The Man, the Office and the Legislation: A Topographical Study of Aventine Temples And their Connection with Gaius Gracchus

In 121 BC, Gaius Sempronius Gracchus and his followers decided to occupy the Aventine during a final standoff against the Senate's authority. The consul of that year, Lucius Opimius, led the attack that proved fatal to thousands of Gaius' followers and to Gaius himself, who met his end at the hands of his slave. It is now generally accepted that Gaius' retreat to the Aventine was an appeal to the tradition of the so-called "secession of the plebs." Our modern interpretation follows closely the discourse of ancient sources, and although admittedly consistent, this theory nevertheless fails to address other potential connections between the Aventine and Gaius. I propose to study the topology of the Aventine and three temples in particular: the temple of Ceres, Liber, Liberaque, the Temple of Diana and the Temple of Libertas. By looking into the temples' history and appearance, I will argue that each temple reflects a different facet of Gaius' persona through connections to his office, to his political program and to his family's political convictions. These new connections open new avenues to interpret Gaius' decision to occupy the Aventine.

To visualize this area on the Aventine, let us first briefly summarize here the general topographical location of the temples. The Aventine is the southernmost hill of Rome's seven hills. It lies southeast of the Tiber river and is composed of two summits, Aventinus Maior and Aventinus Minor, separated by a distinct cleft.² It is generally accepted that the temple of Diana, the oldest temple on the Aventine, was located on the Aventine plateau, facing east.³ As for the Temple of Libertas, however, its precise location on the Aventine is unknown.⁴ Finally, the Temple of Ceres, Liber, Liberaque, ⁵ a temple dedicated to three

¹ App. BC I. 21; Plut., CG, 14.

² L. Richardson, Jr, A New Topographical Dictionary of Ancient Rome, (John Hopkins University Press: London & Baltimore 1992). 47.

³ Evidences for the location of the Temple of Diana are both literary and epigraphic. In one of his poems, Martial places the temple next to the Bath of Sura (Martial 6.64.13). Suetonius claims that L.Cornificus reconstructed the temple during Augustus' rule (Suet, *Aug.* 29.5). The temple was also known as Diana Cornificiana, a name which is almost fully represented on a fragment of the Marble Plan of Rome (FUR pl 23). The fragment can be placed with good precision see Richardson 108 – 109.

⁴ Few references are available for the Temple of Libertas. Festus places it "in Aventino" (Festus 108 sv Libertas, ed Linday), and so does Livy (24.16.19), see also Richardson 234.

⁵ The location of the temple is a matter of debate. Competing theories also placed it in the *Forum Bovarium*. The best evidence for a specific location is in Dionysus of Halicarnassus, who described the temple "after the turning points of the greatest hippodromes, lying above the starting posts themselves" (Dion Hal. 6.94.3) From this passage, according to Barbara Spaeth, the temple can be precisely located see Barbara Spaeth, *The Roman Goddess*

grain deities, stood on the northern slope.

The Temple of Ceres, Liber, Liberaque would have been the first temple seen by people coming from the Forum and may have reminded people of tribunician legitimacy and sacrosanctity. The cult of Ceres, in fact, played an integral role in the legitimation of the tribunate through its ties with the "first secession of the plebs." Traditional literary elements, 6 along with the unsuitability of the solution to the original causes of the crisis have led historians to argue that the "first secession" is actually a creation by annalists of the end of the 3rd century, beginning of 2nd century BC, who anachronistically transposed their contemporary political reality to the past to explain the origin of the tribunate and legitimatize the office in the broader theme of the struggle of orders.8

Regardless of the origins of the symbolism surrounding the "first succession", strong connections now exist between the cult of Ceres and the tradition of the "first seccession" of the plebs. Tradition has the temple vowed by dictator A. Postumius Albus after consultation of the Sibylline books during a famine in 499/496 BC.9 However, the temple was only dedicated by consul Spurius Cassius in 493 BC¹⁰—the very same year the "first secession of the plebs" ended and the plebian tribune was created. Several annalists also claim the secession happened on the Aventine and not on the Mons Sacer. From this synchronism of date and place, there is a strong indication of a close association in the Romans' minds between the foundation of the cult and the first act of the political

Ceres, (Austin: University of Texas Press, 1996), 82-83. The phrase "after the turning points" defines the location on the western end of east to west axis of the *spina*, the central divider of the track. The starting points are located in the western part of the Circus and the phrase "above the starting points" places the temple in the south end of a north to south axis. Both geographical indication combine, the temple is located on the northern slope of the Aventine (Spaeth 83).

