roman families. The *annales maximi*, annual lists kept by the *pontifex maximus*, recorded the names of magistrates and important military, legislative, and religious events. These books do not survive but traces of their information are to be found in later literary sources. Cicero mentions these books in *Rep.* 1.25, and in *De or.* 2.52 he suggests that they provided the basic structure for the Roman annalistic tradition.¹⁷ Similarly, Cicero refers to the presence of the dictatorship itself in another set of ancient books, the augural books (*Rep.* 1.63: *in nostris libris*). The apparent antiquity of these books is indicated by his explanation that the dictatorship was registered in them with its archaic name, *magister populi*.¹⁸ While scholars disagree about how much information from the early Republic has been preserved in the *annales maximi*, most agree that it provided basic information and a framework to later Roman annalistic historians. Cornell, a strong proponent of the veracity of the basic information contained in these

16. The final dictatorship before Sulla occurred in 202. For a discussion of Roman historiography, see Cornell 2001: 1-26; Forsythe 2005: 59-80; Beck 2007: 259-265; Levene 2007: 275-289; Wiseman 2007: 67-75. See Ogilvie 1965: 5-17 for a discussion on Livy's literary sources, and for a thorough introduction to the Roman annalistic tradition, see Oakley 1997: 18-110. For an analysis of Dionysius and Greek historiography, see Gabba 1991: 1-22.

17. Zetzel 1995: 116; Cornell 2001: 13.

18. Mommsen 1887: 2.143; Zetzel 1995: 150.

records, suggests that the *annales* were first introduced as early as the fifth century.¹⁹

The second source for early information on the dictatorship is the consular and triumphal *fasti*, the early portions of which may have even relied on the *annales maximi* for original annual lists of magistrates.²⁰ The consular *fasti* preserve a record of the names of consuls, dictators and *magistri equitum*, military tribunes, and even censors back to the year 509.²¹ Not only were they an important dating tool, but they also provided another framework for Roman annalists. The consular *fasti* have survived relatively intact and are particularly valuable for studying the dictatorship because each dictatorial entry contains a *causa*, the function of the appointment.²² These dictatorial *causae* form an invaluable basis for much of my argument about early Roman use of the dictatorship. I shall also use the triumphal *fasti*, which record the years in which both consuls and dictators celebrated triumphs. In each example of a dictatorship presented in this thesis, an analysis of the corresponding entry in the consular or triumphal *fasti* is included. The corroboration of these epigraphic sources provides an important link between events of the early Republic and historians writing in the late Republic.

Another body of evidence from the early Republic came in the form of family histories kept by elite Roman *gentes*. Oakley points out that family eulogies and the information attached to *imagines* likely provided source material for later Roman annalists.²³ Livy, lamenting that such sources could also contaminate evidence, notes the survival of early family histories even in his own day (8.40.4-5). Just as in the *annales maximi*, information from these family histories can only be found in traces in later literary sources.

19. For discussions of the *annales maximi*, see Frier 1979: 33, 176-178; Cornell 2001: 13-16; Oakley 1997: 24-27; and Brennan 2000a: 6-7. Ogilvie 1965: 6 n. 1 suggests that Livy, at least, did not have direct access to the contents of the *annales*, even in a later, published form.

20. Cornell 2001: 15.

21. For an introduction to the consular and triumphal *fasti*, see Cornell 2001: 218-223, 356.

22. See Hartfield 1982: 4-8 for an introduction to dictatorial *causae*.

23. Oakley 1997: 28-33; Cornell 2001: 9-10; Brennan 2000a: 7, 248 n. 10. See Flower 1996: 180-184 for a discussion of the *tituli* attached to *imagines* and displayed in the atria of aristocratic Roman houses.

Finally, in the analysis of Italic dictatorships in Chapter Two, primary epigraphic material provides crucial evidence for which details in literary sources offer historical context. In the exploration of Carthaginian *dictatores*, moreover, the usefulness of epigraphic information being employed alongside literary narrative is clear.

Livy and Dionysius are the principal literary sources used in this study of the Roman dictatorship. Both historians made use of the *annales maximi*, consular *fasti*, and family histories, not to mention material produced by earlier Roman historians from the late-third and second centuries. It is clear that, however incomplete the state of the evidence, Livy and Dionysius had a relatively large amount of earlier information from which to construct their narratives. This is not to dismiss the fact that each writer misinterpreted some pieces of evidence and disregarded others at times. Moreover, both Livy and Dionysius used speeches to characterize what they themselves thought was the best course of action in a given situation.²⁴ Nevertheless, the core of earlier information was accessible to these authors. In particular, epigraphic and annalistic material offered a valuable framework of Roman use of the dictatorship in the early Republic. The evidence for dictatorial usage registered in the consular and triumphal *fasti* alone compels us to reconsider Livy and Dionysius' accounts of the original function of the dictatorship in the early period. Consequently, we may be relatively certain at least about a given year's magisterial array and dictatorial *causae*.²⁵ The narratives of Livy and Dionysius, who had access to the *fasti* as well as other sources, make a reconsideration of the early dictatorship even more warranted. In addition to Livy and Dionysius, important information on the dictatorship is preserved in Polybius, Cicero, Appian, and Cassius Dio.

24. Specifically, speeches were a means of the historian inserting their notions into historical narratives. See Oakley 1997: 120-122; Marincola 2007: 119-127.

25. Oakley 1997: 41-44 believes that lists of early dictators, including those recorded in the consular *fasti*, are generally reliable.

One aspect of my methodology requires further explanation. I propose to use such authors as Livy and Dionysius as literary evidence for the early dictatorship. I use their texts, however, in two different ways. First, when these authors engage in a presentation of the institution of the dictatorship they bring to their analyses preconceived notions of dictatorial supremacy. These notions pervade their views of the office (see above). Second, and in contrast, a close reading of narratives describing individual dictatorships from the early Republic reveals that these authors diverge from their *a priori* understanding of the office and they betray details that become important pieces of evidence that can be used to contradict traditional views of the dictatorship. By extracting these obscured details from late Republican literary sources and placing them next to evidence from epigraphic sources, we may begin to see the early dictatorship in its original form: a provisional magistracy, and one equivalent to the consulship.

CHAPTER TWO

THE DICTATORSHIP OUTSIDE THE ROMAN POLITY

In this chapter, I shall introduce uses of the dictatorship outside the Roman political system, namely in Latin cities and in Roman characterizations of the Carthaginian military structure. Through a juxtaposition of these systems with that of the Roman Republic, I intend to begin constructing a framework for my argument that the early Roman dictatorship was an ad hoc magistracy, reserved primarily for ancillary military tasks, and that the dictator himself functioned above all as a colleague of the consuls, wielding only standard consular *imperium*.

For Latin dictatorships, I shall collect disparate evidence in order to interpret forms of the office outside the city of Rome in various communities throughout Latium. It will become clear from this reconstruction that Latin cities maintained the dictatorship for a variety of functions – annual executive magistrates, military commanders, chief priests, as well as for provisional tasks. What will also become clear is that these Latin dictators never appear to have functioned as supreme or emergency magistrates equipped with unrestricted authority. Scholars have long noted possible connections between Latin dictatorships and the origins of the office at Rome. I shall advance this argument further by demonstrating that the dictatorships thus employed throughout Latium represent historical precedents for an executive but not supreme office and a magistracy that was reserved for specific tasks. What is more, I shall introduce dictatorial examples from the Roman system that evoke these Latin uses and thus align the Roman office more closely with the Latin model.

In the second part of this chapter, I shall interpret three elusive references in which Latin authors attach the title *dictator* to Carthaginian generals. These Carthaginians were clearly field commanders, leading Carthaginian armies abroad without occupying an active magisterial role at

home. The fact that Latin authors thought it suitable to use the term *dictator* to denote foreign commanders reveals that as late as the second century, the Romans understood the dictatorship as a military office and introduces the possibility that the term was common register for ‘military commander’ in the early and middle Republic. Such an interpretation challenges later Republican portrayals of the Roman dictatorship as a supremely powerful office.

Dictatorships in Latium

The office of dictator was neither unique to nor a creation of the Roman polity. Ancient literary sources, supported by epigraphic evidence, attest that communities throughout Latium utilized some form of the dictatorship for more than seven centuries. For the earliest of these dictatorships, we must rely on information preserved by later authors, from Cato in the early second century to Plutarch in the second century A.D. All of these sources approach Latin dictatorships from a Roman or Roman-dominated Greek perspective, depicting early Latin history from the perspective of absolute Roman hegemony in Latium. Furthermore, extant inscriptions that register these Latin dictators, all late Republican or Imperial, present a dichotomy in the office: while literary characterizations propound the dictatorship as an administrative magistracy, the later inscriptions portray it as only a chief priesthood. (The inconsistencies between the two accounts will be sorted out below.) Despite these limitations, the sources do offer a glimpse into the administrative systems of early Latin communities and allow us to draw basic conclusions about how these dictators performed their office in the early centuries of the Republic.

In this chapter, I shall reconstruct four dictatorships, those at the communities of Alba Longa, Tusculum, and Lanuvium, and the dictator of the Latin League. These dictators served a full range of functions, from regular annual magistrates to military commanders to provisional

officers. Concurrently, literary accounts suggest that these dictators exercised a circumscribed form of *imperium* and that they were not reserved for emergency situations. The characterization that will emerge is relevant to the Roman form of the dictatorship in the early Republic.

One scholar has recently identified that the crux of modern debate on the early Roman dictatorship is whether it was derived from a Latin model or was an innovation of the early Republican constitution.²⁶ A brief outline of traditional views on this matter will be instructive here. Niebuhr, whose ideas were often highly speculative, first introduced the theory that the post of *dictator Latinus* (this office will be discussed in detail later in this chapter) was filled in six-month intervals by a magistrate from one of the member cities in the Latin League, including Rome. He proposed that some of the Roman dictators preserved in the consular *fasti* were temporary leaders of the Latin alliance and that the specific Roman institution traditionally identified as the supreme and emergency dictatorship was the *magister populi*, allegedly an earlier title for Roman dictators.²⁷ Bandel and De Sanctis generally followed Niebuhr's ideas about Latin influence on the Roman office, and more recently Ogilvie asserted that the Romans likely instituted the dictatorship in the early fifth century based on a Latin model.²⁸ Soltau, moreover, expounded Niebuhr's theory on the role of Romans in the Latin League, compiling lists of early Roman dictators registered in the consular *fasti* in order to demonstrate that they coincided with Rome's leadership of the Latin League. Nevertheless, Soltau also noted inconsistencies between the Latin and Roman dictatorships. Of particular relevance here, he suggested that no Roman dictator ever assumed the sort of religious tasks that their Latin

26. Ridley 1979: 304. I follow Ridley's article for a general framework of traditional views on the origin of the Roman dictatorship.

27. Niebuhr 1844: 158-159. Cicero records that *magister populi* was an alternate title for *dictator* in the early Republic (*Rep.* 1.63).

28. De Sanctis 1907: 421-426; Ogilvie 1965: 281-282. Bandel 1987: 6 concedes only this: '...dass die Dictatur keine bewusste Schöpfung gewesen, sondern kurze Zeit nach dem Verfall der Monarchie aus den Zeitumständen heraus hervorgegangen sei, und zwar unter starker Einwirkung des lateinischen Vorbildes.'

counterparts performed.²⁹ This assumption is incorrect, as the Romans employed the dictatorship for religious functions twice in the fourth century.³⁰ Such service by Roman dictators is, in fact, an important aspect of a Roman office that parallels the Latin model.

Mommsen represented the other end of the spectrum, maintaining that the dictatorship emerged independently in the Roman system at the beginning of the Republic. He proposed that the office developed into a regular magistracy in Latin cities, but retained the character of the monarchies they replaced. At Rome, on the other hand, he believed that the dictatorship was extraordinary, a temporary manifestation of single rule from the old kinship.³¹ This view has been difficult for many scholars to accept, since it would seem paradoxical for the Romans to revert to any element of kingship so soon after overturning the monarchy.³² Rosenberg, furthermore, noted the antiquity of the Roman dictatorship but dismissed a connection with the Latin institution because of the many differences between the two forms.³³ Finally, Rudolph asserted that Latin cities did not employ dictatorships before Rome forced the office onto them after its conquest of Latium. He supposed that later Roman chroniclers mistakenly ascribed these later dictatorships to the early period.³⁴ Rudolph's view has found little support from subsequent scholars.³⁵

29. On a religious competence for Roman dictators, Soltau 1914: 360 comments, 'Auch hatte der römische Diktator nie priesterliche Funktionen wie der latinische Diktator.' See also pp. 363-368.

30. In 363, L. Manlius Capitolinus Imperiosus was appointed dictator *clavi figendi causa*, to drive a nail into the temple of Jupiter on the Capitoline in order to ward off plague (Livy 7.3), while in 344, P. Valerius Poplicola supervised religious festivals as dictator (Livy 7.28). See Broughton 1951a: 117, 132.

31. Mommsen 1887: 2.143 on the origin of the Roman dictatorship and 2.170-172 on Latin dictatorships, where he concludes: 'Wahrscheinlich sind also die latinischen Gemeinden dictatorischer Verfassung nicht auf dem gleichen Wege wie Rom von sich aus zur Beseitigung des Königthums gelangt, sondern es ist hier das Königthum geblieben, aber später unter römischem Einfluss gezwungen worden den Namen zu wechseln und der Annuität und schliesslich selbst der Collegialität sich zu unterwerfen.'

32. Ridley 1979: 307-308.

33. Rosenberg 1913: 71-79.

34. Ridley 1979: 305.

35. For a view against Rudolph, see Sherwin-White 1973: 62-73. Furthermore, Rudolph's theory would imply that later inscriptions, which emphasize a religious dictatorship, represent the office thrust upon Latin communities by Rome. Why would the Romans have transferred their dictatorship – according to my argument, still

Sorting out the origin of the Roman dictatorship is only tangential to the scope of this thesis. My aim in discussing the form of the dictatorship in Latium is to demonstrate that all around Rome during the early Republic we can cite historical examples of a restricted dictatorship with either annual or provisional duties. Even so, I accept a Latin derivation of the Roman dictatorship. The similarities between the four Latin dictatorships outlined in this chapter and the modified view of the early Roman office advocated in this thesis indicate a common structure between the two systems. In fact, I shall explicate instances in which Roman use of the dictatorship overlaps with Latin use. At the very least, Rome maintained a close connection to its Latin neighbors throughout the early Republic, and we should not be surprised to note Latin dictatorial elements in the Roman polity.

Let us turn first to the dictatorship at Alba Longa, introduced in the seventh century, according to Livy's chronology (1.23.1-10). During the reign of Tullus Hostilius at Rome, a series of border raids precipitated war between Rome and nearby Alba. Livy records that the Alban king led an army to Rome, but died in camp before any fighting commenced. The Albans appointed Mettius Fufetius as dictator for the specific purpose of resuming the campaign against Rome. Two comments on Livy's account must be made here. First, I do not interpret this dictatorship as an emergency magistracy. Rather, Livy characterizes the situation as the ordinary replacement of a military commander, who was in this case the Alban king. The Albans did not debate about how to replace the deceased king nor did they hesitate to select; the appointment was fluid and ordinary. Second, the fact that Mettius replaced the king should not be taken as evidence that he assumed the royal office. On the contrary, Livy's narrative emphasizes the

a provisional military office when the Romans completed the conquest of Latium – to Latin cities in the form of a chief priesthood? A more natural progression would suggest that an earlier administrative form of the dictatorship transitioned into a priesthood in these Latin cities after the Roman conquest. For a more detailed discussion of this transformation, see below.

provisional military character of Mettius' position. The historian is ambiguous about who appointed Mettius, simply stating: *dictatorem Albani Mettium Fufetium creant*. Even so, there is no report that a delegation from Alba was involved, and given the apparent speed with which the appointment was made, we must assume that the Alban army itself was responsible. Mettius and the Roman king Hostilius conferred before leading their troops into battle, and the speech that Livy places in the mouth of Mettius is revelatory for the Alban's perception of his function as dictator (1.23.7-8):

'iniurias et non redditas res ex foedere quae repetitae sint, et ego regem nostrum Cluilius causam huiusce esse belli audisse videor, nec te dubito, Tulle, eadem prae te ferre; sed si vera potius quam dictu speciosa dicenda sunt, cupido imperii duos cognatos vicinosque populos ad arma stimulat. neque, recte an perperam, interpreter, fuerit ista eius deliberatio qui bellum suscepit: me Albani gerendo bello ducem creavere...'

'I seem to have heard that our king Cluilius [claimed] the injustices and seized property, sought after but not restored in accordance with the treaty, as the cause of this war, and I have no doubt that for your part, Tullus, you think the same thing. But if the truth rather than fallacious assertions must be discussed, the desire of power rouses two kindred and neighboring peoples to arms. I do not infer whether this is right or wrong. That was the concern for him who undertook this war: the Albans have made me commander for waging war...'

Mettius discerned his task as purely military. His explanation that he was in no position to discuss the causes of the war underlines his military function. The war was eventually decided by heroic combat between two sets of triplets, the Horatii and Curiatii, and Livy adds that when the Romans and Albans conducted sacrifices before the contest, Mettius was assisted by Alban *sacerdotes*.³⁶ The fact that he required priests to perform this ritual indicates that his authority did not extend into the realm of religion; his jurisdiction was restricted to his command of the Alban army. It is also interesting to note Livy's language here. The phrase *me Albani gerendo bello ducem creavere* in Mettius' speech is identical to the narrative reference to his appointment at 1.23.4, *dictatorem Albani Mettium Fufetium creant*. These two examples imply that this

36. For the combat between the Horatii and Curiatii, see Livy 1.24-25. The role of the Alban *pater patratus* as chief priest for the military commander Mettius may rival the relationship between king Hostilius and the Roman *fetialis*, Livy 1.24.3-9.

language was the standard notation for dictatorial appointment in Livy's sources, a fact that lends credibility to the information preserved in Livy.

Dionysius, who recounts a similar version of the dictatorship of Mettius Fufetius, confirms that the Alban army made the appointment (*Ant. Rom.* 3.5.3-4): *εἰς δὲ τὸν ἐκείνου [Cluilius] τόπον ἀποδείκνυται στρατηγὸς αὐτοκράτωρ ὑπὸ τῶν ἐπὶ στρατοπέδου Μέττιος Φουφέττιος*. Dionysius does not assign the title *dictator* to Mettius, but refers to him as *στρατηγός* and *αὐτοκράτωρ*. As we have already seen, Dionysius associates both terms with the Roman dictatorship. Underlying his word choice of *στρατηγός* is his perception of the early Alban dictatorship as a military office, while *αὐτοκράτωρ* in this context denotes supreme military but otherwise circumscribed authority.

The story of Mettius Fufetius' dictatorship may be pure invention, but what this episode reveals about Livy's and Dionysius' historiography is significant. Both authors, writing in the period long after Rome completed its subjugation and amalgamation of the Latin communities, recognized the Alban dictatorship as an ancient and well-established office, and they found it unproblematic to interpose such a familiar institution on a legendary period of the Roman past. It is plausible that both Livy and Dionysius extracted a reference to Mettius Fufetius from earlier Roman tradition and that they found the Alban dictatorship registered in early annals. The Alban dictatorship is, in fact, well attested in a later period. An imperial inscription from Rome records that L. Fonteius Flavianus held the dictatorship at Alba, which appears to have been foremost among a series of religious offices.³⁷ It seems, therefore, that by the imperial period the Alban dictator functioned as a chief priest. This is consistent with a development traced in other Latin communities. After Rome's assimilation of these towns into its own political system in the

37. *ILS* (Orelli and Henzen) 2293.

fourth century, the dictatorship remained a traditional Latin office but its jurisdiction was restricted to religious duties. This development at Alba and other Latin cities will be discussed in detail below. We may also detect a slight discrepancy in Livy's account of Mettius Fufetius. Based solely on later inscriptions, Romans of the late Republic would understand the Alban dictatorship as a priesthood. Why, then, was Livy not compelled to explain to his audience the use of this office as a provisional military command? In fact, nowhere in his references to Latin dictators does Livy offer qualification of his use of the title *dictator* outside the Roman polity. Perhaps this can be attributed to the fact that Roman tradition preserved a memory of the Alban office from a period when it wielded genuine military or even administrative clout. Other ancient literary sources confirm this hypothesis.

Dionysius, obliged to explain this non-Roman use of the dictatorship to his Greek audience, offers a key piece of evidence here. In a discussion of the origins of the Roman dictatorship, in which he claims a Greek antecedent for the Roman office, he cites Licinius Macer's alternative suggestion that the Alban institution inspired the Roman.³⁸ Macer concluded that the Albans abolished their monarchy and installed the dictatorship as their annual executive magistracy. Dionysius records this theory as follows (*Ant. Rom.* 5.74.4):

Λικίννιος δὲ παρ' Ἀλβανῶν οἶεται τὸν δικτάτορα Ῥωμαίους εἰληφέναι, τούτους λέγων πρώτους μετὰ τὸν Ἄμολιου καὶ Νεμέτορος θάνατον ἐκλιπούσης τῆς βασιλικῆς συγγενείας ἐνιαυσίους ἄρχοντας ἀποδείξαι τὴν αὐτὴν ἔχοντας ἐξουσίαν τοῖς βασιλεῦσι, καλεῖν δ' αὐτοὺς δικτάτορας.

Licinius thinks that the Romans took the dictatorship from the Albans, claiming that, after the death of Amulius and Numitor and after the ancestral kingship was abandoned, they were the first to appoint annual magistrates with the same authority as that of the kings and to name them dictators.

