

# A PAINTED *EXEMPLUM* AT ROME'S TEMPLE OF LIBERTY\*

By MICHAEL KOORTBOJIAN

(Plates V–VIII)

In 214 B.C., the army of Ti. Sempronius Gracchus defeated Hannibal's Carthaginian forces near the town of Beneventum.<sup>1</sup> Gracchus, proconsul with imperium in Apulia,<sup>2</sup> had led his troops from Luceria in the North-East, while Hanno, Hannibal's lieutenant, arrived with his forces from Bruttium in the South, and a pitched battle was fought by the river Calor. The Romans were victorious. According to Livy, the Carthaginian force of more than 18,000 was routed, less than 2,000 survived, and 38 standards were taken; but the truly striking fact about Gracchus' victory is that his army was largely comprised of slaves. This had been necessary, in contradiction of Roman law and custom, following the tragic and massive casualties suffered in the previous years' battles, most famously at Cannae.<sup>3</sup> Exceptional circumstances called for exceptional measures: *pueri* donned men's armour;<sup>4</sup> *libertini* were called to serve;<sup>5</sup> criminals, too;<sup>6</sup> then slaves, who were purchased to fight for the state.<sup>7</sup> The status of such troops posed a significant problem, both legally as well as socially, a problem that was to have a long history.<sup>8</sup>

The ancient sources treat all these unusual events with an exactitude that seldom stands scrutiny, especially in the matter of the slaves, known as *volones*, enrolled to fight

\* The present paper was improved by the generous advice and assistance of Bettina Bergmann, Richard Brilliant, Christer Bruun, Christina Corsiglia, Tonio Hölscher, Peter Holliday, Barbara Kellum, Alison Poe, Matthew Roller, and the anonymous readers for this journal. The decision to write about the Gracchus painting was stimulated by lectures on related topics given by the late John D'Arms and Katherine Dunbabin. Earlier versions of this material were presented as lectures for the Canadian Institute of Mediterranean Studies (2000) and the College Art Association (2001). The research was funded by the Social Sciences and Humanities Research Council of Canada and the University of Toronto.

The following frequently cited works are referred to as follows:

von Blanckenhagen, *Augustan Villa* = P. H. von Blanckenhagen and C. Alexander, *The Augustan Villa at Boscotrecase* (1990)

Crawford, *RRC* = M. H. Crawford, *Roman Republican Coinage* (2 vols, 1974)

Hölscher, *Monumenti* = T. Hölscher, *Monumenti statali e pubblico* (1994)

Nicolet, *World* = C. Nicolet, *The World of the Citizen in Republican Rome* (1980)

*Ancient Spectacle* = B. Bergmann and C. Kondoleon (eds), *The Art of Ancient Spectacle*

Zinserling, 'Historiendarstellungen' = G. Zinserling, 'Studien zu den Historiendarstellungen der römischen Republik', *Wissenschaftliche Zeitschrift der Friedrich-Schiller-Universität Jena* 9 (1959/60)

Translations from Livy are taken from the edition of the Loeb Classical Library (at times, slightly adapted).

<sup>1</sup> Livy 24.14–16.

<sup>2</sup> *RE* IIA<sup>2</sup> Sempronius 51 (F. Münzer); T. R. S. Broughton, *The Magistrates of the Roman Republic* (3 vols, 1951–86), 1.260.

<sup>3</sup> Livy 25.6.22 and 25.7.3. For the dramatic drop in the number of *assidui* qualified to serve in the legions

during this period, see the figures adduced by M. H. Crawford, *The Roman Republic* (1982), 100–1.

<sup>4</sup> Val. Max. 7.6.1; see also Livy 25.5 for the enrolment of youths under the age of seventeen.

<sup>5</sup> Livy 22.11.8; see A. N. Sherwin White, *The Roman Citizenship* (1973), 324–5, who notes, citing Livy's hint at 10.21.4, that the *liberti* were of more limited use as soldiers, 'probably due to their age'. There is some debate about the difference between a *libertus* and a *libertinus*: cf. S. Treggiari, *Roman Freedmen in the Late Republic* (1969), 37 n. 5 and 68, and see, for the terminological problem, J. Cels Saint-Hilaire, 'Les *libertini*, des mots et des choses', *DHA* 11 (1985), 331–79.

<sup>6</sup> Val. Max. 7.6.1; Livy 23.14.3.