⁶ The famous parabola attributed to Aggripa Meninus is in fact borrowed from Greek literature see Gary Forsythe, *A Critical History of Early Rome: From Prehistory to the First Punic War*, (University of California: Berkley, 2005), 173.

⁷ In the narration, an essentially economical problem, the debt level, is resolved by a political solution, the creation of the tribunate (Forsythe 173).

⁸ Forsythe 173.

⁹ Tac, *Ann* 2.49; Dion Hal 6.17.2-4.

¹⁰ Dion. Hal. 6.94.3.

¹¹ The connection is very similar to the coincidence whereby the temple of Jupiter Maximus is vowed the year of the establishment of the republic by the first consul instead of the third year of the republic as some ancient sources report (Forsythe 173).

¹² Forsythe 173; Livy, actually, in his narration of the event mentions that the early historian Piso, one of his sources, declared that "the plebian went to the Aventine" (Livy 2.32).

organization of the plebs, that is, the first secession.¹³ This close association is further supported by the transmission of the secession tradition into the cult *ludi*. One tradition had the annual *ludi*, part of the vow for the Temple of Ceres, Liber, Liberaque.¹⁴ The Cerealia, the festival in honor of Ceres, was held between the 12th and 19th of April and the celebrations were composed of *ludi scaenici* [stage games], the first to be held in Rome, and *ludi Circenses* [games presented in the circus] on the very last day.¹⁵ During those *ludi scaenici*, early historical traditions like the "first secession" were performed in *fabula praetexta*.¹⁶ Over time, successive Cerelia, stories were received into the Romans' consciousness, then into Roman history.¹⁷ Similarly, secession tradition would have become part of the plebs' social consciousness and later history. The cult of Ceres, in its annual celebration, then served as a vehicle to broadcast the legitimation of the tribune.

However, the role of the cult, and its symbolism, does not end there. Tradition dictates that soon after the return of the plebs and the creation of the tribunate, the law of sacrosanctity was passed to render the office of plebian tribune "sacred and inviolable." Three punishments were thus outlined for the murderer of a tribune: he will be accursed, his property will be given to the goddess Ceres, and the person who kills the murderer will be ritually cleansed of the killing. From this passage it is clear that Ceres, the goddess of the underworld in early roman religion, acts as the depository for the property of the tribune's murderer. The protective role of the goddess extends further. Barbara Spaeth argues that Ceres also acts as the recipient of a *consecratio capitis* of the murderer. Following Spaeth's interpretation, the role of the goddess Ceres in protecting the tribune is then twofold; not only is she the divine recipient of the property of the tribune's murderer, but also of his head, and her temple acts as the physical recipient of all those consecrations, and thus is the physical representation of the tribune's inviolability.

¹³ Spaeth 91.

¹⁴ Dion. Hal. 7. 10.1, 17.2.

¹⁵ Ovid Fas. 4.679-680.

¹⁶ T.P. Wiseman, *Remus: A Roman Myth*, (Cambridge: Cambridge University Press, 1995), 132. He notes that by the time of the dramaturge Naevius in the third century, there was a flourishing of Roman historical drama, *fabula praetexta*, (Wiseman, *Remus*, 132), which Varro, is quoted by St Augustine, describes as "particularly suited to the theater" (Augustine, *CD*, 6.5-7).

¹⁷ Wiseman 139.

¹⁸ Dion. Hal. 6.89.2-4.

¹⁹ Ibid. 6.89.3

²⁰ She reads "accursed" from Dionysus passage as "consecrated" and thus the "accursed" murderer is to suffer "consecration of his head", an offering Ceres is known to have received from another law dealing with damage to harvests according to Pliny (Spaeth 89).