Plutarch concurs with Macer's theory, though he adds an element to the story. He records that when the Alban king Numitor died, his grandson Romulus instituted an annual magistracy that

38. Liebenam 1905: 389.26-38 maintained: 'Dass Tullus die Amtszeit des D. ins dritte Jahr verlängerte, wird von Dionys. III.22.23.28 hervorgehoben. Wenn der D. in Alba nur noch als Priester amtiert, so ist deshalb nicht auch den andern municipalen Dictatoren religiöser Charakter beizulegen.'

sounds quite democratic: [Romulus] ἔθηκε τὴν πολιτείαν δημαγωγῶν (Romulus, currying favor with the people, set up a ‘republican government,’ *Rom.* 27.1).³⁹ If Macer was correct that a dictator administered Alba, Plutarch makes the position sound more like an elected magistracy than an autocratic office.

While Livy and Dionysius emphasize the provisional military character of the Alban office, Macer and Plutarch portray it as a regular administrative post. In either case, a limited jurisdiction is implied, whether restricted to an annual term or the command of an army. Furthermore, there is no evidence that Alban dictators exercised absolute authority. Evidence from other Latin cities where dictatorships were in place indicates that dictators had to share power with two *aediles*.⁴⁰ Finally, Ogilvie proposed that the name *Mettius* was simply a Latin adaptation of the Oscan title *meddix*.⁴¹ In the early Roman Republic, Oscan cities appointed *meddices* to lead their combined military coalitions in major wars. If Ogilvie is correct that this Oscan institution found its way into Roman tradition in the form of Mettius Fufetius, its provisional character evokes that of the Latin dictatorship.

Within this basic framework of the Roman annalistic tradition, in which a memory of an administrative Alban dictatorship was preserved, Livy and Dionysius were free to construct their narratives on Rome’s early war with Alba.⁴² It is also interesting to note that in his account of Mettius’ speech at 1.23.7-8, Livy includes the phrase *me Albani gerendo bello ducem creavere*.

39. *LSJ*: 1434 gives the definition ‘republican government’ in section III.2.

40. Sherwin-White 1973: 63-67 and Alföldi 1963: 377-398 offer excellent analyses of pre-Roman magisterial systems in Latium. See also Ogilvie 1965: 427, who suggests that at Tusculum the dictatorship was replaced by a college of three *aediles* at some point after Rome’s conquest of the city. For a discussion on the administration of the Latin League, see Alföldi 1963: 42-46.

41. Ogilvie 1965: 107 asserts that *Mettius* is a Latinized version of the Oscan office of *meddix*, utilized later as generalissimo of the Oscan military coalition. For the office of *meddix*, see Rosenberg 1913: 15-22.; and Salmon 1967: 77-101.

42. For Livy, the Mettius-Hostilius cycle serves as a warning against *perfidia* on the part of Mettius, who treacherously incited the king of Veii against Rome, while the warmongering of the Roman king Hostilius, the foil to his predecessor Numa, lurks behind the story. The episode also offers an interpretation of how Rome absorbed the Alban polity.

This evokes the language of the consular *fasti*, which classify many Roman dictators as *rei gerundae causa* (for the purpose of conducting *military* affairs). For the military emphasis of *res*, I follow Hartfield, who has demonstrated that this phrase denoted a dictator for military purposes and became a conventional notation.⁴³ Livy also frequently uses the verb *creare* to describe the appointment of Roman dictators.⁴⁴ It is worth considering that the earlier sources from which he extracted information on Roman dictators contained similar references to the creation of Alban dictators, perhaps underlining that Livy did access earlier records for the Alban office. While he does not evaluate the question of Alban influence on the Roman dictatorship, Livy's language may provide a bridge between his narrative and early Roman tradition. This interpretation of how Livy may have received and recounted the dictatorship of Mettius Fufetius satisfies the criteria of the two major schools of Livian scholarship. The *Quellenforschung* school of thought, which views Livy as simply a mindless conduit to the work of earlier historical writers, attempts to trace how Livy moved from source to source as best fit his interests. Within this framework, Livy simply reported information on Mettius that he found in earlier tradition. Supporters of the *Einzelerszählungen* approach, who prefer to read Livy for his literary skill, can find in this episode an instance where the historian has developed an elegant narrative from basic facts retained in Roman annals.⁴⁵

The Roman system yields at least one parallel to the Alban dictatorship as an emergency

43. The phrase *dictator rei gerundae causa* accompanies the names of most early Roman dictators in the consular *fasti*. See Hartfield 1982: 4-8.

44. For example, Livy records: *apud veterrimos tamen auctores T. Larcius dictatorem primum, Sp. Cassium magistrum equitum creatos invenio* (Even so, in the most ancient sources I find that T. Larcius was appointed as the first dictator with Spurius Cassius as *magister equitum*, 2.18.5).

45. The *Quellenforschung* school was established by the work of Nissen, while Witte and Burck were among the earliest scholars to articulate the ideas of the *Einzelerszählungen* school. For characterizations of Livy within these two interpretations, see Ogilvie 1965: 5-7; and Walsh 1996: 141-151. See Miles 1995: 1-7 on the 'rhetorical-thematic school'; and Pittenger 2008: 6-17 on reading Livy within the approach of 'new historicism.' For a general overview of Livy's historical methods, see Laistner 1963: 83-102; Oakley 1997: 111-151; and Chaplin and Kraus 2009: 1-14.

replacement for a commanding magistrate killed in the field. Livy records that in 362 one consul was killed in battle against the Hernici (7.6.7-7.8.7). Rather than resort to extemporaneous election or the use of a *consul suffectus*, the surviving consul appointed App. Claudius Crassus Inregillensis as dictator to resume the campaign. The consular *fasti* confirm this dictator's military function, designating his appointment as *rei gerundae causa*.

For a reconstruction of the second Latin dictatorship, we turn to Cato. At *Orig.* 2.21 (= fr. 58 P) he documents the dedication of a sacred grove at Aricia by the dictator of the Latin League, the *dictator Latinus*:

*lucum Dianium in nemore Aricino Egerius Baebius Tusculanus dedicavit dictator Latinus, hi populi communiter Tusculanus, Aricinus, Lanuvinus, Laurens, Coranus, Tiburtis, Pometinus, Ardeatis Rutulus.*⁴⁶

The Latin dictator Egerius Baebius, a Tusculan, dedicated the grove of Diana in the Arician woods; represented commonly were the Tusculans, Aricians, Lanuvians, Laurentians, Corans, Tiburtines, Pometians, and Ardean Rutulians.

This fragment is the earliest extant reference to the position of *dictator Latinus* and is a key but problematic piece of evidence for understanding the structure of the archaic Latin League.

Cornell suggests that Cato likely copied this dedication from an actual inscription at the *lucus Dianius*.⁴⁷ The fragmentary remains of Cato's *Orig.* make it difficult to contextualize this passage, though scholars generally assign the event to around 500.⁴⁸ Baebius' role as *dictator Latinus* has, in part, given rise to the theory that the various Latin communities maintained a common dictatorship. Although Cato portrays the *dictator Latinus* as a chief religious magistrate,

46. Peter read *Laevius*, though most scholars prefer the MS that records *Baebius*. See Green 2007: 88.

47. Cornell 1989: 272-273.

48. Sherwin-White 1973: 12-13 suggests that record of this dedication occurred early in *Orig.*, and given that Cato began his work from the foundation of Rome, an early date for this fragment thus makes sense. Cornell 1989: 273 places the event around 500, at a time when the Latin cities still maintained a strong coalition against Rome. At 1995: 297-298, however, he notes that the list of communities is too short to include the entire Latin League. Alföldi 1963: 42, 47-56 finds an Etruscan parallel for the *dictator Latinus* that suggests the dictator's dual role as military and religious leader; he also offers bibliography on the subject. Green 2007: 88-90, on the other hand, finds no reason to think that the dedication of the grove referred to any action by the Latin League. In fact, she proposes that the event recorded by Cato predated the formation of the coalition. She characterizes the grove at Aricia as one of many such places consecrated throughout Latium. These sanctuaries served as neutral meeting places for feuding communities, whose warriors disarmed before entering. Negotiations thus became more amenable.

Roman tradition holds that the *dictator Latinus* was primarily a coalition military commander. Niebuhr, followed by Ogilvie, thought that the Romans participated in the Latin League in the earliest years of the Republic and that the *dictator Latinus* inspired the Roman dictatorship.⁴⁹ Likewise, Alföldi proposed that other Latin communities adapted the post as their annual magistrates.⁵⁰ As discussed above, Rome's dictatorship may have retained elements of the command structure of the Latin League. A passage in Livy supports Niebuhr's theory of a rotating Latin dictatorship that included Roman participation (3.18.2). In 460 the dictator levied an army in order to march to the aid of Rome, where an impending attack threatened the city. The implication is that the dictator acted on behalf of the entire Latin League. A close reading of Livy's Latin is helpful here. He records: *L. Mamilius Tusculi tum dictator erat* (L. Mamilius, the dictator, was in Tusculum at that time, 3.18.2). *Tusculi* is likely in the locative case. If so, it is plausible that Mamilius was in his home city of Tusculum but acting in his capacity as *dictator Latinus*.⁵¹ A second example is even more noteworthy. In 431 A. Postumius Tubertus, recorded by Livy and others as Roman dictator but not registered in any consular *fasti*, raised an army that included a contingent of Latins and Hernicians. He, too, may have served as *dictator Latinus* over troops of the Latin League.⁵²

Another theory that has gained approval among scholars is that at the pivotal battle of Lake Regillus in 499 the Tusculan Octavus Mamilius commanded Latin forces as *dictator Latinus*.⁵³ Valerius Maximus, writing during the reign of Tiberius, explicitly calls Mamilius *dictator* (1.8.1). Dionysius recalls a Latin coalition arrayed against Rome during this period and

49. Niebuhr 1844: 158-159; Ogilvie 1965: 281-282.

50. Alföldi 1963: 42-43.

51. Ogilvie 1965: 427 offers no comment on the meaning of *Tusculi*.

52. Drummond 1989: 192. The campaign is recounted in Livy 4.26-29. For Postumius' absence from the consular *fasti* for this year, see Broughton 1951a: 63-64.

53. Cornell 1995: 216, 298. For the ramifications of this battle on the Roman system, see Ridley 1979: 308-309.

refers to the leaders of the Latin forces, in this case co-commanders, as *στρατηγοὺς αὐτοκράτορας* (*Ant. Rom.* 5.61.1-5). As we have seen, this is his regular terminology for denoting a dictatorship. It remains uncertain whether the *dictator Latinus* mentioned by Cato was appointed provisionally for the dedication of the grove of Diana or corresponded to reconstructions of the military leadership of the Latin League. Perhaps the dictator had a dual function, as religious as well as military head of the coalition. In either case, no evidence suggests that he wielded authority within any constituent city.⁵⁴ If this Latin dictatorship can be taken as a model of a purely military command, most early Roman dictators fit the paradigm. If it was a religious post, perhaps even provisional for the dedication of the sacred grove, the early Roman polity offers one analogous dictatorship. In 363, L. Manlius Capitolinus Imperiosus was named dictator *clavi figendi causa* (for the purpose of driving the nail). The symbolic act of driving a nail into the temple of Jupiter on the Capitoline Hill was intended, according to the memories of the elderly Romans who advised the ritual, to appease the gods and ward off the plague that was afflicting Rome. The Romans employed few dictatorships for non-military purposes before 300. Despite an overwhelmingly military character, the few Roman dictatorships for provisional functions – Imperiosus’ term is a prime example – bring the Roman office into close alignment with the Latin model. Moreover, Imperiosus’ dictatorship reveals the restricted nature of Roman dictatorial *imperium*. After driving the nail into the temple, the dictator attempted to exceed his jurisdiction by levying an army and trying to incite war. Under intense pressure from his colleagues, Imperiosus eventually handed over his dictatorship. Clearly, not all Roman dictators wielded unrestricted *imperium*, and the office was utilized for

54. This point is not necessarily inconsistent with Soltau’s view that the *dictator Latinus* wielded extraordinary *imperium* in command of Latin coalition forces; see Ridley 1979: 307. As will be demonstrated in Chapter Three, a Roman consul’s *imperium* within a military context was absolute and, therefore, sufficient for a dictator whose jurisdiction was almost exclusively military in the early Republic.

provisional tasks.⁵⁵

Livy is the source for our third Latin dictatorship, this one established within the local structure of Tusculum (6.25.1-6.26.8). In 379, the Tusculans were allegedly an active member of a military coalition against Rome. L. Furius Camillus, serving as military tribune for the sixth time, besieged Tusculum but halted his attack when he saw no traces of military activity within the city. Camillus arranged for the Roman senate to receive a Tusculan delegation, at the head of which was a dictator. Livy is not explicit whether this dictator was appointed ad hoc to lead this contingent or was the annual magistrate at Tusculum. If provisional, his office recalls the role of the *dictator Latinus* at the sacred grove at Aricia, while a Tusculan dictator as regular executive magistrate is analogous to the magisterial systems of other Latin cities.⁵⁶ In either case, circumscribed jurisdiction for a single task or the restriction of term limit make it unlikely that this Tusculan dictator wielded an extraordinary form of power.⁵⁷ Within the Roman system we find a similar use of the dictatorship. In 314, at the height of the Second Samnite War, the senate appointed C. Maenius as dictator to conduct investigations (*exercendis quaestionibus*) of anti-Roman conspiracies at Capua.⁵⁸ Livy, through a speech by Maenius to his political detractors, characterizes the appointment in this way (9.26.14):

'neque enim, quod saepe alias, quia ita tempora postulabant rei publicae, qui bello clarissimus esset, sed qui maxime procul ab his coitionibus vitam egisset, dictator deligendus exercendis quaestionibus fuit.'

'The man chosen as dictator for supervising these investigations had to be one who remained particularly unfamiliar with these conspiracies, not one who was most renowned in war, as often other times demanded

55. Livy 7.3.1-9. This episode is important for discussions on the form of collegiate magistracy in the early Roman Republic. The prophesy recorded by Livy claimed that the *praetor maximus* must drive the nail. He goes on to recount that this task was performed by consuls and later transferred to dictators.

56. Oakley 1997: 603-604 finds no reason to reject Livy's reference to the dictatorship at Tusculum in this period.

57. The Tusculan delegation to Rome is recorded by Dionysius (*Ant. Rom.* 14.6 fr.), Plutarch (*Cam.* 38), and Dio (7.28 fr.). None of these authors offers comment on the leadership of the mission.

58. Livy 9.26.5-22; Diodorus maintains that Maenius marched into Campania at the head of an army, 19.76.1-5. The consular *fasti* designate Maenius as *dictator rei gerundae causa* for the year 314. For the development of an expanded jurisdiction for dictators *rei gerundae causa* in the fourth century, see Hartfield 1982: 99-132; and 108-114 for an analysis of Maenius' dictatorship in particular.

of the Republic.’

This is a clear example of a Roman dictator performing a provisional assignment, one of the few non-military dictatorships introduced in the early Republic.

The fourth Latin dictatorship to be discussed is that at Lanuvium, the *dictator Lanuvinus*. Cicero mentions this office three times in his defense of T. Annius Milo (27.5; 45.3; 46.5).⁵⁹ In 52 Milo, a native of Lanuvium, held a praetorship in Rome along with the post of *dictator Lanuvinus*. Cicero’s portrayal of the office demonstrates its religious character. When Milo became involved in the infamous altercation with P. Clodius Pulcher on the Via Appia, he was en route to appoint a *flamen* for the cult of Juno Sospes at Lanuvium, the major cult center for the goddess in Latium.⁶⁰ The fact that this event occurred in January has prompted scholars to suppose that the selection of apparitors for this cult was an annual event, carried out at the beginning of the year.⁶¹ In turn, it is likely that the Lanuvian dictatorship also rotated annually. The circumstances of this succession may be a remnant of an earlier period when the *dictator Lanuvinus* served as an administrative magistrate, perhaps elected at the beginning of the year. Even so, four inscriptions, at least two of which are imperial, establish the religious competence of this dictatorship.⁶² Other inscriptions reveal that religious dictatorships were pervasive in

59. Clark 1895: 23 rejects the MSS reading *quod erat dictator Lanuvi Milo* at *Mil.* 27.5, suggesting that it was a *scholium* that became interpolated in the text. He notes that the indicative *erat* does not fit the *oratio obliqua* of this sentence. Other scholars have suggested that Cicero himself added the line when the speech was written down, as an apostrophe to readers. Clark doubts this notion, proposing that even in editing, Cicero wanted to preserve the ‘illusion’ of a spoken oration. See also Colson 1898: 64, who notes the evolution of the Lanuvian dictatorship from administrative to religious office. Furthermore, Long 1858: 336 thought that Cicero’s use of the verb *prodere* (...*Miloni esse Lanuvium ad flaminem prodendum, Mil.* 27.4-5) evoked the language used by Latin authors to describe the appointment of an *interrex* at Rome. Asconius (*Mil.* 27) confirms that Milo was a native of Lanuvium. See Lewis 2006:235.

60. Marshall 1985: 163-164 explains that Lanuvium was the primary cult center of Juno Sospes. Livy records that in the settlement after Rome’s victory in the Latin War in 338 the temple and grove of Juno at Lanuvium was designated as open to both the Romans and Lanuvians, 8.14.3.

61. For a general discussion of the date, see Long 1858: 336.

62. The *dictator Lanuvinus* is confirmed by *ILS* (Orelli and Henzen) 3786, 5157, and 6068, and *CIL* 14.2110. *ILS* (Orelli and Henzen) 3786 dates to the reign of Claudius and records that C. Caecius Pulcher held the

other Latin cities in the late Republic.⁶³

The clearly religious character of Milo's dictatorship and the profusion of similar dictatorships attested in epigraphic material are indicative of a dichotomy in use of the Latin office. Literary accounts of the Alban, Tusculan, and Latin League dictatorships portray an office with genuine administrative or command authority, but all refer to events no later than the middle of the fourth century. Then, later inscriptions present an office apparently stripped of magisterial authority but listed as primary among a series of religious offices. In between there emerges a disparity. Sherwin-White offers clarification. He proposed that the Latin cities where the dictatorship had been established experienced a common trend in their use of the office. In 338 Rome, by this period a dominant central Italian power and adversary of its Latin neighbors, defeated the combined forces of the Latins and finally dissolved the Latin League. Over the next two centuries Rome completed the process of absorbing these communities into its own administrative sphere. Concurrently, the Romans removed the political authority from Latin executive magistracies that had become redundant under Roman jurisdiction. Sherwin-White observes that many Latin cities retained their dictatorships, formerly their highest magistracy, as the religious functionaries registered in later inscriptions. This transition provides a link between the two phases of Latin dictatorships. The archaic *lex Acilia* may hold some relevance here.

dictatorship along with an aedileship. *CIL* 14.2110, inscribed on a marble tablet, is likely also imperial. Furthermore, see Rosenberg 1913: 73, 75.

63. Three inscriptions from Nomentum contain references to Roman magistrates holding the dictatorship along with other religious posts in that town, a situation analogous to Milo's positions at Lanuvium: *CIL* 14.3941; *CIL* 14.3955; and *ILS* (Orelli and Henzen) 7032. *ILS* (Orelli and Henzen) 7032 records that P. Pacilius Laetus held the dictatorship at Nomentum for performing sacrifices (*sacris faciundis*). What is more, the fact that the dictator was just one of a series of religious officers at Nomentum further emphasizes that it was not supreme, even within a religious capacity. The dictatorship at Aricia is verified by three inscriptions (*CIL* 14.2169; *CIL* 14.2213; and *CIL* 14.4195), one of which (*CIL* 14.2213) dates to the reign of Trajan. Though these inscriptions are difficult to contextualize, they indicate that Latin dictatorships, surviving as religious offices, were maintained into the imperial period. Concomitantly, the third-century A.D. Latin biographer Aelius Spartianus claims that the emperor Hadrian once held a Latin dictatorship, though he does not specify in which town, *Hadr.* 19.

Dated to around 122, it catalogs the dictatorship as foremost among Italian magistracies.⁶⁴ The late date of the *lex*, recorded over two centuries after the breakup of the Latin League, is puzzling. It could push forward significantly the date for the transition from administrative to religious function for Latin magistracies, or it could be anachronistic in the second century. At any rate, taken with literary characterizations of Latin dictatorships in the early Republic, the *lex* must at least preserve the rank of magistracies from an earlier period when these offices exercised substantive administrative authority.

It may be tempting to infer that the early and later forms of Latin dictatorships represented two different offices, connected only by the title *dictator*. The fluidity of this title, however, is important. It demonstrates the adaptability of the office – it could be modified to fit any circumstance, from administrator to military commander to chief priest.

The office of dictator was an integral component of the administrative systems of many cities throughout Latium. Full reconstruction of these dictatorships is not feasible, though we can cull together a general characterization of the institution. First, Latin communities conferred on their dictators a level of authority roughly equivalent to the *imperium* possessed by a Roman consul, but no source implies that they received absolute magisterial power. Some dictators were granted an even more restricted form of authority, adequate for their ad hoc functions. Of the four dictatorships discussed in this section, the post of *dictator Latinus* remains difficult to classify.⁶⁵ Nevertheless, the notion of a coalition military or religious leader is still relevant to the Roman office, particularly because Rome was likely a participant in the Latin League in the early Republic. The Roman dictatorship may still reflect the character of the *dictator Latinus*.

64. Sherwin-White 1973: 58-71. The *lex Acilia* records: *quei eorum in sua quisque civitate dictator praetor aedilisve non fuerint*.

65. For the position of *dictator Latinus*, incidentally, we may compare similar coalition military commanders from central Italy, namely the Etruscan *zilath* and Oscan *meddix*. See Rosenberg 1913: 1-22; Salmon 1967: 77-101; and Banti 1973: 199-207.

Rome's close association with its Latin neighbors makes it plausible that the two political structures shared many common elements. The Roman parallels to Latin dictatorial functions outlined above elicit traces of this relationship. I interpret these vestiges as confirmation that, in its earliest iteration, the Roman dictatorship was more closely aligned with the Latin paradigm than with the traditional supreme dictatorship emphasized by writers of the later Republic.