<sup>7</sup> Livy 22.11.8; 23.35; 24.11.3, 14, 18.2; 25.24; 27.38; 28.36.14. Not only the troops needed replenishing. M. Aemilius, *pr.* 216 B.C., proposed the bestowal of citizenship on the Latins so as to increase the pool from which senators might be chosen — a measure that was flatly rejected (Livy 23.22.1ff.). The *lectio Senatus* of 216 B.C. (Livy 23.23.1–6) needed to fill 177 vacancies, and the newly-chosen dictator, M. Fabius Buteo, bestowed senatorial status not only on curule magistrates who had not yet been elected to the Senate, but on the plebeian aediles, the tribunes of the plebs, quaestors, as well as on many who had never held proper magisterial office before, including those 'who had *spolia* affixed to their houses or had received the *corona civica*' — that is, 'those who had distinguished themselves in war': P. Willems, *Le Sénat de la république romaine: sa composition et ses attributions* (2 vols, 1885), 1.289; also R. Devlin, 'The Atinian plebiscite, tribunes, and the Senate', *CQ* 28 (1978), 141–4, esp. 143.

<sup>8</sup> A long-standing tradition: see Pliny, *Ep.* 10.29–30, for a discussion of the problem and the death penalty as its remedy; further, H. Wallon, *Histoire de l'esclavage dans l'Antiquité* (1847; 1988), 541–5 and 919.

under Gracchus. For example, there is the question of the extent of this uncommon practice. It is one thing if they numbered 8,000, as Livy tells us,<sup>9</sup> and quite another if they totalled 24,000, as Valerius Maximus reports, almost certainly erroneously.<sup>10</sup> More important, however, is the question of *when* they were manumitted, manumission being their reward for service: upon enrolment, so as to maintain the fiction that, as Roman custom dictated, only free citizens might serve?<sup>11</sup> Or, upon Gracchus' decree, after victory, on the authority of the Consul and the Senate, as Livy specifically relates? What Livy does reveal is that Gracchus commanded that the *volones* should be treated as his soldiers' equals, if not in birth, then at least as recipients of the honour to bear Rome's arms and standards, so that 'it was almost forgotten from what status each man had been made a soldier'.<sup>12</sup>

Gracchus' Beneventan victory was all the more remarkable since, again according to Livy, some 4,000 of his troops had played little or no part in the crushing of the enemy; many had shown themselves to be cowards and had shunned the fray of battle, and in its aftermath had withdrawn from the Roman camp in fear of punishment. The following day, when Gracchus called his troops to assemble, the tribunes gathered these deserters, and — clearly unexpectedly — their commander honoured the promise of liberty to all of them alike. Yet he then declared:

Now that the promise [of liberty] made in the name of the state is fulfilled, to prevent the loss of every distinction between valour and cowardice . . . I shall summon [those who fled the fight], and one by one, I shall make them swear that . . . they will take food and drink only while standing, so long as they shall be in [military] service.<sup>13</sup>

Upon their return to Beneventum, loaded with spoils, Gracchus' men were met at the town's gates by its grateful people, who had prepared a feast to celebrate the victory. The proconsul allowed his troops to partake, provided that they feasted in public, 'before the doors of the houses'. According to Livy:

Wearing caps or white woollen headbands the *volones* feasted, some reclining, and some standing served and ate at the same time. This seemed to deserve the order Gracchus gave on his return to Rome for a representation of that day of festivity to be painted in the Temple of Libertas which his father, with money yielded from fines, had caused to be built on the Aventine and dedicated.<sup>14</sup>

This long-lost painting, as well as the account of its genesis, is not otherwise attested. What follows is an attempt to assess the evidence for its existence; what such a painting might have looked like; what such an image might have meant to Romans of the late third century B.C.; and, finally, how its unusual subject matter related to what we can reconstruct of mid-Republican imagery.

#### GRACCHUS' PAINTED MONUMENT

The ostensible subject of Gracchus' picture, a victory banquet celebrated in public, was by no means unheard of in the Roman world. Livy records the victory feast of Cincinnatus, celebrated in 459 B.C., when tables were spread *ante omnium domus*, clearly providing a precedent for his account of the Beneventan feast. Half a century after Gracchus' celebration, at the triumph of Paullus in 167 B.C., a senatorial banquet was

<sup>9</sup> Livy 22.57.11 and 59.12: slaves probably accounted for two of four legions under Gracchus' command (cf. Livy 25.6.10, *servorum legionibus*), since a Roman legion totalled roughly 4,000 men (Polybius 6.20, 32).

<sup>10</sup> Val. Max. 7.6.1.

<sup>11</sup> So Isidorus, *Etym.* 9.3, who then contradicts himself with reference to Gracchus' army, at 9.38

(‘when . . . they didn't even have time to free their slaves first’).

<sup>12</sup> Livy 23.35.5–9, with N. Rouland, *Les esclaves romains en temps de guerre*, Collection Latomus 151 (1977), 49–51.

<sup>13</sup> Livy 24.16.12–13.