To sum up, the Temple of Ceres, Liber, Liberaque is a symbol of tribunician legitimacy and sacrosanctity through its connection with the "first secession" of the plebs and the role of the goddess Ceres as guardian of a tribune's inviolability. The symbolism of the Temple of Ceres, Liber, Liberaque then opens new ways of explaining Gracchus' occupation of the Aventine in 121 BC. It first confirms the commonly accepted interpretation of Gaius' actions as an appeal to the tradition of the first secession of the plebs because of the close association between the temple and the tradition. His gesture would have very likely been understood as emulation of the secession; his was a new battle that places him in the greater narrative of the struggle of orders. Gracchus' demonstration was also to remind the Romans of his position as tribune of the plebs, an office he held twice. In the Romans' minds, there would very likely have been a connection between the Aventine, the Temple of Ceres, Liber, Liberaque, the office of the tribune, and Gaius' role as tribune. By establishing such a connection, Gaius hoped to scare his attackers. His opponents would have certainly understood the warning as they passed by the temple:²¹ whoever kills Gaius - although admittedly was the tribune at the time, but remembered as such - would be punished accordingly. Ultimately, Gaius' probable appeal to the inviolability of the tribune betrays his desire to stay alive.

The Temple of Ceres, Liber, Liberaque did not, however, only represent a symbol for the office of tribune. It was also a symbol for one of Gracchus's major legislations, *Lex Sempronia Frumenta*. There was, in fact, a close association between Temple of Ceres and the distribution of grain to the urban poor. Varro in the first century BC, quoted in Nonius, noted: "Those who lacked wealth and had fled to the asylum of Ceres were given bread." Assuming "the asylum of Ceres" refers to the Temple of Ceres, Liber, Liberaque, the passage clearly testifies to the free distribution of bread, or perhaps grain (*frumentalia*) to make bread for the poor. It also suggests that the distribution of grain or bread for the poor would have taken place at the temple. This idea fits perfectly into the theory that the Temple of Ceres was the headquarters of the pleabian aediles, whose jobs, as described by Cicero, was *Suntoque aediles curatores urbis annonae ludorumque sollemnium, ollisque*

²¹ One late tradition by Orosius has D. Brutus, one of the leaders opposed to C. Gracchus lead the attack against the Gracchus' men following the *clivus Publica* (Orosius 12.7). The *clivus Publica* is known to begin in the *Forum Bovarium* (Livy 27.37), at the west end of the Circus Maximus and extended south across the Aventine (Livy 26.10). The Temple of Ceres, Liber, Liberaque located on the northern slope of the Aventine, past the west end of the Circus Maximus, may very likely have been on the road Brutus followed. No other sources report such details from the attack and thus Orosius's late account, though following the Appian and Plutarch tradition, may be doubted.

²² Varr. in Non. 63 ed. Lindsay.

²³ Spaeth 39. Also, there is a tradition in which the Temple of Ceres acts as a refuge for the urban poor.

²⁴ Livy 3.55.13.

ad honoris amplioris gradum is primus ascensus esto,²⁵ also served as headquarters of the administration of the grain supply, annona. The Temple of Ceres, the goddess of grain, is in Roman tradition the place where grains were distributed to the urban poor.

The tradition of *frumentalia* was actually instituted by the *Lex Sempronia frumentaria* proposed by C. Gracchus in 123 BC during his first tribunate. ²⁶ It is a landmark law because, as noted by ancient sources, ²⁷ it was the first time there was regular corn distribution in Rome. The law provided a monthly distribution of grain to Roman citizens at the fixed price of six and one-third *asses* for a *modius* ²⁸ It seems to have been an effort to counter the grain shortage in Rome due to a bad harvests in Africa, and to control the price of grain in Rome. ²⁹ Since the practice of the *frumentalia* was associated with the Temple of Ceres, Liber, Liberaque, and might even have been administrated from the temple, it was thus a symbol for Gracchus' landmark legislation and for his legacy.