Carthaginian *Dictatores*

There are three references to Carthaginian *dictatores* in extant Latin, two from the middle Republic and one from the first century A.D. Little context can be established for two of these, while the third is likely a late Republican copy of an early inscription. Although we should be cautious in drawing definite conclusions from such a paucity of evidence, it is clear in each reference that the Latin author used the term *dictator* to characterize the position of Carthaginian military commanders who may have been equivalent to Roman consuls. This characterization, taken with the fact that nearly all the Roman dictatorships in the period 501-300 were military, is important for understanding the nature of the early Roman institution.⁶⁶

Cato records the earliest reference to a Carthaginian dictator. At *Orig.* 4 fr. 12 (= Peter 84.1-87.1) he writes⁶⁷:

deinde duovicesimo anno post dimissum bellum, quod quattor et viginti annos fuit, Carthaginienses sextum de foedere decessere. igitur dictatorem Carthaginiensium magister equitum monuit, 'mitte mecum Romam equitatum; diequinti in Capitolio tibi cena cocta erit' – deinde dictator iubet postridie magistrum equitum arcessi; 'mittam te, si vis, cum equitibus.' 'sero est,' inquit magister equitum, 'iam rescivere.'

Then, in the twenty-second year of a war that lasted twenty-four years, the Carthaginians left the treaty for the sixth time. Accordingly, the master of the horse advised the Carthaginian dictator, 'Send the cavalry with me to Rome, and on the fifth day a dinner will be prepared for you on the Capitoline.' On the following day the dictator ordered that the master of the horse be summoned. 'I shall send you with the cavalry, if you wish,' [he said]. 'It is too late now,' replied the master of the horse, 'they have already discovered [the plan].'

66. For the early Roman dictatorship as almost exclusively a military command, see below, Chapter Three.

67. Aulus Gellius quotes this passage from Cato within the context of explaining the grammatical use of *sextum* or *sexto*, one to denote order and the other to express frequency (*NA* 10.24.7).

Peter presumed that this passage recounted an incident of the First Punic War. Next to this section he arranged fragment 89.1, which mentions events around the Sicilian harbor of Drepanum, where in 249 the Romans suffered a severe naval defeat at the hands of the Carthaginian admiral Adherbal.⁶⁸ Apart from this speculation, the context for this Catonian passage is indefinite. What is more important, however, is his use of the term *dictator* to denote a Carthaginian commander. It appears that this dictator was a field commander in Sicily – the location of all fighting in the First Punic War – with no active role in the government of Carthage at the time. Furthermore, numerous Carthaginian commanders operated simultaneously in Sicily during the lengthy First Punic War, obscuring a clear distinction between their relative ranks.⁶⁹ Why, then, was it acceptable to a Roman audience for Cato to refer to a regular foreign commander as *dictator*?

The best evidence for what the Carthaginians called their own magistrate-commanders is derived from scattered references in Latin authors. The Punic title *sufes* is generally identified as the Carthaginian equivalent to the Roman consul.⁷⁰ Livy mentions these magistrates three times. At 28.37.2 he claims that they are the highest Carthaginian magistrates (*qui summus Poenis est magistratus*), while at 34.61.15 the *sufetes* appear more like an executive council. At 30.7.5, however, Livy offers the best explanation for their authority: *senatum itaque sufetes, quod velut consulare imperium apud eos erat, vocaverunt* (The *sufetes*, because their authority is like a consul's, convened the senate). This latter reference to convening and mediating the Carthaginian senate implies parity between the Carthaginian *sufes* and Roman consul, and Livy's portrayal of the factionalism in the Carthaginian senate elsewhere in the passage demonstrates

68. Polybius 1.49-51 narrates the battle of Drepanum, in which Roman plans to surprise the Carthaginian fleet collapsed. Superior Carthaginian crews outmaneuvered the Romans and captured some ninety-three Roman ships. See Walbank 1957: 112-115; and Goldsworthy 2000: 119-121.

69. Lazenby 1996: 20-21; Goldsworthy 2000: 76-95.

70. *OLD*: 1860.

that the *sufetes* did not wield absolute authority. Additionally, Livy emphasizes the military role of the *sufetes* within this same passage.

It appears that Cato was attempting to explain to his Roman audience the Carthaginian magisterial and command system using a Roman model. His sources for the First Punic War were likely the same sources employed by Polybius. The Sicilian historian Philinus wrote a pro-Carthaginian monograph on the war and the Roman annalist Fabius Pictor covered this conflict in his history of Rome.⁷¹ Apart from Cato's personal familiarity with Carthage, these sources likely offered him a detailed account of the Carthaginian system. Consequently, if Livy knew of the Carthaginian office of *sufes*, Cato surely did as well.⁷² The fact that Cato invokes the title *dictator* in fragment 84.1-87.1 instead of *sufes* may imply that he was using the term generically to denote a military commander that occupied a role separate from the regular *sufetes*. It is worth considering his near contemporary Polybius here. In his account of the First Punic War, nowhere does he identify a Carthaginian *dictator*.⁷³ This suggests that Cato interjected the term into a Carthaginian context, and this was an appropriate addition if Cato understood the dictatorship as simply a military command.⁷⁴

Cato's use of the title *dictator* to denote a Carthaginian commander is paralleled by an inscription, *CIL* 1.25. The following lines were inscribed on a column base commemorating the naval victory of C. Duilius in 260, the fourth year of the First Punic War:

*[Duilius]...claseis Poenicas omnis item maxumas copias Cartaginiensis
praesented Hanibaled dictatored olorom in altod marid pugnad vicet...*⁷⁵

71. Polybius mentions his sources for the First Punic War at 1.14. See also Walbank 1957: 26-35.

72. Let alone principal magistracies, Cato displays familiarity with other Punic terms. For example, Cato uses the Punic word *mapalia*, which denotes Carthaginian villages (*Orig.* P 78.1); *OLD*: 1078.

73. This is not too surprising, given Polybius' narrow view of the dictatorship; he never applies the title *dictator* outside the Roman system.

74. It is also interesting to note that Cato extends his analogy with the Roman system by applying the Latin title *magister equitum* to a Carthaginian cavalry commander. In this case, it may be best to understand the Carthaginian *magister equitum* as a subordinate cavalry commander, as in the Roman system.

75. Gordon 1983: 124-127. The Carthaginian admiral has been identified as Hannibal Gisco.

[Duilius]...in a battle on the deep sea, defeated the whole Punic fleet along with many Carthaginian troops commanded by their dictator Hannibal...

The column was erected in the most public of venues, beside the rostrum in the Roman Forum. The base is marble, not tufa, which suggests that it is a late Republican or early Imperial copy. Scholars are split on the issue of whether the extant inscription is a precise copy of what appeared on the original base or whether alterations were made. On the one hand, scholars cite the difficulty in transferring inscribed letters from tufa, which is susceptible to wearing away, and the fact that late Republican engravers may not have understood conventions of archaic Latin. Other epigraphers find parallels in Augustan monuments in which *elogia* were purposely archaized to resemble Republican antecedents. According to this argument, the extant Duilius inscription may be quite different from the original. On the other hand, the numerous archaisms, most notably the *-d* ending in the ablative singular, may, in fact, demonstrate its antiquity. The grammarian Quintilian knew of the inscription and thought it was archaic, and epigraphers note similarities between this inscription and genuine archaic inscriptions found on tufa monuments.⁷⁶ Whether the transcription is faithful to the original or the inscriber archaized the copy, it may be assumed that at least this third-century usage of the title *dictator* is preserved. The writer either copied *dictator* from the original text or was aware of earlier, non-Roman uses of the term. Furthermore, we have already seen that perceptions of the dictatorship in the late Republic and early Empire were negative, a fact that would almost certainly preclude later interpolation in a copy of the Duilius inscription.⁷⁷

76. Gordon 1983: 124-127. Pliny the Elder (*NH* 34.20) was also aware of the column, as was Servius, who writes (*ad Georg.* 3.29.5): *nam rostratas Duilius posuit, victis Poenis navali certamine, e quibus unam in rostris, alteram ante circum videmus a parte ianuarum.*

77. I discuss late Republican perceptions of the Roman dictatorship in Chapter One, while in Chapter Five I examine the role of Sulla's office on Roman views of the office. For a representative later aversion to the dictatorship, see Dionysius *Ant. Rom.* 5.77.4, where he claims that the cruelties of Sulla's dictatorship first caused the Roman people to view the office as a tyranny.

The third reference to a Carthaginian dictator comes from Sextus Iulius Frontinus, who wrote in the first century A.D. At *Str.* 2.1.4 Frontinus advises commanders not to give battle until the circumstances suited them. He relates a story, also from the First Punic War, in which the Roman consul L. Postumius Megellus was surrounded by a Carthaginian army in Sicily and devised an effective counterattack to break the siege. Frontinus refers to *dictatores Carthaginiensium* commanding Carthaginian forces. The fact that he employs the plural *dictatores* underlines the point that he uses the term broadly. Frontinus' background, moreover, is important. He was a Roman magistrate and military commander. As an officer and author of a monograph on military strategy, Frontinus likely had a better understanding of the Roman military system than most Romans. One may wonder how a Roman audience would have received his use of the title *dictator* in the first century A.D. It is possible that the source from which Frontinus learned of Postumius' campaign used *dictatores Carthaginiensium* and that he simply copied the usage. In this case, the source could perhaps be traced back to Cato. Given the theme of military instruction of *Str.*, Frontinus was justifiably not concerned with explaining this use of *dictator*. Nevertheless, it is tempting to think that Frontinus understood the term simply as military commander, as did Romans in the middle Republic.

We should be cautious in thinking that these few references express the notion that all Romans of the middle Republic understood the term *dictator* as synonymous with military commander and that such a phenomenon can be pushed back into Roman ideas of the early Republic. The references are insufficient to reconstruct exactly how these Carthaginian dictators performed their magistracies. Nevertheless, Cato's fragment and *CIL* 1.25 create a unique bridge back to Roman perceptions of the dictatorship before commentators of the later Republic gave rise to the idea of dictatorial supremacy. What is more, the conspicuously public context for the

column of C. Duilius, in a place where all Romans could view the inscription, suggests that generic usage of the term *dictator* to denote a military commander was common register in the middle Republic.

Conclusion

However incomplete our understanding of dictatorships outside the Roman system, the Latin institutions discussed in this chapter trace a long tradition of the dictatorship as an administrative or provisional office. Each example discussed above falls broadly into one of two categories: the dictators functioned as regular annual magistrates, military commanders, and, once they had been absorbed by Rome, chief priests; or they performed ad hoc military, religious, and diplomatic tasks. In either case, the underlying feature of all these dictatorships is the fact that none of them exercised absolute power within their polities. To place this within Roman views of magistracy, many Latin dictators assumed the duties of a Roman consul. The historical precedent established by Latin uses of the dictatorship and by references to foreign military dictators in Roman authors compels us to reconcile our understanding of the early Roman dictatorship with these models. The traditional notion that the Roman office possessed unrestricted *imperium* and was introduced only for emergency situations becomes an anomaly within Latium. While it is certainly possible that the Romans borrowed the dictatorship from a Latin model and then adapted it as a supreme and emergency office, we should consider the possibility that in the early Republic the Roman dictatorship had greater affinity with the Latin office than has been traditionally conceded. My argument that early Roman dictators were ad hoc military commanders (and later provisional magistrates for other tasks), possessing consular *imperium* and complementing consuls, fits this Latin paradigm well. The few instances noted above in which Roman dictators are shown performing functions like their Latin counterparts

strengthens this theory. Within this framework, I shall use the next chapters to demonstrate parity between Roman consular and dictatorial *auspicia* and *imperium* and introduce a series of salient examples from ancient narratives that explicate a provisional Roman military dictatorship in action.

CHAPTER THREE

THE NATURE OF DICTATORIAL *AUSPICIA* AND *IMPERIUM*

An examination of how other Latin communities used the office of dictator as an ordinary or restricted magistracy compels us to revisit the early version of the Roman dictatorship. In order to examine the nature of the Roman dictatorship more thoroughly, we must look closely at the two underlying components of the office, *auspicia* and *imperium*. This chapter will explore the character of dictatorial *auspicia* and *imperium* and evaluate it alongside consular *auspicia* and *imperium*. The evidence presented here will demonstrate that the Romans conceived of parity between consular and dictatorial *auspicia* and *imperium*, and that, consequently, we should understand the two offices as analogous.

Consular and Dictatorial *Auspicia*

Auspicia denoted the seeking of divine approval before undertaking a major decision through a variety of methods of sacrifice. The use of *auspicia* in connection with magistracy, however, became more complex. Under the Republican system, *auspicia* were perhaps the most important component of a magistrate's office. In fact, we may say that a particular magistracy was predicated upon the specific *auspicia* connected with the rank of the office. The consuls, as the senior magistrates in the Republican system, were entitled to the highest level of *auspicia*, and the importance of *auspicia* can be detected in three primary areas of the consulship.⁷⁸ First, the election of consuls in the *comitia centuriata* was undertaken only after proper auspices were procured. Second, suitable auspices had to be secured before the *comitia curiata* convened and bestowed *imperium* upon a newly elected consul. Third, as the highest magistrates of the Republic, the consuls were responsible for performing the most important *auspicia publica* and

78. Dumézil 1970: 595-610; Scullard 1982: 26-27; Rasmussen 2003: 149-168; Davies 2004: 72-73.

other religious ceremonies on behalf of the Roman people. Clearly, *auspicia* were a salient feature of the consulship.

In this section, I seek to explicate connections between consular and dictatorial *auspicia* in the period 501-300. Specifically, I shall demonstrate that the same auspices that circumscribed the consulship also restricted the dictatorship. As we shall see, dictatorial appointment occurred under a sitting consul's *auspicia*, dictators were required to obtain their *imperium* under the same circumstances, and Roman tradition records instances in which dictators performed the same *auspicia publica* and other rituals as consuls did. By tracing the auspicial links between consuls and dictators, it becomes clear that the Romans recognized the similarities between consular and dictatorial *auspicia*. In short, if the Romans equipped dictators with the *auspicia* equal to that of the consuls, then the *imperium* granted under those *auspicia* should also be analogous. We may thus begin to observe parity between consular and dictatorial *imperium* and, therefore, to establish a secure basis for the theory that the dictatorship was collegial with the consulship.

The taking of *auspicia* occurred in many forms. Livy captures their importance in Roman life with a speech attributed to Appius Claudius, who vehemently resisted plebeian access to the highest auspices (6.41.4-6):

'auspiciis hanc urbem conditam esse, auspiciis bello ac pace domi militiaeque omnia geri, quis est qui ignoret? penes quos igitur sunt auspicia more maiorum? nempe penes patres; nam plebeius quidem magistratus nullus auspicato creatur; nobis adeo propria sunt auspicia, ut non solum quos populus creat patricos magistratus non aliter quam auspicato creet sed nos quoque ipsi sine suffragio populi auspicato interregem prodamus et privatim auspicia habeamus, quae isti ne in magistratibus quidem habent.'

'Who is there who can deny that this city was founded with auspices, that everything in war and peace was done with auspices? With whom do the auspices rest, according to the customs of our ancestors? Of course with the senators; for, no plebeian magistrate is created with the taking of auspices. The auspices are our own to such an extent that not only do the people create patrician magistrates in no other way than by creating them with the taking of auspices, but even we ourselves appoint an interrex with the taking of auspices without a vote by the people and have all to ourselves the auspices, which [the plebeians] do not even have in their magistracies.'

The practice of augury, which is related to the word *auspicia* itself, and extispicy were

frequent means of auspices.⁷⁹ In this section, I shall examine instances in which consuls and dictators engaged in taking auspices. It is an important aspect of auspicial practice, and indicative of the great auspicial authority wielded by these senior magistrates, that consuls and dictators appear to have performed auspices personally. Our sources suggest that an augur was often at hand in an advisory role and that the college of augurs routinely inspected auspices after the fact to ensure their validity.⁸⁰

The first important area for inquiry into the relation of consular and dictatorial *auspicia* falls under the purview of consular election and dictatorial appointment. Consular elections took place in the *comitia centuriata*. Livy records that this procedure was first implemented for the two consuls in 509 as prescribed by the constitution of Servius Tullius (1.60.3). Obviously, Servius' constitution did not foresee the election of consuls. Nevertheless, Servius' connection to the organization of the *comitia centuriata* and later attested instances of consular election by this assembly enabled Livy to make this claim. Just as in other such important public events, this assembly convened only under favorable *auspicia*. The magistrate presiding over the *comitia* went to the meeting place of the assembly on the Campus Martius during the night before the electoral session in order to secure the appropriate *auspicia* for the day's proceedings. Roman tradition maintains that the task of convening the *comitia centuriata* fell to consuls or dictators.⁸¹ Aulus Gellius, claiming that he had access to earlier texts dealing with auspices, explains that the auspicial and electoral process had to be completed in a single day: the *auspicia* were to be performed after midnight and the *comitia* was to convene at midday (*NA* 3.2.10). The presiding

79. Augury included both scanning the flight of birds in the sky and consultation of omens by examining how vigorously the sacred chickens (*pulli*) ate corn. See Vaahtera 2001: 94-143; Rasmussen 2003: 174-182; and Rosenberger 2007: 298-300. For a discussion of extispicy, see Rasmussen 2003: 117-148; and Scheid 2003: 123-124.

80. Scullard 1982: 29; North 1989: 584-585; Scheid 2003: 136; Davies 2004: 72-73.

81. Liebeschuetz 1996: 2-3; Stewart 1998: 97-111; Scheid 2003: 112-116; Rosenberger 2007: 298-300.

magistrate was also responsible for keeping lookout for ill omens, such as lightning, that could potentially appear while the *comitia* was engaged in the election process.⁸²

The voting procedure of the *comitia centuriata* was held under the highest level of *auspicia*. Aulus Gellius reports that the auspices of the centuriate assembly were superior (*maiora*) since the senior magistrates were elected there (NA 13.15.1-7).⁸³ He adds that even though praetors and censors were also elected in the *comitia centuriata*, consular *auspicia* were on a higher level. Varro recounts a story that sheds further light upon the importance of the assembly's *auspicia* (LL 6.91). In this case, the assembly was engaged in legislation rather than magisterial election, but the example is informative. A *quaestor* was to preside over a meeting of the *comitia* but his office was not equipped with authority sufficient to perform the *auspicia maiora* required to open a session. Consequently, he had to appeal to one of the consuls to take auspices and actually convene the assembly. Even in a non-electoral capacity, the *comitia centuriata* was associated with Rome's highest *auspicia*.

The *auspicia* were also vulnerable to political corruption.⁸⁴ Our ancient sources record two later events in which the magistrate presiding over an election in the *comitia centuriata* claimed to have observed an ill omen whenever it became clear that an unfavorable candidate was leading in the voting. Such an omen prevented the election process from continuing, and a new vote was thus called at a later date.⁸⁵ These political manipulations reveal that flawed *auspicia* and observation of omens during elections, whether genuine or contrived, were important to the conduct of the *comitia centuriata*. The auspices of the *comitia centuriata*,

82. Taylor 1966: 7-8, 62-63. For general discussions on the development of the *comitia centuriata*, see Botsford 1909: 201-228; Abbott 1911: 253-259; Staveley 1972: 123-129; and Lintott 1999: 55-61. For the connection between the *comitia centuriata* and *auspicia*, see Varro LL 6.91; Livy 1.36.6; Cic. *Leg.* 3.11; Staveley 1972: 149-150; Lintott 1999: 102-104; and Stewart 1998: 100-102.

83. This passage contains a reference to the augural book of M. Messala.

84. Liebeschuetz 1996: 25-26; and Rosenberger 2007: 300-303.

85. Staveley 1972: 207.

moreover, were clearly the highest electoral auspices in Rome, since the consuls elected there were the Republic's senior magistrates.

While the consuls won election through a *comitia*, dictators obtained their position through appointment by one of the consuls. Nevertheless, the procedure outlining this appointment was conventional, and ancient sources portray the event as typical rather than exceptional. There are certain details involving the appointment process that suggest to us that the auspicial concept of dictatorial selection was equivalent to consular election.

For consular appointment of a dictator, we can note parallels to consular election by the *comitia centuriata*. For instance, Livy records that in 327 the college of augurs, serving as an auspicial advisory committee, found that a dictatorial appointment that took place in a Roman camp in Samnium was flawed. The plebeian tribunes suspected that the appointment was vitiated only because the dictator was a plebeian. They concluded that all the proper procedures had been followed, including the fact that the consul had undertaken the appointment after midnight (8.23.10-17). A dictatorial appointment in 310 was also undertaken at night: *nocte deinde silentio, ut mos est* (Livy 9.38.14). The stipulation that *auspicia* and dictatorial appointment took place at night provides a correlation to the midnight auspicial procedure preceding consular election in the *comitia centuriata*. It is important to note that the major distinction here is that dictators were actually appointed at night rather than during the day, as in consular electoral procedure. This distinction may be explained by the fact that, since there was no actual electoral process, there was little need to wait until the following day to make the formal appointment of the dictator. Dictatorial appointment at night, completed at the same time that the *auspicia* were performed, was thus a matter of expediency, and this procedure does not undermine the conceptual link between the *auspicia* under which the Romans elected consuls

and sitting consuls appointed dictators. It may also be plausible to understand that the consul selected to appoint a dictator was viewed as the embodiment of the *comitia centuriata*, since a consul exercised authority over this assembly.

Instances of vitiated dictatorial appointments also reveal the auspicial feature of the process. On at least five occasions in the fourth century, dictators were compelled to resign because the college of augurs found some irregularity in their appointment.⁸⁶ While ancient sources offer no details on the nature of these *vitia*, the emphasis on correct auspices for dictatorial selection is clear.