<sup>14</sup> Livy 24.16.18–19.

held on the Capitol, and by Livy's day public *epula* had become a common, indeed expected, aspect of urban life.<sup>15</sup>

But the commemoration of such an event in a public work of art was most unusual. While Gracchus' painting takes its place among a series of highly public monuments, the subjects of all of these were clearly, indeed overtly, political: L. Papirius Cursor's triumphal painting of 272 B.C. in the Temple of Consus on the Aventine; P. Sempronius Sophus' painted representation of Italia of 268 B.C. in the Temple of Tellus on the Esquiline; M. Fulvius Flaccus' triumphal scene of 264 B.C. in the Temple of Vortumnus on the Aventine; or, in 263 B.C., M'. Valerius Maximus Messala's painted image of the siege of Carthage set up in the Curia Hostilia. Each of these instances celebrated a foreign conquest and exalted its patron's accomplishments before the eyes of the urban populace.<sup>16</sup> Gracchus' painting, despite the curious scene it recorded, was no exception. The familial associations of the Aventine temple founded by Gracchus' father — and of that *libertas* it celebrated — were renewed and underscored by the addition of the picture, whose real subject matter could not have found a more suitable setting.<sup>17</sup> The politics of its message, as we shall see, cannot but have played a role in Gracchus' election to the consulate, for the second time, in the following year.<sup>18</sup>

But in the case of Gracchus' picture, the artistic means to its political ends were distinctive, and the banquet that formed its subject provided the vehicle for the representation of more profound matters. The conditions Gracchus had imposed on some of his soldiers' new liberty — indeed, the punishment meted out for their cowardly desertion of their duty<sup>19</sup> — had compelled them to comport themselves as if that freedom had never been granted, and it was the distinction that these conditions registered among the *volones* that the painting made manifest for all to see. The celebratory scene, in art as in life, defined the *libertas* of the Roman citizen according to established conventions associated with fixed social roles and status: only citizens, free men, reclined as they ate; those who stood and served, despite the time-honoured symbols of liberty they so visibly displayed — the cloth cap, known as the *pileus*,<sup>20</sup> and the white woollen headbands (*lana alba velatis capitibus*)<sup>21</sup> — still comported themselves and appeared as slaves.<sup>22</sup> The distinction between valour and cowardice (*virtus* and *ignavia*) that Gracchus had refused to make in the grant of their new, real status was memorialized by this monument, and displayed before the eyes of the Roman populace, as we shall see, to serve as an image of liberty.

<sup>15</sup> Tables spread *ante omnium domus* for the victory feast of Cincinnatus in 459 B.C.: Livy 3.29.5. Senatorial banquet on the Capitol at the triumph of Paullus in 167 B.C.: Livy 45.39.13. Public *epula*: P. Veyne, *Bread and Circuses. Historical Sociology and Political Pluralism*, trans. B. Pearce (1990), 220–1; J. D'Arms, 'Between public and private: the *epulum publicum* and Caesar's *horti trans Tiberim*', in M. Cima and E. La Rocca (eds), *Horti Romani* (1998), 33–43; C. Compstella, 'Banchetti pubblici e banchetti privati nell'iconografia funeraria romana del I secolo D.C.', *MEFRA* 104<sup>2</sup> (1992), 659–89; L. Landolfi, *Banchetto e società romana delle origini al I secolo a.C.* (1990).

<sup>16</sup> T. Hölscher, 'Römische Siegesdenkmäler der späten Republik', in *Tania. Festschrift R. Hampe* (1980), 351–71, at 352 = 'Monumenti di vittoria romani della tarda repubblica', in Hölscher, *Monumenti*, 52–74, at 53; P. J. Holliday, 'Ad triumphum excolendum: the political significance of Roman historical painting', *The Oxford Art Journal* (October, 1980), 3–8; F. Coarelli, 'Cultura artistica e società', in *Storia di Roma* (4 vols, 1990), 2.1, 159–85, esp. 171–7; A. Rouveret, 'Les lieux de la mémoire publique: quelques remarques sur la fonction des tableaux dans la cité', *OPUS* 6–8 (1987–89), 101–24.

<sup>17</sup> The Aventine temple was, technically, Temple of Iuppiter Libertas: see *LTUR* III s.v. (M. Andreussi); on the historical character of the setting, cf. E. Gruen, *Culture and National Identity in Republican Rome* (1992), esp. 94.

<sup>18</sup> As had the related painting of the attack on Carthage commissioned by L. Hostilius Mancinus, who, according to Pliny (*HN* 35.23), had stood in front of it, 'describing it to anyone of the public looking on, by means of which he won the consulship at the next election'; see the analysis of Zinserling, 'Historiendarstellungen', cat. nos 13 and 405. For a survey of the fourth-century background to this political phenomenon, see K.-J. Holkeskamp, *Die Entstehung der Nobilität. Studien zur sozialen und politischen Geschichte der römischen Republik im 4. Jhd. v. Chr.* (1987), 204–40; T. Hölscher, 'Römische Nobiles und hellenistische Herrscher', in *Akten des XIII. Internationalen Kongresses für klassische Archäologie, Berlin 1988* (1990), 73–84.