The Temple of Diana also acts as a symbol of C. Gracchus' legislative program. Indeed, two bronze tablets of law in the temple directly appeal to legislation projects carried out by Gracchus. Ancient sources in fact agree that the temple was funded by the Latin league³⁰ and was built in Rome during the rule of King Servius Tullius.³¹ Dionysus of Halicarnassus reports that the sacred law regarding the mutual rights of the cities and describing the cult's sacrificial procedure was written and erected on a bronze pillar.³² This law is known as the *Lex Arae Dianae*. Dionysius later states that the pillar and the bronze tablet, carved with archaic letters, still existed by his time.³³ Whether such a document really survived for such a length of time is arguable, though not impossible.³⁴ If the documents had survived, problems would eventually have arisen from historians' inability to read the

²⁵ Cic. de Leg 3.3.7.

²⁶ Plut. CG. 5.1; App. BC 1.21.

²⁷ App. *BC* 1.21; Appian comments about the law: "[..] a practice never previously customary".

²⁸ Livy, *Epit.* 60.

²⁹ Ibid., 59.

 $^{^{30}}$ The Latin League was a cultural and military alliance between Rome and neighboring Latin tribes.

³¹ Dion. Hal. 4.26.3; Varr. *Ling.* 5.43, Livy 1.45.2-6.

³² Dion. Hal. 4.26.5.

³³ Ibid. 4.26.6; Dionysus reports in the 1st century BC.

³⁴ The use of bronze greatly enhanced the chances of survival, and if the law was judged obsolete the bronze tablet may have been left undisturbed for religious dedication; see Forsythe 73.

ancient language.³⁵ In order to explain the context of the text,³⁶ late annalists consequently invented a tradition in which the Latin tribes were important allies of Rome and set apart through special mutual rights of worship.

This tradition of the Latin people's special connection to the Romans ultimately expressed itself politically through the attempted *Lex sociis et nomine Latino*,³⁷ which seems to have been introduced in the midddle of 122 BC, during Gaius's second tribunate.³⁸ Contrary to Velleius' statement that Gaius "was for giving the citizenship to all the people of Italy and expanding it as far as the Alps,"³⁹ the law, in fact, just opened citizenship for the Latins. Appian explicitly reports: "Gauis invited the Latins to share fully in all the rights of the Romans."⁴⁰ The other allies were just promising to receive such rights later on. Through their connecting tradition, the *Lex Arae Dianae* and the *Lex sociis et nomine Latino* echo through time; the older law is an appeal to the new project of law and vice versa. Consequently, the Temple of Diana, therefore, with its bronze tablet of the *Lex Arae Dianae*, then became a symbol for Gracchus' citizenship project, which was never to become law.

The symbolism does not stop there. Dionysius also mentions the presence of another bronze tablet on which was written the *Lex Icilia de Aventino Publicando*, which stipulates that public land of the Aventine hill held by patricians be seized and be distributed to the plebians. Considering the previous explanation about textual interpretation of ancient text by Roman historians, it is hard not to interpret the tradition of this law's passage as out of order from the setting of contemporary agrarian land reforms to explain those land reforms. In any case, whether or not the historicity of the passage is doubted, *Lex Icilia de Aventino Publicando* still constitutes the first example of land distribution to the plebs in Roman history by proposing a new solution to the problem of landless citizen. It is also a precursor to C. Gracchus' own agrarian law. Ancient literary sources about Gaius' law are scarce. Epigraphic evidence from the agrarian law of 111 BC, however, implies

³⁵ Forsythe 73.

³⁶ Ibid. 74.

³⁷ The name of this law is known from Cicero describing a speech given by Fannius, consul of 122 BC, against Gracchus' law; see Stockton 239.

³⁸ Stockton 157.

³⁹ Vell. Patr. 2.6.2.

⁴⁰ App, *BC*, 1.23.2. This statement is further supported by a phrase in a fragment from the speech that the consul Fannius gave against the law: "si Latinis civitatem dederitis…" see *ORF*²144.

⁴¹ Dion. Hal. 10.32. 3-5.