Underlying the appointment process was a conceptual linking of consular and dictatorial election-selection *auspicia*. When a consul enlisted a dictator, he did so under his own *auspicia*. These *auspicia*, derived from the consul's election in the *comitia centuriata*, were the highest in the Roman polity. Therefore, the consul's *auspicia* for appointing a dictator were an extension of those under which the *comitia centuriata* elected consuls. This notion of the consul bestowing his own *auspicia* onto a dictator brings up a contentious discussion. Brennan has proposed that no Roman magistrate was capable of granting to another magistrate authority equal to or greater than his own. A magistrate, therefore, could only confer a lesser form of *imperium*.⁸⁷ Aulus Gellius supports this view (*NA* 13.15.1-7). Livy, moreover, asserts that military tribunes with consular authority, considered by most scholars to have wielded lesser *imperium* than consuls, did not possess sufficient *auspicia* and *imperium* to appoint a dictator: only a consul was equipped to make such appointments (4.31.3). According to this framework, the dictator would thus take possession of no more than consular *imperium* and perhaps even a lesser form. The

86. Livy 6.38; 8.15; 8.17; 8.23; 9.7. The consular *fasti* record vitiated dictatorial appointments for the years 368, 321, and twice in 320.

87. Brennan 2000a: 36-37; and Linderski 1990: 45. Brennan 2004: 38 notes the deficient *potestas* of military tribunes.

many connections being made here between consular and dictatorial *auspicia* and *imperium* make the diminished *imperium* option less likely. The most logical conclusion is that consular and dictatorial *auspicia* and *imperium* were related: the commonalities in the two forms of *auspicia* make this clear.

This portrayal of dictatorial appointments suggests that the Romans attempted to simulate consular election in the process of selecting a dictator as much as possible within the restrictions of appointment versus election. Conceptually, at least to observers in the Late Republic, the *auspicia* under which consuls were elected were replicated in the appointment of a dictator. Simply put, parity existed between the two forms of *auspicia*.

A magistrate's *auspicia* and *imperium* were interdependent and connected on two levels. First, the rank of a magistrate's *imperium* was contingent upon the source from which he derived authority. Following election in the *comitia centuriata*, the consul was required to formally receive his *imperium* from the *comitia curiata*. This assembly, perhaps the oldest advisory-legislative body in the Roman polity, passed a *lex curiata de imperio* granting *imperium* to the consul.⁸⁸ Cicero insists that a consul could not undertake any military activities until he obtained a *lex curiata* (*Leg. agr.* 2.30). The auspices emerge once again in this process. Roman practice stipulated that acceptable *auspicia* must be obtained before the session of the *comitia curiata* commenced. In this process we see a direct connection with dictatorial authority. After successful appointment by a consul, a new dictator was required to convene the *comitia curiata* and oversee the passage of his own *lex curiata de imperio*. Before this session of the assembly began, proper *auspicia* had to be secured. Dictators appear to have been able to perform their own *auspicia* for the gathering in which they received their *imperium*. They acquired this power

88. For an outline of the development and jurisdiction of the *comitia curiata*, including its position of prominence in the archaic period, see Botsford 1909: 168-200; Abbott 1911: 252-253; Staveley 1972: 122-123; and Lintott 1999: 49-55.

presumably from the auspices involved in their appointment.⁸⁹ W. Smith proposed that there was no separate event for acquiring the right to auspices, implying that the dictator received the capability as soon as he was appointed under the consul's auspices.⁹⁰ This practice is further supported by the various dictatorial appointments *comitiorum habendorum causa* (for the purpose of holding elections) made while consuls were out of Rome: who else in the city had the power to convene the *comitia curiata*?⁹¹ Livy recounts the instance of a dictator in the Second Samnite War who had to take auspices twice before gaining his *imperium*, after the first attempt was flawed by an ill omen (9.38.15-16). The fact that dictators had the ability to take auspices for the very session of the *comitia curiata* that gave them *imperium* is the single distinction between consular and dictatorial acquisition of authority. For newly elected consuls, it was typical for one of the outgoing consuls to perform the auspices and convene the *comitia*. This was not always possible in the case of dictators. In fact, the primary reason a dictator was employed in the first place was because both consuls were detained elsewhere. The fact that a dictator could manage these *auspicia* appears to be more a result of expediency than extraordinary authority.

According to this reconstruction of how a dictator received his *imperium*, there is a clear link between consular and dictatorial *imperium*, since both types of magistrate derived their authority from a similar source under mutual *auspicia*. The same power-granting motion, conveyed by the *lex curiata de imperio*, moreover, underscores parity between consular and dictatorial *imperium*. The precise history of the *lex curiata* is obscure, but we may be relatively confident that our sources have faithfully recorded the phrase *lex curiata* in relation to both

89. Brennan 2000a: 38.

90. Smith 1901: 255.

91. The consular *fasti* for the period 501-300 register dictators *comitiorum habendorum causa* for the years 351, 350, 349, 348, 335, 327, 321, and 306.

consuls and dictators obtaining *imperium*. The terminology for this *lex* is registered in later literary sources, and it is likely that these references preserve the existence of the procedure in the early Republic.⁹² Even if Livy, for example, did not understand the full ramifications of or the precise details involving the *lex curiata*, we can assume that he was capable of copying such terminology from an earlier source. Finally, since the *comitia curiata* passed laws granting *imperium* in the late Republic, it is likely that this was one of its traditional functions.

The fact that a dictator called a special meeting of the *comitia curiata* to obtain *imperium* does not make his *imperium* greater than a consul's. In fact, this ad hoc meeting for the dictators is analogous with the annual practice of the *comitia curiata* formally granting *imperium* to consuls. Let us consider a separate but useful case. Along with consuls and dictators, praetors received their *imperium* from the *comitia curiata*, though likely in a separate session accompanied by lesser *auspicia*.⁹³ There has emerged a theory that praetorian *imperium* was *minus* and consular *maius*.⁹⁴ I accept this argument, at least within the context of the middle Republic. Consular and praetorian *imperia* thus represent the high and low ends of the spectrum of *imperium* that the *comitia curiata* was capable of bestowing. The fact that consuls and praetors obtained their *imperium* from the same assembly may have an important implication on the nature of dictatorial *imperium*. Two interpretations can be made here. First, and less likely, dictators may have received a sort of *imperium minus* similar to that given to praetors. It is interesting to note that in the third century, when the praetorship became fully developed, praetors began performing many of the functions that were undertaken by dictators in the fifth

92. For example, Livy 5.46.11; and Cic. *Att.* 4.17.2. See Staveley 1956: 84-90, and 1972: 123; Bauman 1973: 34-47; Lintott 1999: 28-29, 49, 103; and Brennan 2000a: 18-20.

93. Aul. Gell. *NA* 13.15.1-7; cf. Livy 5.46.11 on a *lex curiata* for a dictator.

94. Brennan 2000a: 25-30 outlines traditional views on different grades of *imperium*; cf. Stewart 1998: 211-219.

and fourth centuries.⁹⁵ The second option is that dictatorial *imperium* was equivalent to the higher form of consular *imperium*, while praetorian *imperium* was slightly more deficient than the other two. Given the fact that dictators performed consular duties both in a military and civic context in the period 501-300, I propose that the *lex curiata de imperio* expresses parity between consular and dictatorial *imperium*. At any rate, there is no reason and no procedural evidence that the *comitia curiata* could allot exceptional *imperium* to a dictator under any exceptional *auspices*. Furthermore, *maius* and *minus* are comparative adjectives and therefore do not allow for a *tertius* form of *imperium*. Consequently, dictatorial *imperium* must be either *maius*, like consuls, or *minus*, like praetors. In the absence of such constitutional evidence we must look to observable actions, such as how dictators performed their office in relation to consuls. As we shall see in a later chapter, the idea of parity between the two forms of *imperium* is borne out by such an examination.

A further point should be made here. The inclusion of praetors in a modern reconstruction of the procedure of the *comitia curiata* indicates that the system is likely no earlier than the third century, the period when the praetorship began to develop fully. Such a reconstruction may even be as late as the second or first centuries, since the bulk of references to procedure date from Cicero's lifetime. We should thus be careful in placing too much weight on this system. Even so, if we omit the praetorship from the assembly's procedure in the early Republic, during which period it was plausibly in use, we are left with the *comitia curiata* granting only consular and dictatorial *imperium*. Under such a system, it becomes easier to understand the procedure for giving equivalent *imperium* to both consuls and dictators. If the term *imperium minus* developed specifically to denote praetorian *imperium*, then the only form

95. For magisterial lists for the third century, see Broughton 1951a. See Brennan 2000a: 58-97 on the development of praetorian competences down to the year 219.

of *imperium* that existed earlier in the *comitia curiata* was *maius*. In short, consuls and dictators had access to only one form of *imperium* in the early Republic.

The principal implication of the *lex curiata de imperio* is that the Romans, at least those reconstructing the assembly's origins in the later Republic, saw parity in the forms of consular and dictatorial *imperium*. Both forms were derived from the *comitia curiata*, despite the fact that the procedure for obtaining *imperium* was different. Consuls obtained *imperium* annually, but while the *comitia curiata* granted power to dictators less frequently, the procedure was hardly rare. For both magistrates, the same form of *auspicia* provided the basis for obtaining power.

The second level of association between *auspicia* and *imperium* was characterized by the level of public sacrifices and other rituals which a magistrate's *imperium* entitled him to perform. Consuls wielded the highest *imperium* in the Republic, and, therefore, it fell to them to take the most important *auspicia publica*. The auspicial ceremonies were conducted on a variety of occasions and permeated the civic aspect of the consul's station. I shall present examples of consular sacrifices for which we can match parallel activities undertaken by dictators. The fact that the two magistrates performed the same public auspices provides another point of contact in our expanding model of consular and dictatorial parity.

As we have already seen, consuls managed the auspices for both the *comitia centuriata* and *comitia curiata*, the major legislative and electoral bodies of the early Republican system, and they had the task of taking auspices before convening a meeting of the senate. Dictators assumed these duties whenever necessary. For instance, the consular *fasti* register numerous appointments of dictators *comitiorum habendorum causa*.⁹⁶ This appellation confirms that dictators, whenever they appeared in a civic context, exercised the same auspicial authority in terms of administering assemblies. An examination of dictatorial involvement in civic affairs

96. 351, 350, 349, 348, 335, 327, 321, 306, as well as thirteen times in the third century.

will be developed below. Moreover, numerous other public sacrifices fell within the purview of the consulship. At the beginning of the administrative year, in March during the early Republic, one of the consuls led other magistrates from Rome and many Latin communities into the Alban hills in order to perform sacrifices (*feriae Latinae*) at the temple of Jupiter Latiaris. According to Roman tradition, this ceremony was shared by the members of the Latin League until the period in which Rome came to dominate the alliance. Thereafter, a Roman consul made the sacrifices. Livy offers an account of this ritual, in which an ill omen forced the consul to reschedule the *feriae* for a later date (41.16.1-6). When both consuls were detained in the field, the duty of performing the *feriae Latinae* fell to a Roman dictator.⁹⁷ The consular *fasti*, in fact, contain entries of dictators appointed *feriarum Latinarum causa* (for the purpose of performing the Latin sacrifices) in the years 344 and 257. It would be no surprise if dictators appointed for other purposes (e.g., *rei gerundae causa*) performed the ritual in the Alban hills incidentally whenever the consuls were gone on campaign. What is more, the consular *fasti* contain the name of a dictator appointed for managing the *ludi Romani* in 322. Livy says explicitly that a praetor was intended to supervise these games, but that a dictator was appointed for the task when the magistrate fell ill (8.40.2-5).

Dictators shared other public ceremonies with consuls. At 7.3.1-9 Livy reports that in 363 L. Manlius Capitolinus Imperiosus was appointed dictator *clavi figendi causa*, the ritual in which a magistrate drove a nail in the temple of Jupiter Capitolinus in order to ward off pestilence. In this account, Livy wades through a shadowy tradition in which this ritual was originally performed by the *praetor maximus*, whom Livy appears to equate with a consul, and later by a dictator. The consular *fasti* also record a dictator *clavi figendi causa* for the years 331 and 263. These episodes denote a link between consular and dictatorial access to the same

97. Sherwin-White 1973: 70; Lintott 1999: 105.

auspices. Finally, Servius Auctus preserves a tradition in which consuls, praetors, and dictators made the sacrifices to the *penates* and the goddess Vesta at Lavinium before they ended their terms in office (...*quod cum consules et praetores sive dictator abeunt magistratu, Lavini sacra penatibus simul et Vestae faciunt*, ...when consuls and praetors, or a dictator, leave office, they perform sacrifices to the penates and Vesta at Lavinium, *ad Aen.* 2.296.8-9).⁹⁸ Servius' use of *et...sive* may imply that the end of term for consuls and praetors was coeval, while the end of a dictator's term did not necessarily coincide.

The connections outlined above express the notion that the Romans observed a link between *auspicia* – in all of their uses – pertaining to consuls and dictators. As we have seen, in the various rituals that developed around dictatorial appointment, granting of *imperium*, and public sacrifices, the Romans strove to replicate established auspicial procedures involving the consulship. It may be suggested that, in terms of the all-important *auspicia*, the dictatorship was patterned closely upon the consulship.

Consular and Dictatorial *Imperium Militiae*

The civic responsibilities of consuls and dictators have already been examined at length. In this section, I seek to explore further the nature of consular and dictatorial *imperium domi* and to connect consular and dictatorial *imperium* in a military context. A consul's activities in the sphere *domi* included a range of civic duties within the boundaries of Rome, while military affairs outside the city characterized the consular sphere *militiae*. I shall demonstrate that enforcement or suspension of two closely related principles distinguished consular *imperium domi* from *imperium militiae*. *Intercessio* was opposition from the other consul, who exercised equal *imperium*, or from one of the plebeian tribunes, who could invoke a sacred veto to which a

98. Holstein 1916: 35-36.

consul was obligated to yield.⁹⁹ Plebeian tribunes appear to have possessed this power from an early period in the Republic. *Provocatio*, a concept related to *intercessio*, enabled a condemned Roman citizen to appeal to the people (*provocatio ad populum*) for leniency against punishment from a consul.¹⁰⁰ Simply put, when a consul operated within the civic sphere he was bound by *intercessio* and *provocatio*, while within a military context these principles did not obstruct his *imperium*, thus making the consul's military authority greater than his authority *domi*.¹⁰¹

After establishing the impact of *intercessio* and *provocatio* on consular *imperium*, I shall trace their implications for the Romans' concept of dictatorial *imperium*. For the first century and a half of the Republic, dictators were employed exclusively as military commanders intended to supplement the consuls or military tribunes. The consequence of this purely military character is that there was no logical need for the Romans to develop an extraordinary form of *imperium maius* for a dictator whose military function was satisfied with consular *imperium militiae*, itself a supreme form of *imperium*. In time, the Romans introduced the dictatorship into the civic sphere, and for the first time had to consider the limits of dictatorial *imperium domi*. As we shall see, they imposed a series of restrictions on a dictator's power within the city in order to make the office function like the consulship *domi*. In both *domi* and *militiae* contexts, then, we can observe that the Romans conceived of parity between consular and dictatorial *imperium*.

When a consul performed his duties within the city of Rome, his *imperium* was restricted by the constitutional precepts of *intercessio* and *provocatio*. In actual practice, an *intercessio* functioned as a veto of a consular act. An *intercessio* could be invoked, however, only by a

99. Abbott 1911: 154-156, 198-199 cites examples of the use of *intercessio* in the late Republic. See also Lintott 1999: 32-33. Livy records an instance in which a plebeian tribune invoked his power of *intercessio* to block the levy of plebeian troops (2.43).

100. von Fritz 1954: 214-215; Lintott 1999: 33, 97-99.

101. Polybius 6.12 outlines consular authority in the field; Walbank 1957: 675-678. Cicero *Leg.* 3.6 makes clear that the right of *provocatio* applied only to a magistrate's *imperium domi*.

magistrate of equal rank or by the tribunes of the plebs. Therefore, a consul was vulnerable to the veto of his colleague or a plebeian tribune.¹⁰² Livy records that the tribunes frustrated consular levies in the fifth century by use of *intercessio* (4.55.1-3). Similarly, the right of *provocatio* enabled a condemned Roman citizen to appeal to the people for leniency or to complain of an unjust trial. Our sources record that a law dealing with *provocatio* was passed in the early Republic and was renewed several times as a defensive mechanism against oppressive senior magistrates.¹⁰³ In actual practice, this appeal was directed at a plebeian tribune, who could then exercise his right of *intercessio* against an unfair punishment by a senior magistrate. The right must date back to the early Republic, since Cicero notes that it was registered in the laws of the Twelve Tables (*Leg.* 3.6).¹⁰⁴ Livy places the first instance of *provocatio* in the aftermath of the battle of the Horatii and Curiatii (1.26.1-14). Publius Horatius, the only combatant to have survived the battle, murdered his sister because of her grief over her fiancé, one of the enemy combatants whom Horatius had killed. The Roman king Tullus Hostilius appointed a tribunal to try the crime, and the young Horatius was sentenced to death. He appealed to the people for leniency, which was granted after a heartfelt speech by the youth's father. Livy reports a more reliable account of *provocatio* in the passage of a *lex Valeria* in around 300. He declares that this law was the third renewal of the right to appeal to the people against capital punishment (10.9.3-6).¹⁰⁵

By contrast, a consul in his military capacity was equipped with a nearly unrestricted form of *imperium*.¹⁰⁶ The threat of *intercessio* or *provocatio* was severely reduced because a

102. Smith 1901: 1015-1018; and Lintott 1999: 84, 100-101, 202.

103. Dion. Hal. *Ant. Rom.* 5.19; Livy 10.9.3-6. See also Brennan 2004: 37-38.

104. Lintott 1999: 33.

105. von Fritz 1954: 132-135; Stewart 1998: 123, 135.

106. Polyb. 6.12; Walbank 1957: 675-678; Brand 1968: xv.

consul was accompanied by neither a colleague nor plebeian tribunes in the field.¹⁰⁷ Cicero characterizes a consul's *imperium militiae* in this way: *militiae ab eo qui imperabit provocatio nec esto, quodque is qui bellum geret imperassit, ius ratumque esto* (Let there be no right of *provocatio* from he who will have *imperium* in the field, and let whatever he who wages war has commanded be right and authoritative, *Leg.* 3.6.7-9). The language used here implies that Cicero extracted this phrase from an archaic source.¹⁰⁸ In terms of the unquestioned authority of a commander, Mommsen suggested that Roman criminal law developed from the recognition that civil law should be different from 'arbitrary rule of military command in the field.'¹⁰⁹ Roman tradition offers numerous examples that characterize the supremacy of a consul's *imperium militiae*. Dionysius recalls that in a battle against the Volsci in the early fifth century, a number of Roman units fled before engaging the enemy. Once back in camp, the consul Appius Claudius ordered the beheading of all the centurions of the offending centuries. Dionysius reports that officers in camp pleaded with the consul not to commit this act (*Ant. Rom.* 9.50.2-7). Livy recounts a similar version, interjecting the detail that Appius felt free to brutalize his troops all the more because the tribunes could not restrain him as they had within the civic sphere: *eadem in militia saevitia Appi quae domi esse, liberior quod sine tribuniciis vinculis erat* (2.58.4). Livy also preserves the didactic tale in which the consul T. Manlius Torquatus supervised the beheading of his own son, who had disobeyed the consul's orders by leading an unauthorized cavalry charge during a battle in the Latin War (8.7.1-8.8.2). The immense authority characterized by these tales expresses the supremacy of the consul's *imperium militiae*. It is difficult to see how a dictator would have needed anything more than this form of *imperium*.

107. Smith 1901: 1016.

108. On archaism in Cicero's prose, see Adams, et al. 2005: 22-24; Powell 2005: 132-137; and Dyck 2004: 443-445.

109. Mommsen, quoted in Brand 1968: 37.

Given the character of consular *imperium militiae* and its implication for the authority of the dictatorship, it will be useful to underscore the military function of the dictatorship in the period 501-300 at this point in the argument. Of the twenty dictators listed in the consular *fasti* for the years 501-367, at least seventeen were registered as military commanders. The standard notation for military function, *rei gerundae causa*, is repeated again and again. Moreover, the biographical information extracted from literary narratives on early dictatorial appointments allows us to see that the men chosen as dictators were overwhelmingly veteran military men.¹¹⁰

By the middle of the fourth century, however, the Romans introduced the dictatorship into domestic affairs. Consequently, dictatorial power had to be defined for the first time within the sphere *domi*. The pattern for this circumscribed authority was consular *imperium domi*. Three key episodes from the early Republic illustrate this move toward aligning the power of the dictatorial *imperium* with consular *imperium*. First, in 325 the Romans were engaged in the early years of the Second Samnite War. That year, L. Papirius Cursor had been appointed dictator, with Q. Fabius Maximus Rullianus as *magister equitum*. Contrary to the dictator's orders, Fabius attacked and defeated a Samnite army while the dictator was away. According to Livy, Papirius, driven in part by jealousy over Fabius' stunning victory, ordered his master of the horse back to Rome to stand trial for his disobedience (8.30.1-8.35.12). One must wonder why the dictator did not mete out punishment in camp, where he had the full force of consular-level *imperium militiae* behind him. Instead, a lengthy trial ensued back in Rome, during which Papirius militated against several supporters of Fabius. In the end, Fabius' father made a formal

110. For instance, the consular *fasti* record that M. Furius Camillus was appointed dictator five times and that L. Papirius Cursor served as dictator four times. Livy recalls that Papirius was one of the most celebrated military figures of the late fourth century (9.7.15). We can also note Cicero's comment that in the early Republic, the title *magister populi* was used instead of *dictator* (*Rep.* 1.63); cf. Varro *LL* 5.82; 6.61. Watmough 1997: 69-71 has argued that the original meaning of *populus* may have been 'army,' borrowed from an Umbrian word. This would clarify the meaning of the title *magister populi*. The military emphasis of the title, moreover, is further supported by the office of *magister equitum*, the dictator's lieutenant, which clearly denotes a military officer.

provocatio, asking the tribunes to reconsider his son's position (*tribunos plebis appello et provoco ad populum*, 8.33.7). The dictator was compelled to yield, and Fabius was released.¹¹¹

The right of *provocatio* is also relevant for the second example. As we have seen, Livy (10.9.3-6) and Dionysius (*Ant. Rom.* 5.19.3-5) agree that the Romans passed a *lex Valeria de provocatione* in 300. This latest iteration ostensibly reaffirmed the right of appeal for the Roman citizens.

Some scholars, beginning with Mommsen, propose that the *lex Valeria* of 300 applied to dictators as well as other magistrates.¹¹² If this theory is correct, dictatorial *imperium*, so often characterized as supreme, becomes aligned precisely with consular *imperium*, at least in the realm of *provocatio*. The third example is the infamous dictatorship in 363 of L. Manlius Capitolinus Imperiosus. Livy records that Manlius' appointment was strictly *clavi figendi causa* (7.3.1-9). According to the consular *fasti*, his role as a religious dictator was the first such appointment. Upon completion of driving the nail into the temple of Jupiter Capitolinus, Manlius attempted to levy an army, clearly driven by his understanding of the dictatorship as a military office. In the end, however, the senators convinced Manlius to give up his plan and relinquish the dictatorship by invoking the *mos maiorum*. As Hartfield emphasizes throughout her dissertation on the Roman dictatorship, *mos* was a key force in keeping all magistrates in line.¹¹³ In this anecdote we see the first instance in which the Romans were compelled to define dictatorial *imperium* within a civic context, previously having no need to classify a military dictatorship equipped with consular *imperium militiae*. Nearly all previous dictatorships had been intended for a military purpose and had been equipped with unrestricted *imperium*.¹¹⁴

111. Bauman 1973: 37-40.

112. Mommsen 1887: 2.165; Staveley 1955: 428; Bauman 1973: 36-44.

113. Hartfield 1982 *passim*.

114. Before 363, the Romans appointed only three dictators for a non-military function, according to entries in the consular *fasti*. Hartfield 1982: 56-72 argues that in the case of the dictators of 494 and 385, involvement in domestic affairs was not the *causa* of the appointments, but that domestic activities were tangential to the dictators' military obligations.

When we examine dictatorial *imperium* alongside consular *imperium*, we see that in both a military and civic context, the Romans conceived of parity between the two forms of authority. In either case, dictatorial *imperium* is patterned on already existing parameters of consular *imperium*. I shall use the next chapter to introduce a series of salient examples from ancient narratives that explicate further a provisional Roman dictatorship, equipped with consular *imperium*, in action.

CHAPTER FOUR

THE ORIGINAL FORM OF THE ROMAN DICTATORSHIP, 501-300 B.C.

I have demonstrated thus far that, contrary to traditional accounts, Roman dictatorial *imperium* did not exceed consular *imperium* in the period 501-300. Conceptual links showing the equivalence of consular and dictatorial *imperium* and each office's use of *auspicia* can be observed in many areas of administration in the early Roman Republic. What is more, we have already seen the use of the dictatorship in other Italic cities and ostensibly in Carthage as an ordinary or ad hoc magistracy, practices that support a reassessment of the nature of the Roman dictatorship. In this chapter, I turn to reconstructions of specific Roman dictatorships from the early Republic that demonstrate the original function of the office. I shall offer a selection of ancient literary passages that discuss dictators performing their office as an equal colleague of the consuls and on a provisional basis. Wherever possible, moreover, I shall consider relevant epigraphic evidence. This reconstruction, based upon conclusions drawn from the previous chapters of this thesis, is the full expression of my revised model of the early dictatorship as a magistracy equivalent to the consulship.

Ancient literary sources of the later Republic and early Augustan era characterize the dictatorship as a supremely powerful office. As has already been argued here, such depictions of the institution itself are not consistent with actual dictatorial appointments that are recorded in literary and epigraphic sources. The frequency with which the Romans of the early Republic appointed dictators, and the various tasks for which appointments were made, hardly imply cautious use of a potent and guarded office. Raw data from the consular *fasti* demonstrate usage.¹¹⁵ They record that the dictatorship was used nine times in the period 465-400. From the

115. See Appendix One for use of the dictatorship in the period 501-300.

beginning of the fourth century to the outbreak of the Second Samnite War in 327, thirty dictatorships are reported. We even see dictatorships in consecutive years on seven occasions, and from 353-348 the consular *fasti* record a run of six dictatorial years in a row. During the twenty-three years of the Second Samnite War, which will be discussed at length later in this chapter, the Romans used the dictatorship seventeen times, including two years with multiple dictators.¹¹⁶ Another prominent feature of traditional portrayals of the dictatorship, moreover, was that the office was reserved for emergency situations. Once again, actual usage does not match this characterization. In this chapter, I shall offer examples that indicate that employment of the dictatorship was contingent not upon a military emergency but rather upon the fact that the two consuls were unable to fulfill all necessary consular tasks.

The statistics given above represent a discrepancy between the notion of the dictatorship as a supreme institution and actual Roman usage of the office. In the previous two chapters, we have seen how analyses of consular and dictatorial *auspicia* and *imperium* and comparison of the Roman office with Latin usage of the dictatorship begin to cast doubt on the traditional model of the Roman dictatorship in the early Republic. Let us now turn our attention to a series of salient examples of individual dictatorships from the period 501-300. These examples are indicative of a dictatorship that was an office collegial with the consulship and was implemented on an ad hoc basis for a specific function *domi* or *militiae*.

Dictators as Military Colleagues of Consuls

Three dictatorships in particular demonstrate that in the early Republic dictators operated in conjunction with the pair of consuls. In each case, the dictatorial appointment was undertaken expressly because the two consuls could not manage military fronts beyond those in which they

116. 320 and 301.

were already deployed.

Our literary sources and the consular *fasti* record that in the year 494, Manius Valerius Maximus was appointed dictator for the purpose of settling a potential secession of the plebeians.¹¹⁷ Hartfield has noted, however, that within the sources there is a clear indication that this dictator's role in mitigating plebeian dissension was secondary to an appointment *rei gerundae causa*, or for the management of a war.¹¹⁸ Livy (2.30.3) and Dionysius (*Ant. Rom.* 6.34.1-6.42.3) allude to the fact that lurking behind fears that the plebeians might secede was the fact that Rome was being threatened by three separate enemy incursions. The conventional narrative records that the dictator Valerius first set about addressing plebeian grievances and then levied a massive army. Livy (2.30.7) says that each of the consuls, Aulus Verginius and Titus Vetusius, took command of three legions each and that the dictator received four legions. At once, the three commanders set off on three separate missions: Vetusius drove the Aequi out of Latium, Verginius won a major victory over the Volsci, and the dictator Valerius routed an army of Sabines.¹¹⁹ Dionysius records that the dictator earned a triumph for his part in the year's military successes (*Ant. Rom.* 6.43.1), and Livy is explicit that this triumph was awarded because the dictator's victory was the most impressive, not simply because he was dictator: *post pugnam ad Regillum lacum non alia illis annis pugna clarior fuit. dictator triumphans urbem invehitur* (No other battle in the years since Lake Regillus was more famous. The dictator was carried into the city in triumph, 2.31.3). It is worth noting that during the period 501-300 dictators triumphed twenty times, according to literary accounts and the *fasti triumphales*.¹²⁰ The fact that dictators

117. An *elogium* from the Forum of Augustus records that this dictatorial appointment of Valerius was the first appointment (cf. appointment of T. Larcus, see above). The *elogium* records his triumph over the Sabines and Medullini, *ILS* (Dessau) 50.

118. Hartfield 1982: 56-72, 318-321; Bandel 1987: 11-12.

119. See also Dion. Hal. *Ant. Rom.* 6.42.1-3.

120. See *Fasti Triumphales*; and Beard 2007: 206-214.

were allowed to celebrate triumphs offers another point of contact with consular *imperium*.

Several interesting points emerge from this story. I interpret this dictatorship as simply a supplement to the pair of consulships: the two consuls could not possibly have fought against three disparate enemies. A third commander with consular *imperium militiae* was thus needed, and this void was filled by a dictatorial appointment. Even within the confusion about the dictator managing civic affairs, this appointment has the clear overtones of a military appointment. There are, moreover, no indications that the two consuls and the dictator coordinated their military efforts at all. Perhaps we are to assume that the three simply drew lots in order to assign each magistrate to a province. It should also be added that hostilities with the Aequi and Sabines, at least, appear to have been part of an annual cycle of warfare. If we look back into the years before 494, we see frequent incursions into Latin territory by both tribes. In other words, the incursions of 494 likely came as little surprise to the Romans and hardly constituted a military emergency. Finally, Livy adds two details that allow us to gain a deeper understanding of the relationship between the dictator Valerius and the consuls. First, Livy implies that the three senior magistrates remained in the field with their respective armies after repelling the earlier attacks (2.31.4-6). In particular, a force of Aequi posed a new threat. The army of the consul Veturius accused their commander of delaying his attack so that the dictator's term in office would expire before the campaign began. Ostensibly, the consul's delaying tactic was intended to frustrate the dictator's reassessment of plebeian grievances back in Rome. Consequently, the soldiers in the consular army would remain under arms and therefore play no role in plebeian dissension back in Rome before the dictator's term ended. The point to take from this episode, if Livy's interpretation is correct, is that the consul was engaging in an antagonistic political action against the dictator rather than obediently following a more powerful

magistrate. Second, Livy notes that the Roman soldiers were not likely to break their military oaths by disbanding their units, even if they were angered by the anti-plebeian actions of the consul (2.32.1-2). Significantly, the soldiers had sworn their oaths directly to the consuls. Had the dictator been considered the supreme magistrate for the duration of the term, he would have administered the oaths.

The year 458 was marked by one of the most celebrated dictatorships in Roman history. Roman tradition fondly recalled how L. Quinctius Cincinnatus dutifully undertook a dictatorship, won a great victory, and promptly laid down his office to return to his fields.¹²¹ Even so, there are inconsistencies within literary accounts of Cincinnatus' term that betray the form of his authority as equivalent to that of the consuls. In this year, C. Nautius Rutilus and L. Minucius Esquilinus entered the consulship. The senate dispatched Minucius to confront yet another incursion into Latin territory by the Aequi. At the same time, a huge force of Sabines attacked the area just northeast of Rome, posing what may be interpreted as an emergency. In response, the consul Nautius led an army to confront the Sabines and repelled the attack after a series of skirmishes. Minucius, on the other hand, found his camp besieged by the Aequian army. It was at this point that the Romans decided to appoint Cincinnatus as dictator to relieve the siege of Minucius' camp. The narratives of both Livy and Dionysius are clear about the sequence of events. The dictatorial appointment was not made because of the Sabine threat, but rather to rescue the army of Minucius. Dionysius claims that the consul Nautius rushed back to Rome in order to make the appointment of the dictator. Livy's version omits this detail, suggesting simply that Nautius was not up to the task of relieving the siege. Within the ambiguity in Livy's account, it is plausible that Nautius was occupied against the Sabines and a third senior magistrate was required. The solution was thus the appointment of a dictator. In fact, Livy

121. Livy 3.26.6-3.29.7; Dion. Hal. *Ant. Rom.* 10.23.4-10.25.3.

discloses later that Nautius continued his campaign against the Sabines, even moving into Sabine territory itself (3.29.7). An alternative interpretation is possible, one that satisfies both Livy's and Dionysius' versions of the dictatorial appointment and also reveals a dictator filling the role of consul. After he lifted the siege of the Roman camp, Cincinnatus essentially removed Minucius from his post and took command of the consul's army. Consequently, this situation could be an instance of a dictator replacing a consul, which may have been the motivation behind the initial dictatorial appointment. What is more, there is no evidence that Minucius formally abdicated his consulship in a procedural concession to the dictator. This anecdote, therefore, does not suggest that the dictator held *imperium maius*.

One final example explicates the fact that the dictator only supplemented the consuls rather than directed them. In 360, the consuls Gaius Poetelius Balbus and Marcus Fabius Ambustus were engaged in campaigns against the Tiburtines and Hernici, respectively. Simultaneously, a Gallic army, allied with the Tiburtines, and stationed in Campania, attacked a number of cities in southern Latium. In response, the Romans appointed Quintus Servilius Ahala dictator *rei gerundae causa* to confront the Gallic threat. The Romans enjoyed military success on all three fronts. Ambustus defeated the army of the Hernici, Poetelius contained the Tiburtine threat, and the dictator Servilius drove the Gauls away from Rome. In fact, Poetelius met and routed the Gallic army as it retreated toward Tibur. The *fasti triumphales* record that the consul Poetelius celebrated a double triumph (*geminum triumphum*, Livy 7.11.9) and that the other consul Ambustus was entitled to an ovation. Livy adds that the dictator had resigned his office, but it is unclear how much this fact had to do with the honors given to the consuls. At any rate, the fact that the senate awarded a triumph to Poetelius runs counter to traditional views of the dictatorship as a supremely powerful office. If this had been the case, the triumph would have

been awarded to the highest magistrate, under whose *auspicia* the campaigns were conducted. The consular triumph, then, lends itself to the notion that the dictator was not supreme and was simply a third senior magistrate meant to supplement the pair of consuls. Record of this consular triumph must have jarred Livy's typical impression that the dictatorship was a supreme office. Perhaps for this reason he interjected the detail that the dictator shifted the glory of the Gallic campaign to the consul Poetelius in order to rationalize record of the consular triumph: *dictator consulibus in senatu et apud populum magnifice conlaudatis et suarum quoque rerum illis remisso honore dictatura se abdicavit* (The dictator, after the consuls were praised splendidly in the senate and before the people and he had conceded to them [the consuls] the honor of his own deeds, abdicated his office, 7.11.9). We should note that such an altruistic action by a dictator would surely be unique in the competitive environment of Roman politics. Military glory was one of the best forms of political currency in Republican Rome, and no magistrate would forego such honors lightly.¹²²

In these examples, we can observe dictators serving as what can only be characterized as an additional consul. In each instance, the dictator operates as a colleague of the consuls, generally campaigning independently against military threats.

Dictatorships *Comitiorum Habendorum Causa* and for Religious Functions

As we saw in the previous chapter, dictatorial competence included convening the *comitia centuriata* in the event that neither consul was present to undertake the task. The supervision of consular elections in the *comitia centuriata* was ordinarily the domain of the consuls alone and was one of the principal elements of consular *imperium domi*. The fact that dictators could be charged with election-holding offers a clear indication that dictatorial purpose

122. On the Roman aristocracy, see Syme 1960: 12-27; and Rosenstein 1990: 1-8.

overlapped with consular tasks. Each appointment of a dictator *comitiorum habendorum causa*, moreover, was prompted by the fact that the consuls were occupied in the field or by illness and unable to return to Rome to supervise elections. In short, the ad hoc nature of this form of dictatorial usage, intended expressly for a consular task, reveals the nature of the early dictatorship as a magistracy equal to the consulship.

One notable example from the fourth century will suffice to illustrate this form of dictatorial usage. The consular *fasti* register that each year of the period 351-348 included a dictatorial appointment *comitiorum habendorum causa*. In 350 a major Gallic invasion threatened Latium.¹²³ One of the consuls, M. Popilius Laenas, levied an army and routed the Gallic army in battle. Even so, the consul received a serious wound that delayed his celebration of a triumph. Furthermore, the other consul had fallen ill before the Gallic campaign had begun, and he remained out of action for the entire year. Consequently, the consul Popilius had assigned command of an army to a praetor, instructing him to defend Rome itself. Additionally, with both consuls unable to hold elections – the one nursing a battle wound and the other lingering in sickness – L. Furius Camillus was appointed dictator for the purpose of convening the *comitia centuriata*. Here, we see a praetor put in charge of a consular army, while the dictator fulfilled a different consular task. This episode signals how the Romans used the dictatorship in the third century, that is, almost exclusively as an election-holding magistracy.¹²⁴ Conversely, praetors became increasingly involved in the command of armies in the third century. The magisterial array of 350 indicates clearly that the dictatorship was the tool of choice to replace a consular function, in this case, management of elections. It was perhaps the only tool available to the Roman polity, since dictators possessed the appropriate level of

123. Livy 7.23.1-2.

124. See the consular *fasti* for third-century entries of dictators *comitiorum habendorum causa*.

imperium and *auspicia* to convene the *comitia centuriata*, whereas praetorian *imperium* was deficient in this area.

We have also already encountered instances in which the Romans employed the dictatorship for religious tasks. According to the consular *fasti*, such usage of the office occurred three times.¹²⁵ In each instance, the dictator assumed responsibility for conducting certain rituals that were typically managed by a consul. The infamous dictatorship of L. Manlius Capitolinus Imperiosus has been noted in previous chapters, but the story surrounding his appointment as dictator *clavi figendi causa* remains important here. Livy gives the canonical version of the episode (7.3.1-9). He attests that elderly Romans recalled a tradition in which an early *praetor maximus* ended a plague by driving a nail into the temple of Jupiter on the Capitoline. He then notes that this task was assigned to consuls and finally to dictators.¹²⁶ Imperiosus was the man chosen as dictator for this purpose in 363. If we take Livy at face value here, it appears that the consuls did precisely nothing during this year. He gives attention only to ongoing propitiations to the gods. Nevertheless, total consular inactivity seems difficult to accept. Some conjecture here may be useful. At 7.1.3, Livy records that an army of Gauls was massing to the south of Rome and that the revolt of the Hernici was brewing. We can thus be certain that the possibility or actual prosecution of warfare was present also in 363. In fact, after he completed his appointed task of driving the nail, Imperiosus attempted to levy an army, according to Livy, in order to attack the Hernici. Furthermore, the consuls of the following year engaged the Hernici, one of them being killed in battle. If, then, there was a Hernician military threat in 363, not to mention the impending Gallic presence, we may presume that the two consuls were stationed in

125. Lydus (*Mag.* 138) alone records a dictator *clavi figendi causa* for 463, agreeing with Livy's reference to a dictator for this function a century prior to L. Manlius Capitolinus Imperiosus in 363 (7.3).

126. The theory that two praetors were the original chief magistrates in the early Republic was first developed by Mommsen. For a recent overview of research on this subject, see Brennan 2000a: 20-25.

the field. This would be consistent with regular Roman military practice of most years during the early Republic. Consequently, it is plausible to understand that the consuls were away from Rome, so a substitute was needed to perform a task reserved for a magistrate with adequate *imperium*.¹²⁷ The selection of a dictator for a consular task appears fluid in this episode. One final note on Imperiosus' dictatorship must be made. Military action by a dictator was expected, since it was previously the primary function of dictators. Imperiosus, then, was not being tyrannical but was simply following conventional understanding of the dictatorship. Nevertheless, in Imperiosus' dictatorship we see a redefining of the office. It was to be used for a civic function. His dictatorship was new, and its competence was restricted to the religious ritual of driving the nail.

Dictators as Consular Replacements

Perhaps the most lucid indication that the earliest form of the Roman dictatorship was equivalent to the consulship can be derived from two dictatorships in the fourth century. In the years 362 and 340 a dictator was appointed to replace a consul. The consular *fasti* register each appointment as *rei gerundae causa*, which is logical given their military competences. Livy's narrative on these two dictatorships expounds their roles further.

During the year after the controversial dictatorship of Imperiosus in 363, the Romans launched a campaign against the Hernici. The consul L. Genucius Aventinensis, however, led the Roman army into an ambush where he was among numerous Roman casualties. Livy offers no record of the activities of the other consul for that year, Q. Servilius Ahala (7.4.1-7.8.7). It is plausible to suppose that he remained vigilant against the Gallic threat that had emerged south of

127. Livy 7.3.

Rome a few years earlier.¹²⁸ At any rate, the death of the consul Genucius prompted the appointment of Appius Claudius Regillensis as dictator. Appius levied fresh troops and marched south to take command of the remnants of Genucius' army. The dictator resumed the consul's campaign and earned a bloody victory over the army of the Hernici.

In 340, the Romans were engaged in the second year of their final military confrontation against the united communities of Latium, the so-called Latin War. During the principal battle of that year, fought somewhere around the slopes of Mount Vesuvius, the consul P. Decius Mus had devoted himself. According to Livy's version, after the subsequent Roman victory, the other consul T. Manlius Torquatus executed the remainder of his term without a colleague. Soon thereafter, an army from the city of Antium, one of the rebellious Latin peoples, conducted a series of raids on Roman-allied cities along the Tyrrhenian coast (Livy 8.12.1-16). Torquatus, however, fell ill and could not conduct the campaign. In response, L. Papirius Crassus was appointed dictator to conduct the Roman effort against the Antiates. This dictatorship can be interpreted two ways. First, it may be an unambiguous example of a dictator acting as a replacement consul, a function that was relegated to a *consul suffectus* later in the Republic.¹²⁹ While Livy's account gives no indication of when Crassus abdicated his post as dictator, it is plausible that he remained as a colleague to Torquatus after defeating the Antiates. After all, for a consul to hold office without a colleague was to be unprecedented until the first century. The second possibility is that Crassus' dictatorship is yet another example of an ad hoc dictatorial appointment for a specific military task.

Dictatorships in the Second Samnite War

Finally, let us turn our attention to Roman usage of the dictatorship during the Second

128. Livy 7.1.3.

129. Brennan 2000a: 71, 275 n. 76; cf. Brennan 2000b: 656-657 on praetorian replacements.

Samnite War, fought 327-304. In this war, we can observe the culmination of my revised model of the dictatorship. During the course of the more than twenty-year war, the Romans employed the dictatorship seventeen times for an array of consular activities. Each of these dictatorships was necessary only because the consuls were either engaged in the field and could not manage certain domestic affairs or were unable to confront all Rome's enemies at a given time. In this war, the fully developed system of using the dictatorship as an ad hoc, consular magistracy reached its peak. No such concentration of dictatorships within a similar timeframe would occur again. As we shall see in the next chapter, dictatorial usage underwent a change after the end of the Second Samnite War. An examination of four years in which the dictatorship was employed will suffice to understand use of the office in this war.