⁴² Appian does not mention the law at all but seems to imply it in his context, Plutarch has a very short and

that C. Gracchus' law was more potent than the one proposed by his brother Tiberius.⁴³ It has been speculated that this law gave more power to commissioners to deal with *ager publicus populi Romani* outside Italy and to create colonies throughout the empire,⁴⁴ all for the benefit of the landless Roman citizens. The idea of creating colonies outside of Italy was new for the time, just like the *Lex Icilia de Aventino Publicando* was new at its time. Both were landmark laws that echo through time because of their new solutions to a timeless problem. The Temple of Diana, therefore, because it housed within its walls the first revolutionary agrarian law, acted as a reminder of Gracchus' own revolutionary agrarian law.

To conclude, the Temple of Diana may have reminded people of Gaius' legislation program. Two bronze tablets in the temple recorded laws that appeal to the Gracchan legislation program. The Lex Arae Dianae evokes the lex sociis et nomine Latino through the perpetuation of the Latin tradition. The Lex Icilia de Aventino Publicando strongly appeals to Gracchus' Lex agrarian because of shared novelty. In light of these connections, the symbolism of Gracchus' occupation of the Aventine, and especially of the Temple of Diana, further deepens. This temple, superbly located, acted as a direct reminder to everyone of Gracchus' legislative program that favored of the people.

Gaius's political convictions are embodied in the Temple of Libertas. This temple indeed acts as a reminder of the Sempronii Gracchi's history and ideology. As tribune of the plebs in 246 BC, Gaius's great grandfather, T. Sempronius Gracchus, built the Temple to Libertas on the Mons Aventinus. ⁴⁵ As with the Basilica Amelia, associated with the Amelius family and heavily used in their political propaganda, ⁴⁶ the temple would very likely have been associated with the Sempronius Gracchus family. T. Gracchus' son of the same name (cons. 215-212 BC), further accentuates this connection through his gift of a painting. After his victory over Hannibal in 214 BC during the Second Punic War, he ordered a painting. ⁴⁷ According to Livy, the painting is said to have depicted the victorious

sober mention see Plut. CG. 5.1.

⁴³ C.G. Bruns, Fontes Iuris Romani Antiqui, (7th edition, Tubingen, 1909) 11, line 22.

⁴⁴ Stockton 132.

⁴⁵ Gell. *NA* 10,6; Liv. 24,16,19: He financed the construction from a fine imposed to Claudia, daughter of Appius Caecus (cons. 307 BC/296 BC) for indecent speech, together with other funds.

⁴⁶ In 78 B.C., the consul M. Aemilius Lepidus decorated the basilica Aemilia with engraved shields or portraits of his ancestors see Plin. *NH* XXV.13. His son, Lepidus, for a coin, *triumvir monetalis* about 65 represents it as a two-storied porticus on which shields are hung with the legend M. Lepidus *ref(ecta) s(enatus) c(onsulto)* as the mean of family propaganda.

⁴⁷ Livy 24,16, 7-9.

volones, slave soldiers, dining in the streets of Beneventum after the battle.⁴⁸ The painting commemorates the victory. Livy's account, the sole attestation of the painting, has been doubted. However, Koortbojan, in his study of the painting, reviews the evidence and successfully ascertains the worth of the account.⁴⁹ He notes that Livy himself quite possibly saw the painting since the Temple of Libertas was part of Augustus reparation program.⁵⁰ He argues for the longevity of the painting based on Varro's account of seeing in the first century BC the *Picta Italiae*, set up in 210 BC in the Temple Tellus.⁵¹ By accepting Livy's account and thus the existence of the painting, the temple itself, with such decoration, consequently becomes a monument to the glory of the Gracchi. It is a lasting reminder of their glorious past.

The painting, however, also plays another important role. Livy, in his description of the celebratory scene says: *pilleati aut lana alba uelatis capitibus uolones epulati sunt, alii accubantes, alii stantes qui simul ministrabant uescebanturque*.⁵² The emphasis on slave soldiers wearing the *pilleus*⁵³ and the *lana alba velatis capitibus*,⁵⁴ two symbols of *libertas*, highlights Gracchus' decision to grant promised liberty to all slaves; fighters and deserters alike. However, for Koortbojan, the desire to represent such a scene would have stemmed from a desire to give an *exemplum*, a moral of conduct, a visual representation of deeds to emulate.⁵⁵ The painting in the Temple of Libertas, then, not only serves as a commemoration of Gracchus' grant of *libertas*, but also places it as a deed ready for imitation by other generations and as a *mos maiorum* (ancestral custom) to follow. It consequently sets an *ethos* for the family and the Temple of Libertas as a symbol of the Gracchan ideology.