Livy records that in 322 the Samnites levied an immense army and launched a renewed effort in the Second Samnite War (8.38.1). He cites one tradition according to which the Romans appointed Aulus Cornelius Cossus as dictator *rei gerundae causa*, who took command of the Roman forces sent to confront the Samnite army. This version maintains that the dictator won a stunning victory and returned to Rome to celebrate a triumph. Accordingly, the consuls for the year, Q. Fabius Maximus and L. Fulvius Curvus, are assigned no specific tasks. In fact, Livy omits any mention of their role in the military events of the year. At the end of his discussion of events of 322, he notes an alternative tradition that attributes the great victory over the Samnites to the combined generalship of the consuls (8.40.1). This record of events places the dictator Cossus in charge of the more mundane *ludi Romani*. Appian, writing more than a century after Livy, may support this version of the campaign (*Sam.* 4.1-5). While he does not clarify who led the campaign, Appian maintains that the Romans not only won a major battle over the Samnites, but that they captured an incredible eighty-one towns allied with the Samnites.

It would be impressive, indeed, for a single army under the command of a dictator to accomplish such a feat during a six-month period. If some of the towns had come voluntarily under Roman control, the large number of captured towns would be more believable. Appian's language, however, implies military action (*Sam.* 4.1):

ὅτι Σαυνίται ἐς τὴν Φρεγελλανῶν ἐμβalόντες ἐπόρθουν, Ῥωμαῖοι δὲ Σαυνιτῶν καὶ Δαυνίων ὀγδοήκοντα κώμας καὶ μίαν εἶλον καὶ ἄνδρας ἐξ αὐτῶν χιλίους καὶ δισμυρίου ἀνελόντες ἀπανέστησαν αὐτοὺς ἀπὸ τῆς Φρεγέλλης.¹³⁰

While the Samnites were attacking and destroying the land of Fregellae, the Romans captured eighty-one Samnite and Daunian towns, seizing 21,000 men and driving them from the territory of Fregellae.

Instead of a single commander undertaking such a wide-spread Roman offensive, it is likely that the consuls also campaigned in 322, with the dictator as a third colleague. The consular *fasti*, on the other hand, are unequivocal about the dictator's role in that year. Cossus is listed as dictator *ludorum Romanorum causa* (for the purpose of holding the Roman games). Furthermore, the *fasti triumphales* assign triumphs in 322 to the consul Fulvius for victories over the Samnites and to the consul Fabius for victories over the Samnites and Apulians. At any rate, Livy's account of sole dictatorial command in 322 remains doubtful. Whether the dictator was a consular colleague or only director of games, his status was no greater than that of a consul.

The second example comes from 320, the year following the humiliating capture of a Roman army by the Samnites at the Caudine Forks. This year is particularly interesting because the Romans appointed three different dictators. The consular election for the year brought to power L. Papirius Cursor and Q. Publilius Philo. After the senate engineered a way for the Romans to break the truce that had been agreed upon with the Samnites in 321, the consuls drew lots for their provinces and each positioned their armies on different fronts. Papirius marched

130. Another reading of the participle *ἀνελόντες* could imply that the Romans killed 21,000 Samnites and Daunians. See *LSJ*: 106. This reading, however, makes ambiguous whom the Romans drove from Fregellae, indicated by *αὐτοὺς*. At any rate, Appian's account stresses intense military activity.

southward into Apulia, and Publilius was stationed near the Campanian-Samnite border. Livy recounts that Publilius won a victory over the Samnites and then joined his colleague Papirius in the successful siege of the Apulian city of Luceria, which had allowed a Samnite garrison to fortify it. Livy preserves a separate tradition according to which Papirius actually won this victory over Luceria as *magister equitum* in 320, serving under the dictator L. Cornelius Lentulus. The consular *fasti*, as confused as Livy in this instance, record Papirius as both a consul and *magister equitum* in this year. If he had been *magister equitum*, why would he have received credit for a victory instead of the dictator? To complicate matters even further, the consular *fasti* record a second dictator *rei gerundae causa* for 320, T. Manlius Imperiosus Torquatus. Broughton suggests that he was likely meant to supervise the election of consuls for the following year.¹³¹

The puzzling record of offices can likely never be sorted out precisely. Nevertheless, we can draw broad conclusions from the information at our disposal. First, Papirius as consul makes perfect sense. He was one of the greatest Roman military commanders of the fourth century, being appointed dictator *rei gerundae causa* on four occasions.¹³² The Romans clearly favored keeping this general in command of an army, and his record in the war supports Roman confidence in his talent. In fact, even his co-consul Publilius was an outstanding commander. Livy registers their election in this way: *is consules creavit Q. Publilium Philonem et L. Papirium Cursorem iterum haud dubio consensu civitatis, quod nulli ea tempestate duces clariores essent* (He oversaw the election of the consuls Q. Publilius Philo and L. Papirius Cursor, for the second time, without a doubt by the consensus of the city, because at that time no commanders were more renowned, 9.7.15). It is thus difficult to understand why the Romans

131. Broughton 1951a: 153.

132. The consular *fasti* register Papirius as dictator in 340, 325, 324, and 309.

would have chosen to prosecute the war by first replacing these outstanding commanders with a dictator, not to mention in the year following the Romans' greatest setback of the war. It makes better sense to interpret the magisterial arrangements of 320 as two consuls, one of whom was the greatest Roman general available, leading the primary thrust of the Roman effort, supported on two occasions by supplemental dictators *rei gerundae causa*. We can add to the unlikelihood of Papirius' role as *magister equitum* the obvious fact that if the Romans wanted to ensure his leadership they would have ensured his appointment as dictator. It is at least clear that the consul Publilius conducted an independent campaign in Campania and that Papirius played a major role in the Apulia campaign. If Papirius was a consul, as listed in the consular *fasti*, then the dictator Lentulus' appointment must have been for a civic function or a different campaign. If Papirius was *magister equitum* to the dictator Lentulus, also alleged in the consular *fasti*, we have an indication that consuls and dictators were operating independently on different fronts.

Apart from the confusion in the sources over the role of Papirius and the aforementioned dictatorship of T. Manlius Imperiosus Torquatus, ostensibly intended for electoral duty, Livy and the consular *fasti* agree that C. Maenius was appointed dictator. The entry for his *causa* in the consular *fasti* has been worn away, but Livy insists that he was appointed to investigate anti-Roman sentiment among Roman-allied cities in Campania. In the end, he was unable to defend his conclusions about potential dissenters because his post was undermined by a group of powerful Roman aristocrats (Livy 9.26.1-22). Nonetheless, his dictatorship, perhaps the third of the year 320, demonstrates how liberally the Romans were utilizing the office in this period. Finally, Livy makes one further notable comment on this year of the Second Samnite War: *convenit iam inde per consules reliqua belli perfecta* (It happened then that the remainder of the war was completed by the consuls, 9.16.1). The consular *fasti* register nine additional dictatorial

appointments for the remaining years of the war, and all but one of these is assigned the competence *rei gerundae causa*. If Livy's comment can be taken as relevant, perhaps he means that consuls were thereafter, as we have observed all along, the primary military commanders for the prosecution of the war with the Samnites. Under such a reconstruction, we can see explicitly that the eight dictators *rei gerundae causa* in the period 319-304 were appointed as ad hoc military commanders to supplement the consuls in the field. The last two dictatorships to be discussed here will confirm such usage.

Our third and final example of dictatorships in the Second Samnite War comes from the year 312, when M. Valerius Maximus and P. Decius Mus served as consuls. Livy's account has Valerius marching into Samnium to press the Roman advantage against the remaining Samnite resistance (9.29.3). The *fasti triumphales* record a triumph for Valerius over the Samnites and Sorani. Livy also recalls the emergence of an Etruscan army in southern Etruria. At this point in the events of 312, inconsistencies arise in our sources. Livy's version maintains that Decius fell ill and was unable to lead Roman troops to confront the Etruscan threat. In response, he appointed C. Sulpicius Longus as dictator, recorded in the consular *fasti* as *rei gerundae causa*. The dictator subsequently marched north only to find that the Etruscan army had withdrawn. Sulpicius' dictatorship could, therefore, also be classified under our examples of dictatorships for consular replacement, according to this version of the events of 312. Conversely, Broughton points to a single record of a triumph over the Samnites attributed to the consul Decius in 312.¹³³ What is more, Diodorus tells us that the Romans were also engaged against the Marrucini in 312, whose territory was located far to the east of Rome (19.105.5).¹³⁴ This implies three disparate fronts facing the Romans in this year: Samnium, Etruria, Marrucian territory. If the reference

133. Broughton 1951a: 159.

134. The location of Pollitium is unknown, Oakley 2005: 346.

to a triumph for the consul Decius is accurate but its author only misinterpreted the enemy as the Samnites, it is plausible that Decius campaigned against the Marrucini. Livy indicates that the war with the Samnites was drawing to a close and not meant to be particularly challenging. Why, then, would both consuls have campaigned there and earned different triumphs? The Etruscan threat, according to Livy's presentation of events, appears to have been beyond the scope of Roman plans at the beginning of the year. Valerius and Decius thus may have been in their respective military provinces of Samnium and Marrucinian territory. When the Etruscan threat emerged, the appointment of the dictator Sulpicius was undertaken simply because the two consuls were unavailable. The three separate fronts may have thus been managed by three equivalent magistrates. Valerius' role in this year, at least, is secure, supported both in Livy's narrative and by the consular and triumphal *fasti*. Either way we choose to understand Sulpicius' dictatorship, moreover, his status in relation to the consuls is clear: he was a replacement or supplemental commander.

Livy notes two other military developments for 312 or 311. First, a restructuring in the selection of military tribunes was enacted (9.30.3). The *populus Romanus*, through a voting procedure, was now entitled to elect some of the military tribunes. Livy is so concerned with explaining popular participation in military matters that he fails to realize that this transformation indicates an expansion of the military tribunate intended to meet expanding annual Roman military commitments.¹³⁵ Second, the Romans also created a two-man naval command for the first time (...*duumviros navales classis ornandae reficiendaeque causa*, 9.30.4). This indicates that the Roman military organization was expanding to meet the widening scope of war with the Samnites and other Italic peoples. Within this increased period of military activity, the need for

135. For an extensive analysis of the expanding Roman military presence in Italy during the last decade of the fourth century, see Oakley 2005: 342-645.

additional consular-level military commanders was critical. Dictators, as we have seen, had been historically the officers of choice to fill these roles, but after the Second Samnite War they would be no longer.¹³⁶

Conclusion

The outcome of analyzing the dictatorships put forth in this chapter reinforces the argument that early dictators were consular in nature and served as collegiate magistrates. When understood within the framework constructed in previous chapters, all of the dictatorships discussed here are neatly aligned with this revised model of early Roman dictatorial usage. The evidence in our sources – both literary and epigraphic – supports this model. It remains to examine what inspired the accounts of later Roman authors who portrayed the dictatorship as a supremely powerful office. To this end, I shall use the final chapter to draw conclusions about post-300 usage of the Roman dictatorship and offer suggestions about the later, Sullan, form of the office.

136. The development of the praetorship will be discussed in Chapter Five.

CHAPTER FIVE

CONCLUSION: HOW SULLA TRANSFORMED THE DICTATORSHIP

The revised model of the early Roman dictatorship reconstructed in this thesis challenges traditional views of the institution. I have argued that authors of the late Republic, such as Livy and Dionysius, are inconsistent in their portrayal of dictatorships in the period 501-300. In describing the dictatorship as an institution, later writers relied upon an *a priori* notion of the supremacy of the office. In contrast, the details of their narratives describing individual dictatorships in action betray a different function for the office. When evidence from the consular and triumphal *fasti* and epigraphic and literary evidence from other Latin cities are introduced into the analysis, the picture of the dictatorship as a supremely powerful office collapses. Instead, we see a dictatorship that was employed to complement the pair of consuls, primarily in military duties but also in domestic tasks. Consuls and dictators, moreover, wielded an equivalent level of *imperium*. It remains, then, to answer a fundamental question: what factors prompted later authors to believe that the dictatorship was an all-powerful office? It is this question that I intend to address in this final chapter. Additionally, I seek to end my analysis of the early dictatorship by noting the factors that contributed to the decline in use of the dictatorship in its early Republican form.

The scope of my study of the Roman dictatorship ends in 300. This is not an arbitrary date. The last three decades of the fourth century saw the most concentrated use of the dictatorship in Republican history. The intensity of dictatorial usage is not surprising when we consider that the period was characterized by the Second Samnite War, the most difficult extended conflict to date for the Romans, and one that stretched Rome's military resources and magisterial structure to their limits. In the third century the Romans continued to use the

dictatorship, but the office was employed far less frequently than in the previous two centuries. The consular *fasti* register only eighteen dictatorships in the third century, and eight of these appear during the years of the hard-fought Second Punic War. Even more important than infrequent usage, the *causae* for third-century dictators reveals a further change in use of the office. Outside of the war with Hannibal, only one of ten dictators carried the military function *rei gerundae causa* (249), and this dictator, just as in previous centuries, was intended to supplement the campaigns of that year's consuls.¹³⁷ In short, this dictatorship with a military focus recalls typical usage from the early Republic and makes perfect sense within the context of a renewed thrust by the Roman polity in the First Punic War.

The earliest clear indication of a shift in Roman use of the dictatorship can be detected in 295, the year of the campaign that resulted in the seminal battle of Sentinum.¹³⁸ The Roman magisterial structure of this year, in which eight men held *imperium*, deserves a close study. The consular *fasti* record that Q. Fabius Maximus Rullianus and P. Decius Mus were consuls for the year. One of the consuls of the previous year had reported to the senate that a wide array of enemies was amassed against Rome, including contingents of Etruscans, Samnites, Umbrians, and Gauls. The other consul, Lucius Volumnius, having returned to Rome to hold elections for the following year, urged the people to elect Fabius as one of the consuls, since he was universally recognized as the most talented military man available. Livy suggests that the consul even considered naming Fabius dictator were he not elected, thereby ensuring that Fabius had a command in the upcoming campaign (10.21.13-15):

ob haec et – iam appetebat tempus – comitiorum causa L. Volumnius consul Romam reuocatus; qui priusquam ad suffragium centurias uocaret, in contionem aduocato populo multa de magnitudine belli Etrusci disseruit...se, nisi confideret eum consensu populi Romani consulem declaratum iri qui haud dubie tum primus omnium ductor habeatur, dictatorem fuisse extemplo dicturum.

137. Polybius narrates the Drepanum campaign of 249, where it is clear that both consuls maintained separate commands, 1.46-1.56; Walbank 1957: 108-121.

138. Cornell 2001: 359-363.

On account of these things, as the time was demanding, the consul L. Volumnius was recalled to Rome for the purpose of supervising the *comitia [centuriata]*. He, before he called the centuries to vote, spoke in a *contio* before an assemblage of the people about the great extent of the Etruscan war...[He said that] unless he believed that the man who was without a doubt considered at that time to be the best leader of all was elected as consul by the consent of the Roman people, he would appoint this man dictator.

Viewed by the traditional model of the dictatorship, this potential appointment could be used as evidence that the dictatorship was a supreme office. This is not essential here. Instead, and in line with the dictatorial model that I have established thus far, we may interpret Livy's comment as a further indication that the dictatorship could still serve as an ad hoc military command. In short, even if Fabius were not elected to the consulship, he would acquire a command in the upcoming, multi-front war by means of the dictatorship. In the end, Fabius was elected consul. More puzzling is the fact that *imperium* and commands were distributed to six other men, none of whom was appointed dictator. This shift away from appointing dictators is significant, as even Livy appears to be pondering the development in his story about the consul Volumnius' intentions. In other words, in his narrative of Republican history to this point, Livy has recorded dictatorships all along. As we saw in the Second Samnite War, he noted over a dozen dictatorships for various ad hoc functions. Livy himself thus seems to expect that a dictator would be appointed for the campaigns of 295, and the fact that he speculates on Volumnius' intentions confronts this issue. Without actually perceiving the shift in Rome's magisterial structure, then, Livy offers a clue to this change.¹³⁹ One answer to why no dictator was appointed in 295 may be the rise of the praetorship, which was coeval with the decline in the use of the dictatorship. Let us turn our attention to this institution.

139. Livy reports that the consuls decided to elect praetors at the outset of the year, ostensibly for manning the court system and the city while the consuls were out on campaign (10.22.1-9). Equally, the consuls and the senate might have been so aware of the magnitude of the upcoming campaign – we here that reports were arriving daily about the gathering coalition against Rome (10.21.1-15) – that they decided to elect magistrates at the outset of the year, perceiving that they would be of use. In contrast, the dictatorship was generally appointed ad hoc, after the events of the year were underway. Perhaps this is one reason why we see praetors instead of dictators in 295. Moreover, prorogation of praetors from the previous year was used instead of dictatorial appointment. See Brennan 2000a: 75-77.

The Rise of the Praetorship

In the Roman magisterial array for the Sentinum campaign of 295, praetors play a principal role for the first time. Four of the six magistrates appointed to accompany the consuls were designated as pro-praetors, clearly appointed once the year was already underway, another man was elected praetor at the outset of the year, and the sixth was a prorogued consul from 296, whose authority clearly resembled that of the praetors. Brennan offers a cogent reconstruction of the rise of the praetorship, along with increased usage of prorogation and special praetorian-level commands.¹⁴⁰ One of his explanations for the shift from appointment of what I would designate ‘ad hoc’ dictators to praetors is that the senate grew reluctant to employ dictators, whose authority, according to his notion of the office, surpassed all other magistracies.¹⁴¹ In fact, the senate did not stop advocating the use of dictators but rather adapted its application of the office and established it as a domestic office.

From 300 to the outbreak of the Second Punic War, eleven dictatorships appear in the consular *fasti* and all but one were denoted dictatorships for holding elections, driving a nail into the temple of Jupiter, supervising the important sacrifices, or handling the passage of major legislation.¹⁴² These uses fall very much into line with many dictatorships *domi* of the period 501-300. Noticeably absent are dictatorships with a military or consular-level domestic purpose. As noted above, the single dictatorship *rei gerundae causa* occurred in 249, during a renewed Roman push in the First Punic War. Instead, the dictatorship appears to have become a standardized *domi* magistracy. There is a good explanation for this change. For each domestic function, a dictator’s consular-level *imperium* and *auspicia* were required. As we have seen in previous chapters, only a consul or dictator was capable of convening the *comitia centuriata*,

140. See Brennan 2000a: 75-97 for use of the praetorship down to the Second Punic War.

141. *Ibid.*, 75.

142. See Appendix Two for dictatorial usage in the third century.

driving the sacred *clavus* to ward off pestilence, conducting *feriae Latinae* on the Alban Hill, and supervising the passage of an important piece of legislation in the *comitia*. It is this type of domestic purpose that dominated use of the office in the third century, while the praetorship became the tool of choice to fill the role of supplementing consuls militarily. In this respect, then, the praetorship and dictatorship complemented one another. With this new military responsibility, moreover, the praetorship appears to be equivalent to the dictatorship, whose military role it subsumed. Perhaps this development should be viewed as a change in jurisdiction, rather than an instance in which one office supplants the other entirely.

Polybius and the Dictatorship

Polybius composed his account of Roman history and institutions in the 160s and 150s.

We have already seen his characterization of the dictatorship, but it will be useful to reintroduce the passage here in its full form. He explains the office in this way (3.87.6-9):

Ῥωμαῖοι δὲ δικτάτορα μὲν κατέστησαν Κόιντον Φάβιον, ἄνδρα καὶ φρονήσει διαφέροντα καὶ πεφυκότα καλῶς. ἔτι γοῦν ἐπεκαλοῦντο καὶ καθ' ἡμᾶς οἱ ταύτης τῆς οἰκίας Μάξιμοι, τοῦτο δ' ἔστι μέγιστοι, διὰ τὰς ἐκείνου τὰνδρὸς ἐπιτυχίας καὶ πράξεις. ὁ δὲ δικτάτωρ ταύτην ἔχει τὴν διαφορὰν τῶν ὑπάτων· τῶν μὲν γὰρ ὑπάτων ἑκατέρῳ δώδεκα πελέκεισ ἀκολουθοῦσι, τούτῳ δ' εἴκοσι καὶ τέτταρες, κακείνοι μὲν ἐν πολλοῖς προσδέονται τῆς συγκλήτου πρὸς τὸ συντελεῖν τὰς ἐπιβολάς, οὗτος δ' ἔστιν αὐτοκράτωρ στρατηγός, οὗ κατασταθέντος παραχρῆμα διαλύεσθαι συμβαίνει πάσας τὰς ἀρχὰς ἐν τῇ Ῥώμῃ πλὴν τῶν δημάρχων. οὐ μὴν ἀλλὰ περὶ μὲν τούτων ἐν ἄλλοις ἀκριβεστέραν ποιησόμεθα τὴν διαστολήν. ἅμα δὲ τῷ δικτάτορι κατέστησαν ἱππάρχην Μάρκον Μινύκιον. οὗτος δὲ τέτακται μὲν ὑπὸ τὸν αὐτοκράτορα, γίνεται δ' οἰοῦναι διάδοχος τῆς ἀρχῆς ἐν τοῖς ἐκείνου περισπασμοῖς.

The Roman appointed Quintus Fabius dictator, a man excelling in his wisdom and naturally beautiful. At any rate, those of his house [the *gens Fabia*] are still called in our time Maximi, that is, 'the Greatest,' because of the successes and accomplishments of that man. The dictator has these distinctions from the consuls: twelve lictors accompany each of the consuls, but twenty-four accompany the dictator; the consuls (*κακείνοι*) are very much bound to the senate in making decisions, but the dictator (*οὗτος*) is an autonomous commander, and when he is appointed, it happens immediately that all magistracies in Rome except the plebeian tribunate are dissolved. Nevertheless, I shall give more precise details about these things at another time. Along with the dictator, they appointed Marcus Minucius *magister equitum*. He was appointed to serve under the autonomous [dictator] but he became as if the successor to the dictatorship (*τῆς ἀρχῆς*) in the event of a delay of the dictator (*ἐκείνου*).

This dictatorial appointment was made in 217, just after the Roman defeat at Lake Trasimene.

Polybius' insistence that dictators wielded greater *imperium* than consuls remains the most problematic contradiction to the model of the early dictatorship being constructed in this thesis. Specifically, he maintains that twenty-four lictors accompanied a dictator, traditionally interpreted as an indication that a dictator's *imperium* was twice that of consuls.¹⁴³ His characterization of the dictatorship is given substantial weight, since his work contains the earliest extant literary analysis of the office. Even so, it is possible to refute each point of Polybius' portrayal with other evidence. In fact, the pieces of evidence against Polybius, although written later, are relatively numerous. As we shall see, there is good reason not to dismiss these later references out of hand. Most of these authors approach the subject of Roman magistracy with a much clearer understanding of Roman institutions than Polybius did.

To begin with, one can read Polybius' narrative here as an encomium for the *gens Fabia*. Polybius' close relationships with Roman elite families have been well documented.¹⁴⁴ In particular, he remained on friendly terms with Q. Fabius Maximus Aemilianus, an adopted son of the *gens Fabia*. Polybius himself offers a glimpse of this friendship in 31.23.1-12. The praise of the abilities and character of Q. Fabius Maximus Verrucosus in 3.87.6-9 give context to this entire passage. If Polybius is correct that Fabius enjoyed such respect, perhaps Roman adherence to his plans may be the product of this respect rather than supreme *imperium* as dictator.

The content of Polybius' brief characterization of the dictatorship also contains errors. First of all, Walbank points out that Polybius was incorrect that Q. Fabius Verrucosus obtained the cognomen *Maximus*. Instead, a Fabius received this appellation a century before, during the

143. Cic. *Leg.* 3.9.

144. For the relationship between Polybius and Scipio, see Vell. Pat. 1.13.3; Walbank 1957: 3 and 1972: 8-9.

Second Samnite War.¹⁴⁵ The second mistake in Polybius' portrayal is his insistence that all magistracies except the plebeian tribunes were dissolved when a dictator was appointed (3.87.8: οὐ κατασταθέντος παραχρῆμα διαλύεσθαι συμβαίνει πάσας τὰς ἀρχὰς ἐν τῇ Ῥώμῃ πλὴν τῶν δημάρχων). As has been noted in examples throughout this thesis, the consuls remained in office, alongside dictators.¹⁴⁶

At the end of his brief discussion of the dictatorship, Polybius says that he will take up the office in more detail later (3.87.9: οὐ μὲν ἀλλὰ περὶ μὲν τούτων ἐν ἄλλοις ἀκριβεστέραν ποιησόμεθα τὴν διαστολήν).¹⁴⁷ This more thorough discussion never appears in what has survived of Polybius' work. One possible explanation is that the discussion occurred in one of the many lost sections of Polybius' text.¹⁴⁸ Another logical place for this discussion would have been Polybius' analysis of the Roman constitution (6.11.1-6.18.9). In this section, he outlines the tripartite character of the Roman system: the polity was balanced by the power of the consuls, the senate, and the people. Reference to the dictator, however, is absent. The final possibility of where this discussion of the dictatorship could have taken place would be shortly after 3.87. At 3.103.1-8, Polybius describes a puzzling development during Fabius' dictatorship of 217. M. Minucius served as Fabius' *magister equitum*, and after Hannibal escaped from the dictator a number of times, the Roman people clamored for Minucius to be given command.¹⁴⁹ Polybius goes on to record that the Romans conferred on Minucius authority equal to that of the dictator (3.103.4-5):

145. Walbank 1957: 422. The consular *fasti* attest to the cognomen *Maximus* for Q. Fabius Rullianus, dictator in 315.

146. See also Mommsen 1887: 2.155 n. 4; Liebenam 1905: 382-383; and Walbank 1957: 422.

147. Walbank 1957: 422; von Fritz 1954: 469-470.

148. Walbank 1957: 422 and 1972: 13-19.

149. Polyb. 3.94; Walbank 1957: 430.

αὐτοκράτορα γὰρ κἀκεῖνον κατέστησαν, πεπεισμένοι ταχέως αὐτὸν τέλος ἐπιθήσειν τοῖς πράγμασι· καὶ δὴ δύο δικτάτορες ἐγγέγονεῖσαν ἐπὶ τὰς αὐτὰς πράξεις, ὃ πρότερον οὐδέποτε συνεβεβήκει παρὰ Ῥωμαίοις,

For, they made that man an autonomous magistrate, convinced that he would bring an end to matters quickly. And, in fact, there were two dictators for the same tasks, which had never before occurred among the Romans.

This passage is problematic. Polybius insists that this move to make dictator and *magister equitum* equal partners was unprecedented, not to mention the appointment of two dictators for the same task. He may well be correct in this, if the magisterial relationship between Fabius and Minucius was dictator-*magister equitum*. Livy explains that the *comitia centuriata* elected both men to their positions, since the consuls were not present to make the appointment (22.8.5-6). Mommsen attempted to make sense of this confusing situation by suggesting that both men were actually praetors rather than dictator and *magister equitum*, a solution that would explain the fact that they were elected, individually, rather than appointed.¹⁵⁰ If Polybius was correct that the *magister equitum* was given dictatorial *imperium*, his narrative of 3.103 undercuts the supremacy of the very same dictatorship that he uses as his paradigm of the office in 3.87. For this reason, perhaps, Polybius decided not to undertake a more detailed analysis of the dictatorship, seeing that his prime example was itself contradictory.

The most difficult part of Polybius' model of dictatorship to reconcile with my revised model of the office is his reference to twenty-four dictatorial lictors (3.87.7-8: ὁ δὲ δικτάτωρ ταύτην ἔχει τὴν διαφορὰν τῶν ὑπάτων· τῶν μὲν γὰρ ὑπάτων ἑκατέρω δώδεκα πελέκεισ ἀκολουθοῦσι, τούτῳ δ' εἴκοσι καὶ τέτταρες).¹⁵¹ This is the single allusion to dictators possessing extra lictors before Sulla in an account written before Sulla's dictatorship in 82. Livy *Per.* 89 records: *Sulla dictator factus, quod nemo umquam fecerat, cum fascibus XXIII processit*

150. Mommsen 1887: 2.147 n. 4. Both the dictator and *magister equitum* were elected in the *comitia centuriata* (Livy 22.8.6; Plut. *Fab.* 4-5; App. *Hann.* 11-12; Dio fg. 57.8; Zon. 8.25).

151. Brennan 2000a: 42-43.

(Sulla, after he was made dictator, went forth with twenty-four *fasces*, which no one had ever done before). Most scholars agree that the *Periochae* are faithful in recording facts from Livy's original narrative.¹⁵² To cite a single example, *Per.* 22 confirms an important detail of Hannibal's strategy in 217 that also appears in Livy's extant text (22.23.4). Both texts maintain that Hannibal attempted to undermine Roman confidence in the dictator Q. Fabius Maximus by leaving the dictator's land untouched during raids, thereby making the Romans believe that Fabius was collaborating with the enemy. So, we can be relatively certain that Livy, whose understanding of Roman magistracy in the late Republic was better than that of most authors, wrote that Sulla was the first to go about accompanied by twenty-four lictors. Appian maintains that among the other unprecedented aspects of Sulla's dictatorship was his introduction of twenty-four dictatorial lictors (*BC* 1.99-100). Cassius Dio, recording events of the early principate of Augustus, writes that the Roman people offered twenty-four lictors to Augustus when they tried to make him dictator in 19 (54.1). Dio was likely following post-Sullan dictatorial perceptions (see below). Two references to twenty-four lictors, found in Dionysius (*Ant. Rom.* 10.24.2) and Plutarch (*Fab.* 4.3), claim that dictators in the early Republic possessed twenty-four lictors.¹⁵³ Both authors wrote after Sulla's unprecedented dictatorship, and both may have followed Polybius' remark in 3.87. Mommsen proposed to resolve this controversy by suggesting that dictators had twenty-four lictors in the field but only twelve in the city during the early Republic, and that Sulla was thus the first dictator to have twenty-four within the city.¹⁵⁴ If Mommsen was correct, then Polybius might have misinterpreted the character of the dictatorship *rei gerundae causa* for a military purpose for *all* dictatorships, including those implemented for

152. Begbie 1967: 332-338; Walsh 1996: 7-8; Conte 1999: 647; Chaplin 2007: xxiii-xxiv; Chaplin and Kraus 2009: 97; Levene 2007: 277; and Pittenger 2008: 7 n. 16.

153. Dion. Hal. *Ant. Rom.* 10.24. Livy mentions lictors but does not specify the number employed (3.26).

154. Mommsen 1887: 2.155.

domi functions. As we have already seen, dictatorial *imperium militiae* was absolute, just like consular *imperium militiae*. Finally, Livy records that Romulus had only twelve lictors as *king* (1.8.3). To Livy, then, twenty-four lictors for a dictator would have made little sense.

How do we decide which accounts to follow? Preference for Polybius would be based upon the fact that his is the earlier account. Nevertheless, as Walbank points out, even Polybius was writing a full generation after the original form of the dictatorship disappeared after 202. Consequently, he never observed the office in person. We may thus place him on a nearly equal status with our post-Sullan sources on the dictatorship.¹⁵⁵ Finally, we have seen that Polybius' account of the dictatorship is erroneous on every other point. Is it logical, then, to believe that he is correct in the single instance that early Roman dictators possessed twenty-four lictors, the symbolic attestation that their *imperium* was twice as great as consular *imperium*? The accounts of Livy and Appian, recording that Sulla was the first to introduce twenty-four dictatorial lictors, align more closely with the evidence assembled thus far in this thesis for the function of the early Roman dictatorship. In this case, the references in Dionysius and Plutarch can be taken as influenced by Sulla's unprecedented dictatorship. Let us now turn our attention to Sulla.

The Dictatorship of Sulla

The dictatorship of Sulla loomed over all subsequent Roman perceptions of the office. In his assessment of the Roman institution of dictator, Dionysius declares that Romans were apathetic toward use of the office throughout the Republic. It was only when Sulla took up the dictatorship, he continues, that Romans saw the office as a dangerous and maligned institution (*Ant. Rom.* 5.77.4):

ἐπὶ δὲ τῆς κατὰ τοὺς πατέρας ἡμῶν ἡλικίας ὁμοῦ τι τετρακοσίων διαγενομένων ἐτῶν ἀπὸ τῆς Τίτου Λαρκίου δικτατορίας διεβλήθη καὶ μισητὸν ἅπασιν ἀνθρώποις ἐφάνη τὸ πρᾶγμα Λευκίου Κορνηλίου

155. Walbank (1957), 422.

Σύλλα πρῶτον καὶ μόνου πικρῶς αὐτῇ καὶ ὠμῶς χρησαμένον ὥστε τότε πρῶτον αἰσθῆσθαι Ῥωμαίους, ὃ τὸν ἄλλον ἅπαντα χρόνον ἡγνύουσι, ὅτι τυραννὶς ἐστὶν ἢ τοῦ δικτάτορος ἀρχή.

In the time of our fathers, some four hundred years after the dictatorship of Titus Larcus, the office was misrepresented and became hated when Lucius Cornelius Sulla, for the first and only time, used it harshly and cruelly. The result was that the Romans understood for the first time what they did not know for the whole time before, that the office of dictator is a tyranny.

Appian notes a similar popular sentiment, claiming that for the first time Sulla made the dictatorship an absolute tyranny: *τότε δὲ πρῶτον ἐς ἀόριστον ἐλθοῦσα τυραννὶς ἐγίγνετο ἐντελής* (Then, being unrestricted for the first time, [the dictatorship] became a full-fledged tyranny, *BC* 1.99). These authors, perhaps simply commenting on the brutality of Sulla himself, preserve for us a genuine change in use of the dictatorship. Any memory of the original function of the office was supplanted by the unrestricted form of dictatorship introduced by Sulla. Dionysius and Appian, along with Livy, wrote in the decades following Sulla's new dictatorship. Consequently, it is impossible to read their portrayal of the office, including discussion of early Republican dictators, without noting Sullan influences. The effects of Sulla's office, as we have seen, are most noticeable in late Republican analyses of the institution of the dictatorship.

My intent here is not to examine closely Sulla's political activities during the late 80s and early 70s. Instead, I seek to outline the general nature of his dictatorship. In doing so, we may begin to see how his new form of dictatorship influenced commentators of his own time and thereafter. Sulla brought to the dictatorship his own brutality and *de facto* supreme authority over the Roman polity. In this way, he made the dictatorship supreme rather than being elevated to a supreme position via the dictatorship. In short, Sulla made the office of dictator whatever he chose. The only similarity with the original form was the title itself. First of all, the consular *fasti* record a new *causa* for Sulla's dictatorship in 82 – *reipublicae constituendae causa* (for the

purpose of establishing the Republic).¹⁵⁶ This entry alone anticipates what literary sources confirm. Sulla's position was genuinely unrestricted. Appian characterizes his power in this way: ὁ δὲ ἔργῳ βασιλεὺς ὢν ἢ τύραννος, οὐχ αἰρετός, ἀλλὰ δυνάμει καὶ βία (He was, in practice a king or tyrant, not by election but by force and violence, *BC* 1.98). He was free to settle the Roman polity as he saw fit. He passed a series of legislative measures that curbed the political power of ambitious magistrates and influential plebeian tribunes and placed more power back into the hands of the senate.¹⁵⁷ A principal thrust of his legislation was to undercut the authority of the plebeian tribunes, whose power had become increasingly great over the past several decades. Specifically, Sulla restricted the tribunes' right of *intercessio* (and *provocatio*) and prohibited ex-tribunes from obtaining higher office, thereby making the post unattractive to aspiring politicians.¹⁵⁸ The combination of his push to strengthen the senate and diminish the tribunate, the body that spoke ostensibly on behalf of the people, recalls the traditional notion in Livy and others that dictators were used to suppress the plebeian tribunes during the early Republic.¹⁵⁹

Perhaps the most significant innovation in Sulla's version of the dictatorship was that he was the first dictator to hold office with no consuls. In 82, he fought a series of wars in Italy against the sitting consuls for control of the Roman polity. In separate battles, Sulla's forces killed both consuls. When he returned to Rome, he arranged for one of his political allies, a former consul named L. Valerius Flaccus, to become an *interrex* and name Sulla as dictator. Flaccus' position as *interrex*, and the fact that he was a former consul, apparently made his *auspicia* sufficient to undertake the appointment. In addition to his rule without consuls, Sulla

156. Loewenstein 1973: 81-84; and Keaveney 2005: 135-136.

157. Gruen 1974: 23-24; R. Seager 1992: 172; Keaveney 2005: 56-57, 112-113.

158. App. *BC* 1.100; Broughton 1951b: 66-85.

159. This sentiment is recorded throughout Livy, and the consular *fasti* record dictatorships *seditionis sedendae causa* for the years 494, 439, 385 (all three contain doubtful *causae*, see Hartfield 1982: 56-72), and 368.

held a string of four annual dictatorships, rather than being limited to six-month terms, from 82-79.¹⁶⁰ There were consuls in these years, and in one instance, Sulla held a consulship while being dictator.¹⁶¹ His role as dictator over a pair of consuls explains the late Republican notion that dictators supervised the activities of the consuls. As Appian asserts, Sulla established a regime, and one of absolute rule. Our understanding of Sulla's position may also be clarified by numismatic evidence. A gold *aureus* minted in 80 depicts Sulla in an equestrian pose and contains the inscription *L. SULL. FELI DIC.*¹⁶² Appian mentions that the senate voted for an equestrian statue of Sulla to be erected in front of the Rostra, and that may be what the coin portrays (*BC* 1.97).¹⁶³ At any rate, Sulla appears to have been the first dictator to issue coinage, not to mention coinage with the title *dictator* inscribed. This coin thus represents another feature of Sulla's unrestricted dictatorship. Finally, Appian recalls that Sulla's authority was underscored by the fact that he went about the city with twenty-four lictors, just as kings had once done in early Rome (*BC* 1.100). The context for this remark is a discussion of the extraordinary features of Sulla's consulship. Perhaps we are thus supposed to understand that Sulla was the first dictator to wield these symbols of power within the city itself.

It is also important to note that in the decades following Sulla's dictatorship, the senate and most Roman magistrates carefully avoided employing the office of dictator. Surely, this can be attributed to the recent brutalities of Sulla's office, such as suppression of the plebeians and the creation of proscription lists.¹⁶⁴ For instance, Pompey held special authority on three occasions, but never took a dictatorship. In 67, the *lex Gabinia* granted to Pompey unlimited *imperium* for three years to campaign against pirates in the eastern Mediterranean, and in the

160. Broughton 1951b: 66-85.

161. App. *BC* 1.103.

162. Crawford 1974a: 82 (No. 381).

163. Keaveney 2005: 135, 212 n. 25.

164. Gruen 1974: 10-11, 36, 411-414.

following year the *lex Manilia* extended his command to include the war with king Mithridates of Pontus.¹⁶⁵ In 52, during the chaos after the murder of P. Clodius Pulcher, the people clamored for Pompey to take control of the situation as either dictator or consul. The senate, as recorded in that year's entry in the consular *fasti*, gave Pompey a sole consulship instead.¹⁶⁶

The original version of dictatorship metamorphosed after the end of the third century. The consular *fasti* attest to a one hundred-twenty-year lapse before Sulla took up the office in a new form. Furthermore, the final pre-Sullan dictatorship occurred in the very period in which Roman authors began composing literary accounts of their history and institutions. Consequently, the original form of the dictatorship would have been at least not wholly understood by, at most unknown by Romans of the first century. One source of information on early magistracies for Romans of the late Republic was the consular and triumphal *fasti*. Assuming that the *fasti* that have survived preserve an accurate record of magistrates, how could a Roman of the first century conclude that the dictatorship was a supremely powerful office when he saw the frequency of its use, its often routine function, and such inconsistencies as a consul triumphing while a dictator was in office? The answer seems to be clear – one could not have reached such a conclusion from epigraphic material alone. Two examples from the late Republic and early Empire demonstrate that the *populus Romanus*, at least, still thought that the dictatorship functioned as an ad hoc magistracy, even in the face of its unprecedented use by Sulla. As noted above, in the chaos that erupted over the murder of Clodius in 52 the people desired Pompey to be appointed dictator. Dio reports that in 22, Augustus had laid down his consulship at approximately the same time as a grain shortage threatened Rome's supply. Dio

165. Dio 36.14.4; 36.17.1; Plut. *Pomp.* 25.4; Gruen 1974: 64, 80, 131, 537-540. Cicero delivered a speech in favor of the *lex Manilia*, in which there is no mention of a dictatorship.

166. Asc. *Mil.* 31; Plut. *Cat. Min.* 47.1-4; Syme 1960: 39; Broughton 1951b: 233-235; Millar 1998: 180-187; Morstein-Marx 2004: 5.

maintains that the plebeians locked the senators inside the Curia and threatened to burn it down unless Augustus became dictator (54.1).¹⁶⁷ The people's primary aim in having Augustus as dictator was that he would also become grain monitor and solve the impending grain shortage crisis. Both functions, had the men actually been appointed dictators, recall the *causae* that Romans could read on the consular *fasti*. Even so, Sulla's new dictatorship proved formative for Roman perceptions of the institution, and it was this perception that characterized the later literary accounts that have canonized our modern view of the dictatorship as a supremely powerful office.

Caesar took his first dictatorship in 49 under the guise of *comitiorum habendorum causa* and *feriarum Latinarum causa*, according to the consular *fasti*. Subsequently, he held five consecutive annual dictatorships, employing Sulla's omnipotent designation as *dictator reipublicae constituendae causa*, and in 44, Caesar assumed the title *dictator perpetuus*.¹⁶⁸ Caesar's dictatorships were not marked by the same brutalities as Sulla's had been, but Caesar exercised even greater power than his predecessor. Even so, the parameters of a dictatorship with unrestricted *imperium* and term limit were already established by Sulla. In terms of late Republican perceptions of the dictatorship, Sulla's office was formative, while Caesar's office at most reaffirmed precedents established by Sulla. Consequently, Sulla's dictatorship remains the principal paradigm for late Republican commentators.

167. Dio says that Augustus appointed men to supervise the grain supply and that he refused the dictatorship, knowing which the senate would respond negatively. Dio also notes that Augustus did not see the need for a dictatorship, since his present position as princeps was already far greater. Marc Antony had abolished the dictatorship in 44, so if Augustus had tried to assume the post, it would have been technically unconstitutional. See Loewenstein 1973: 87-88.

168. Gelzer 1968: 320-321; Syme 1960: 50-56; Taylor 1964: 172-175; and Loewenstein 1973: 84-87. Numerous coins minted during Caesar's reign contain the title *dictator perpetuus*. For example, see Crawford 1974a: 489 (*BMCR* Rome 4157, *denarius*).