In 121 BC, when Gaius occupied the Aventine, the connection to the temple and its painting would have very likely been evident. If so, Gaius' actions then had a deeper significance. By occupying the Aventine, Gaius was first able to appeal to the glorious

⁴⁸ Ibid. 24,16,9.

⁴⁹ Michael Koortbojian, "A Painted Exemplum at Rome's Temple of Liberty," *The Journal of Roman Studies*, 92 (2002) 33-48.

⁵⁰ Ibid. 36.

⁵¹ Ibid. 36; He also defends Livy detailed narration and the significance of the depicted event by exploring the possibility of the painting containing details of the story, despite its one scene composition and by alluding to a similar triumph in 179BC see Koortbojian 37.

⁵² Livy 24.16.

⁵³ RE, s.v. 'Pileus' (R. Kreis-von Schaewen).

⁵⁴ RE, s.v. 'Lana',col. 598 for the woolen pileus (Kroll).

⁵⁵ Koortbojian 40.

past of his family, who served Rome with the highest distinctions. He could also appeal to the *exemplum*, reminding his opponents of this *mos maiorium*. *Libertas* has various interpretations for Romans, but the liberties of citizens are assured by certain basic rights, among them the *ius provocationis*, a protection against magisterial coercion.⁵⁶ To grant liberty is in a certain sense to ensure the respect of those rights. In that sense, C. Gracchus was then very likely making a claim to a fair judgment of the situation. Finally, Gaius could claim to be himself a true defender of *libertas populi Romani*. He protected people's right to freedom by, on one hand, enacting the civic right to tribunician help, *auxilium*,⁵⁷ and on the other hand, by ensuring a greater repartition of wealth and power among the Roman society through his legislations.⁵⁸ Through this claim, Gaius then would have almost certainly positioned himself in the narrative of the struggle of orders.

In conclusion, through a topographical study of the Temple of Ceres, Liber, Liberague, the Temple of Diana, and the Temple of Libertas on the Aventine hill, I have attempted to argue that each temple reflects different facets of Gaius' persona through connections to his office, to his political program and to his family's political convictions. Located on the northern slope of the Aventine hill, the Temple of Ceres, Liber, Liberaque is first a symbol of tribunician legitimacy and sacrosanctity. Through its historical and geographical ties with the so-called "first secession" of the plebs, the cult of Ceres played an important role in the legitimation of the office of the plebian tribune- an office that Gaius held twice in 123 BC and 122 BC respectively. By law, the goddess Ceres also acts as a guardian of the sacrosanctity of the tribunate. As the cult center for the goddess of grain, the Temple of Ceres, Liber, Liberaque, is furthermore a potent reminder of Gaius' legislation on regular corn distribution, the Lex Sempronia frumentaria. The Temple of Diana, on the Aventine plateau, further embodies Gaius' legal legacy. Two bronze tablets in the temple recorded laws that appeal to the Gracchan legislative program; the Lex Arae Dianae evoking the Lex sociis et nomine Latino through the common connection with Latin tradition. The Lex Icilia de Aventino Publicando strongly appeals to Gracchus' Lex agrarian because of the common agrarian theme and novel approach to the land problem. Finally, the Temple of Libertas embodies the Gracchan family ethos, through its dedication by Gaius' great-grandfather and through the exemplum of libertas set up by the Gaius' grandfather. Those new highlighted connections now open new avenues to interpret and to explain Gaius' decision of occupying the Aventine. Gaius is not longer just trying to appeal to and to emulate the so-called "first secession of the plebs," he is also promoting himself

⁵⁶ Henrik Mouritsen, Plebs and Politic in the Late Roman Republic, (Cambridge: Cambridge University Press, 2001),10

⁵⁷ Ibid. 10

⁵⁸ Ibid. 10; the use of *libertas* against oligarchy is common in the *populares* discourse.

and his legacy while at the same time appealing to save his own life.

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