Conclusion

The original form of the Roman dictatorship, in which dictators served as ad hoc magistrates equivalent to and used to supplement consuls, accounts for nearly all the dictatorships listed in literary sources and registered in the consular *fasti*. Even those dictators whose authority appears to be greater than that of the consuls can be reconciled. For example, the dictatorship of L. Furius Camillus in 390 is commemorated in literary sources as a paradigm of how the institution was supposed to function.¹⁶⁹ Even though Camillus' actions come to the fore in narratives on the Roman recovery after the Gallic sack, the consuls remained in office, as listed in the year's consular *fasti*. It is a common trope in ancient historiography, in general, to attribute momentous deeds to single individuals. Nevertheless, close analysis of such events often reveal the involvement of other important figures.¹⁷⁰ Such venerated dictatorships as that of L. Quinctius Cincinnatus in 458, moreover, have been reconciled with my revised model in Chapter Four of this thesis.

The evidence collected in this study of the early dictatorship has been interdisciplinary, including analyses of comparative data from other Italic dictatorships, epigraphic information, and the Roman concepts of *auspicia* and *imperium*. The overall portrait of the early dictatorship constructed by this evidence diverges from the traditional picture of the dictatorship as a supremely powerful institution. Contrary to the traditional viewpoint, ancient sources reveal numerous examples of the dictatorship as an ad hoc, consular-level magistracy, and very few examples that conform to an all-powerful model of the office. Moreover, by tracing the impact that Sulla's resurrected form of the dictatorship had on subsequent literary characterizations of the office, we have seen that the supreme aspects of the dictatorship, under its traditional model,

169. Livy 5.43-55.

170. For example, Stewart 1998: 77-79.

do not correlate directly with the original form of the office from the early Republic. Modern analyses of the Roman dictatorship have revolved around its origins, the constitutional aspects of the office, the meaning of its *causae*, and the late Republican versions undertaken by Sulla and Caesar. Even within such a wide range of studies, further avenues of exploration of the dictatorship remain open. The present study has offered a model of the early dictatorship that runs contrary to all traditional views, arguing that dictatorial *auspicia* and *imperium* were equivalent to consular *auspicia* and *imperium* rather than superior. The inquiries undertaken here have provided a framework that can lead to further investigation of the original form and function of the Roman dictatorship in the first three centuries of the Republic.

APPENDICES

APPENDIX ONE

ROMAN USE OF THE DICTATORSHIP, 501-300 B.C.

| Year | <i>Causa</i> | Year | <i>Causa</i> |
|-------|---|------|--|
| 501 | <i>rei gerundae causa</i> | 349 | <i>comitiorum habendorum causa</i> |
| 498 | <i>rei gerundae causa</i> | 348 | <i>comitiorum habendorum causa</i> |
| 494 | <i>seditionis sedendae causa</i> | 345 | <i>rei gerundae causa</i> |
| 458 | <i>rei gerundae causa</i> | 344 | <i>feriarum Latinarum causa</i> |
| 439* | <i>seditionis sedendae causa</i> | 342 | <i>rei gerundae causa</i> |
| 437* | <i>rei gerundae causa</i> | 340 | <i>rei gerundae causa</i> |
| 435* | <i>rei gerundae causa</i> | 339 | <i>rei gerundae causa</i> |
| 433* | <i>rei gerundae causa</i> | 337 | <i>rei gerundae causa</i> |
| 431* | <i>rei gerundae causa</i> | 335 | <i>comitiorum habendorum causa</i> |
| 426* | <i>rei gerundae causa</i> | 334 | <i>rei gerundae causa</i> |
| 418* | <i>rei gerundae causa</i> | 332 | <i>rei gerundae causa</i> |
| 408* | <i>rei gerundae causa</i> | 331 | <i>clavi figendi causa</i> |
| 396* | <i>rei gerundae causa</i> | 327 | <i>comitiorum habendorum causa</i> |
| 390* | <i>rei gerundae causa</i> | 325 | <i>rei gerundae causa</i> |
| 389* | <i>rei gerundae causa</i> | 324‡ | <i>rei gerundae causa</i> |
| 385* | <i>seditionis sedendae causa</i> | 322 | <i>ludorum Romanorum causa</i> |
| 380* | <i>rei gerundae causa</i> | 321† | <i>comitiorum habendorum causa</i> |
| 368*† | <i>rei gerundae causa / seditionis sedendae causa</i> | 320† | (1) <i>exercendis quaestionibus causa</i> (2) <i>rei gerundae causa</i> |
| 367* | <i>rei gerundae causa</i> | 316 | <i>rei gerundae causa</i> |
| 363 | <i>clavi figendi causa</i> | 315 | <i>rei gerundae causa</i> |
| 362 | <i>rei gerundae causa</i> | 314 | <i>rei gerundae causa</i> |
| 361 | <i>rei gerundae causa</i> | 313 | <i>rei gerundae causa</i> |
| 360 | <i>rei gerundae causa</i> | 312 | <i>rei gerundae causa</i> |
| 358 | <i>rei gerundae causa</i> | 309‡ | <i>rei gerundae causa</i> |
| 356 | <i>rei gerundae causa</i> | 306 | <i>comitiorum habendorum causa</i> |
| 353 | <i>rei gerundae causa</i> | 302 | <i>rei gerundae causa</i> |
| 352 | <i>rei gerundae causa</i> | 301‡ | (1) <i>rei gerundae causa</i> (2) <i>rei gerundae causa</i> |
| 351 | <i>comitiorum habendorum causa</i> | | |
| 350 | <i>comitiorum habendorum causa</i> | | |

†Year included a vitiated dictatorship.

*Occurred during the period of the military tribunate.

‡So-called 'dictator years' with no consuls recorded in the consular *fasti*. Livy, however, does not mention a break in the consulship during these years; see Oakley 1997: 104-105. Drummond 1978: 569-572 has shown that the 'dictator years' were likely a post-Caesarian invention, inserted into the *fasti* to justify Caesar's consecutive annual dictatorships.

APPENDIX TWO

ROMAN USE OF THE DICTATORSHIP, 299-202 B.C.

| Year | <i>Causa</i> | Year | <i>Causa</i> |
|------|--|------|---|
| 286 | <i>seditionis sedendae causa</i> | 216 | (1) <i>rei gerundae causa</i> |
| 280 | <i>comitiorum habendorum causa</i> | | (2) <i>senatorum legum causa</i> |
| 276 | [<i>causa illegible</i>] | 213 | <i>comitiorum habendorum causa</i> |
| 263 | <i>clavi figendi causa</i> | 210 | <i>comitiorum habendorum causa</i> |
| 257 | <i>feriarum Latinarum causa</i> | 208 | <i>comitiorum habendorum causa /</i> <i>ludorum magnorum causa</i> |
| 249† | <i>rei gerundae causa</i> | 207 | <i>comitiorum habendorum causa</i> |
| 246 | <i>comitiorum habendorum causa</i> | 205 | <i>comitiorum habendorum causa</i> |
| 231 | <i>comitiorum habendorum causa</i> | 203 | <i>comitiorum habendorum causa</i> |
| 224 | <i>comitiorum habendorum causa</i> | 202 | <i>comitiorum habendorum causa</i> |
| 221† | <i>comitiorum habendorum causa</i> | | |
| 217 | (1) <i>interregni causa</i> | | |
| | (2) <i>comitiorum habendorum causa</i> | | |

†Year included a vitiated dictatorship.

BIBLIOGRAPHY

- Abbott, F. 1911. *A History and Description of Roman Political Institutions*, 3rd Edition. Boston.
- Adams, J., M. Lapidge, and T. Reinhardt. 2005. 'Introduction.' *Aspects of the Language of Latin Prose*. Ed. J. Adams, et al. Oxford, 1-36.
- Adkins, L., and R. Adkins. 1996. *Dictionary of Roman Religion*. New York.
- Alföldi, A. 1963. *Early Rome and the Latins*. Ann Arbor.
- Baiter, J., ed. 1838. *Fasti Consulares Triumphalesque Romanorum ad Fidem Optimorum Auctorum*. Turin.
- Bandel, F. 1987, reprint. *Die römischen Diktaturen*. Naples.
- Bandy, A., ed. 1983. *Ioannes Lydus on Powers, or the Magistracies of the Roman State*. Philadelphia.
- Banti, L. 1973, reprint. *Etruscan Cities and Their Culture*. Trans. E Bizzarri. Berkeley.
- Bauman, R. 1973. 'The *Lex Valeria de provocatione* of 300 B.C.' *Historia* 22: 34-47.
- Beard, M. 2007. *The Roman Triumph*. Cambridge.
- Beck, H. 2007. 'The Early Roman Tradition.' *A Companion to Greek and Roman Historiography, Volume I*. Ed. J. Marincola. Oxford, 259-265.
- Begbie, C. 1967. 'The Epitome of Livy.' *Classical Quarterly* 17: 332-338.
- Beloch, J. 1926. *Römische Geschichte bis zum Beginn der punischen Kriege*. Berlin.
- Botsford, G. 1909. *The Roman Assemblies: From Their Origin to the End of the Republic*. New York.
- Brand, C. 1968. *Roman Military Law*. Austin.
- Brennan, T. 2000a. *The Praetorship in the Roman Republic, Volume I*. Oxford.
- _____. 2000b. *The Praetorship in the Roman Republic, Volume II*. Oxford.
- _____. 2004. 'Power and Process Under the Republican "Constitution."' *The Cambridge Companion to the Roman Republic*. Ed. H. Flower. Cambridge, 31-65.
- Briscoe, J. 1981. *A Commentary on Livy, Books 34-37*. Oxford.
- Broughton, T. 1951a. *The Magistrates of the Roman Republic, Volume I: 509 B.C. – 100 B.C.* New York.
- _____. 1951b. *The Magistrates of the Roman Republic, Volume II: 99 B.C. – 31 B.C.* New York.
- Casaubon, I., et al. 1822. *Lexicon Polybianum*. Oxford.
- Chaplin, J. 2007. *Livy: Rome's Mediterranean Empire, Books 41-45 and the Periochae*. Oxford.
- _____, and C. Kraus. 2009. 'Introduction.' *Livy*. Ed. J. Chaplin and C. Kraus. Oxford, 1-14.
- Clark, A., ed. 1895. *M. Tulli Ciceronis Pro T. Annio Milone ad Iudices Oratio*. Oxford.
- Colson, F., ed. 1898. *Cicero's Pro Milone*. London.
- Conte, G. 1999. *Latin Literature: A History*. Trans. J. Solodow. Baltimore.
- Cornell, T. 1989. 'Rome and Latium to 390 B.C.' *The Cambridge Ancient History, Volume 7, Part 2: The Rise of Rome to 220 B.C., 2nd Edition*. Ed. F. Walbank, et al. Cambridge, 243-308.
- _____. 2001. *The Beginnings of Rome: Italy and Rome from the Bronze Age to the Punic Wars (c. 1000-264 BC)*. London.
- Crawford, M. 1974a. *Roman Republican Coinage I*. Cambridge.
- _____. 1974b. *Roman Republican Coinage II*. Cambridge.
- Crook, J. 1991, reprint. *Law and Life of Rome, 90 B.C. – A.D. 212*. Ithaca.

- Davies, J. 2004. *Rome's Religious History: Livy, Tacitus and Ammianus on Their Gods*. Cambridge.
- De Sanctis, G. 1907. *Storia dei Romani, Volume I: La Conquista del Primato in Italia*. Torino.
- Dessau, H. 1892. *Inscriptiones Latinae Selectae, Volume I*. Berlin.
- Drummond, A. 1978. 'The Dictator Years.' *Historia* 27: 550-572.
- _____. 1989. 'Rome in the Fifth Century II: The Citizen Community.' *The Cambridge Ancient History, Volume 7, Part 2: The Rise of Rome to 220 B.C., 2nd Edition*. Ed. F. Walbank, et al. Cambridge, 172-242.
- Dumézil, G. 1970. *Archaic Roman Religion, Volume II*. Trans. P. Krapp. Chicago.
- Dyck, A. 2004. *A Commentary on Cicero, De Legibus*. Ann Arbor.
- Ernout, A., and A. Meillet. 1985, reprint. *Dictionnaire Étymologique de la Langue Latine: Histoire des Mots, 4th Edition*. Paris.
- Flower, H. 1996. *Ancestor Masks and Aristocratic Power in Roman Culture*. Oxford.
- Forsythe, G. 2005. *A Critical History of Early Rome: From Prehistory to the First Punic War*. Berkeley.
- Frier, B. 1979. *Libri Annales Pontificum Maximorum: The Origins of the Annalistic Tradition*. Rome.
- Gabba, E. 1991. *Dionysius and the History of Archaic Rome*. Berkeley.
- Gelzer, M. 1968, reprint. *Caesar: Politician and Statesman*. Cambridge.
- Glare, P. 2006, reprint. *Oxford Latin Dictionary*. Oxford.
- Goldsworthy, A. 2000. *The Punic Wars*. London.
- Gordon, A. 1983. *Illustrated Introduction to Latin Epigraphy*. Berkeley.
- Green, C. 2007. *Roman Religion and the Cult of Diana at Aricia*. Cambridge.
- Gruen, E. 1974. *The Last Generation of the Roman Republic*. Berkeley.
- Hartfield, M. 1982. *The Roman Dictatorship: Its Character and Its Evolution*. PhD Dissertation, University of California-Berkeley.
- Holstein, J. 1916. *Rites and Ritual Acts as Prescribed by the Roman Religion According to the Commentary of Servius on Vergil's Aeneid*. New York.
- Homo, L. 1929. *Roman Political Institutions: From City to State*. Trans. M. Dobie. London.
- Hornblower, S., and A. Spawforth. 2003. *The Oxford Classical Dictionary, 3rd Edition*. Oxford.
- Keaveney, A. 2005. *Sulla: The Last Republican, 2nd Edition*. London.
- Keyes, C. 1917. 'The Constitution Position of the Roman Dictatorship.' *Studies in Philology* 14: 298-305.
- Laistner, M. 1963, reprint. *The Greater Roman Historians*. Berkeley.
- Lazenby, J. 1996. *The First Punic War: A Military History*. Stanford.
- Levene, D. 2007. 'Roman Historiography in the Late Republic.' *A Companion to Greek and Roman Historiography, Volume I*. Ed. J. Marincola. Oxford, 275-289.
- Lewis, R. 2006. *Asconius: Commentaries on Speeches of Cicero*. Oxford.
- Liddell, H., R. Scott, and H. Jones. 1996⁹. *Greek-English Lexicon*. Oxford.
- Liebenam, W. 1905. 'Dictator.' *Paulys Real-Encyclopädie der classischen Altertumswissenschaft, Volume 5: Demogenes-Ephoroi*. Ed. G. Wissowa. Stuttgart, 370-390.
- Liesbeschuetz, J. 1996, reprint. *Continuity and Change in Roman Religion*. Oxford.
- Linderski, J. 1990. 'The Auspices and the Struggle of the Orders.' *Staat und Staatlichkeit in der frühen römischen Republik*. Ed. W. Eder. Stuttgart, 34-48.
- _____. 1995. *Roman Questions: Selected Papers*. Stuttgart.
- Lintott, A. 1999. *The Constitution of the Roman Republic*. Oxford.

- Long, G., and A. Maclean, eds. 1858. *M. Tulli Ciceronis Orationes: A Commentary, Volume IV*. London.
- Loewenstein, K. 1973. *The Governance of Rome*. The Hague.
- Luce, T. 1961. 'Appian's Magisterial Terminology.' *Classical Philology* 56: 21-28.
- Maltby, R. 1991. *A Lexicon of Ancient Latin Etymologies*. Leeds.
- Marincola, J. 2007. 'Speeches in Classical Historiography.' *A Companion to Greek and Roman Historiography, Volume I*. Ed. J. Marincola. Oxford, 118-132.
- Marshall, B. 1985. *A Historical Commentary on Asconius*. Columbia.
- Miles, G. 1997. *Livy: Reconstructing Early Rome*. Ithaca.
- Millar, F. 1998. *The Crowd in Rome in the Late Republic*. Ann Arbor.
- Mommsen, T. 1887. *Römisches Staatsrecht, Volume 2.1*. Leipzig.
- _____, ed. 1887-1918. *Corpus Inscriptionum Latinarum, Volumes 1.2; 11.1; 14*. Berlin.
- Morstein-Marx, R. 2004. *Mass Oratory and Political Power in the Late Roman Republic*. Cambridge.
- Niebuhr, B. 1844. *Lectures on the History of Rome, Volume 1: From the Earliest Times to the Fall of the Western Empire*. Trans. L. Schmitz. London.
- North, J. 1989. 'Religion in Republican Rome.' *The Cambridge Ancient History, Volume 7, Part 2: The Rise of Rome to 220 B.C., 2nd Edition*. Ed. F. Walbank, et al. Cambridge, 573-624.
- Oakley, S. 1997. *A Commentary on Livy, Book 6*. Oxford.
- _____. 1998. *A Commentary on Livy, Books 7-8*. Oxford.
- _____. 2005. *A Commentary on Livy, Book 9*. Oxford.
- Ogilvie, R. 1965. *A Commentary on Livy, Books 1-5*. Oxford.
- Orelli, J., and G. Henzen, eds. 1828, 1856. *Inscriptionum Latinarum Selectarum Amplissima Collectio, Volumes 1-3*. Turin.
- Packard, D. 1968. *A Concordance to Livy, Volume I: A-D*. Cambridge.
- Palmer, R. 1970. *The Archaic Community of the Romans*. Cambridge.
- Peter, H., ed. 1870. *Historicorum Romanorum Reliquiae, Volume I*. Leipzig.
- Pittenger, M. 2008. *Contested Triumphs: Politics, Pageantry, and Performance in Livy's Republican Rome*. Berkeley.
- Powell, J. 2005. 'Cicero's Adaptation of Legal Latin in the *De Legibus*.' *Aspects of the Language of Latin Prose*. Ed. J. Adams, et al. Oxford, 117-150.
- Rasmussen, S. 2003. *Public Portents in Republican Rome*. Rome.
- Ridley, R. 1979. 'The Origin of the Roman Dictatorship: An Overlooked Opinion.' *RhM* 122: 303-309.
- Rosenberg, A. 1913. *Der Staat der alten Italiker*. Berlin.
- _____. 1916. 'Imperium.' *Paulys Real-Encyclopädie der classischen Altertumswissenschaft, Volume 18: Imperium-Iugum*. Ed. G. Wissowa. Stuttgart, 1201-1211.
- Rosenberger, V. 2007. 'Republican Nobles: Controlling the *Res Publica*.' *A Companion to Roman Religion*. Ed. J. Rüpke. Oxford, 292-303.
- Rosenstein, N. 1990. *Imperatores Victi: Military Defeat and Aristocratic Competition in the Middle and Late Republic*. Berkeley.
- Salmon, E. 1967. *Samnium and the Samnites*. Cambridge.
- Scheid, J. 2003. *An Introduction to Roman Religion*. Trans. J. Lloyd. Bloomington.
- Scullard, H. 1982. *Festivals and Ceremonies of the Roman Republic*. Ithaca.
- Seager, R. 1992. 'Sulla.' *The Cambridge Ancient History, Volume 9: The Last Age of the Roman Republic, 146-43 B.C., 2nd Edition*. Ed. J. Crook, et al. Cambridge, 165-207.

- Sherwin-White, A. 1973. *The Roman Citizenship*, 2nd Edition. Oxford.
- Smith, C. 2006. *The Roman Clan: The Gens from Ancient Ideology to Modern Anthropology*. Cambridge.
- Smith, W., et al. 1901. *A Dictionary of Greek and Roman Antiquities, Volume I*. London.
- Soltau, W. 1914. 'Der Ursprung der Diktatur.' *Hermes* 49: 352-368.
- Staveley, E. 1955. 'Provocatio during the Fifth and Fourth Centuries B.C.' *Historia* 3: 412-428.
- _____. 1956. 'The Constitution of the Roman Republic 1940-1954.' *Historia* 5: 74-122.
- _____. 1963. 'The 'Fasces' and 'Imperium Maius.'" *Historia* 12: 458-484.
- _____. 1972. *Greek and Roman Voting and Elections*. London.
- Stewart, R. 1998. *Public Office in Early Rome: Ritual Procedure and Political Practice*. Ann Arbor.
- Syme, R. 1960, reprint. *The Roman Revolution*. Oxford.
- Taylor, L. 1960. *The Voting Districts of the Roman Republic*. Rome.
- _____. 1964, reprint. *Party Politics in the Age of Caesar*. Berkeley.
- _____. 1966. *Roman Voting Assemblies: From the Hannibalic War to the Dictatorship of Caesar*. Ann Arbor.
- Thesaurus Linguae Latinae*. 'Dictator.' Graeber. Accessed August 2009.
- Vaahtera, J. 2001. *Roman Augural Lore in Greek Historiography*. Stuttgart.
- Vaan, M. de. 2008. *Etymological Dictionary of Latin and the other Italic Languages*. Leiden.
- von Fritz, K. 1954. *The Theory of the Mixed Constitution in Antiquity: A Critical Analysis of Polybius' Political Ideas*. New York.
- Wagenvoort, H. 1947. *Roman Dynamism: Studies in Ancient Roman Thought, Language and Custom*. Oxford.
- Walbank, F. 1957. *A Historical Commentary on Polybius, Volume I: Books 1-6*. Oxford.
- _____. 1972. *Polybius*. Berkeley.
- Walsh, P. 1996, reprint. *Livy: His Historical Aims and Methods*. London.
- Watmough, M. 1997. *Studies in the Etruscan Loanwords in Latin*. Florence.
- Wiseman, T. 2007. 'The Prehistory of Roman Historiography.' *A Companion to Greek and Roman Historiography, Volume I*. Ed. J. Marincola. Oxford, 67-75.
- Wissowa, G. 1896. 'Auspicium.' *Paulys Real-Encyclopädie der classischen Altertumswissenschaft, Volume 2: Apollon-Barbaroi*. Ed. G. Wissowa. Stuttgart, 2580-2587.
- Zetzel, J., ed. 1995. *Cicero De Re Publica: Selections*. Cambridge.