<sup>19</sup> In this sense, Sempronius Gracchus acted with the authority of a consul: see Polybius 6.12 for the consular prerogative to punish troops; see also Livy 1.26–8, on the desertion of Mettius Fufetius' Alban troops and their commander's brutal punishment (cf. the discussion of A. Feldherr, *Spectacle and Society in Livy's History* (1998), 155–63).

<sup>20</sup> *RE*, s.v. 'Pileus' (R. Kreis-von Schaeuwen).

<sup>21</sup> This is their sole attestation; cf. *RE*, s.v. 'Lana', col. 598 for the woollen *pileus* (Kroll). Ogilvie, ad loc., compares the woollen *filum* worn by the fetials mentioned by Livy 1.32.6.

<sup>22</sup> cf. Apuleius, *Met.* 4.7.5, where, at the robbers' banquet, they employed the lot to decide who would provide the service.

## LIVY'S EVIDENCE

Not everyone has been so willing to accept Livy's testimony as an accurate account of the painting's subject matter or its historical context.<sup>23</sup> It is, however, quite possible that Livy knew the picture first hand.<sup>24</sup> The Temple of Liberty was among those restored or rebuilt by Augustus, and thus it seems to have been still standing in Livy's day.<sup>25</sup> The possibility of this representation's survival is demonstrated by the fact that similar paintings placed in other Republican temples had endured for far longer: Varro tells of seeing the painted map that had been installed in the Temple of Tellus in 268 B.C.,<sup>26</sup> as well as that depicting the *ferentarii* that had been set up in the Temple of Aesculapius around 210 B.C.,<sup>27</sup> and Pliny notes that the paintings of Fabius Pictor produced in 304 B.C. at the Temple of Salus had survived until they were destroyed by fire in A.D. 45.<sup>28</sup>

But even if Livy had described a painting he had seen, whence the elaborate detail of his history?<sup>29</sup> It seems improbable that his full account of the battle was drawn from the commemorative image itself, especially since what Livy's report suggests is that only the scene of the victory celebration was depicted. Inexplicably, other aspects of Livy's account of the battle at Beneventum have been assumed to have also formed a part of the painting known to the historian. De Sanctis ridiculed Gracchus' originally announced condition of liberty — that it would be granted only to those who brought him a severed head of the enemy — while nevertheless declaring that this ghastly sight must also have been depicted at the Temple of Liberty.<sup>30</sup> There is, given how little Livy actually says in direct reference to the painting, no reason to assume that this gruesome custom had been represented<sup>31</sup> — nor any other aspect of the long account of the Beneventan battle. Indeed, other attested 'historical' paintings similarly suggest that single scenes might stand as parts for wholes, and this formal convention was to play a distinctive role in the long and well-documented tradition of historical representations. There is no reason to believe that the painted scene of the festive banquet alone could not have kept alive the fuller story of the Beneventan victory it commemorated.<sup>32</sup>

<sup>23</sup> The story is accepted by, *inter alia*, A. H. Bernstein, *Tiberius Sempronius Gracchus: Tradition and Apostasy* (1978), 25; so too, Nicolet, *World*, 94f.; Gruen, *op. cit.* (n. 17), 94. K. Latte, *Römische Religionsgeschichte* (1960), 256, vaguely refers to the Temple of Liberty painting as 'ein Bild der Libertas' and, while this does seem to suggest a personification of the cult-goddess, it is not altogether unthinkable that Latte intended an allegory.

<sup>24</sup> So E. Strong, *Art in Ancient Rome* (1928; reprint 1970), vol. 1, 58; implicit in Zinserling, 'Historiendarstellungen', 405, and also K.-W. Welwei, *Unfreie im antiken Kriegsdienst*, III: *Rom* (1988), 9–10; contra G. Rodenwaldt, *RM* 36/37 (1921–22), 81.

<sup>25</sup> *Res Gestae* 19.2, gives *fecit*; cf. A. Ziolkowski, *The Temples of Mid-Republican Rome and their Historical and Topographical Context* (1992), 85–6 and M. Andreussi in *LTUR* III, 144, who both say that Augustus 'restored' it. The temple's Aventine site is noted by Festus 108 (Lindsay).

<sup>26</sup> Varro, *Res Rust.* 1.2.1 = Zinserling, 'Historiendarstellungen', no. 2.

<sup>27</sup> Varro, *De Ling. Lat.* 7.57 = Zinserling, 'Historiendarstellungen', no. 7.

<sup>28</sup> Pliny, *HN* 35.19.

<sup>29</sup> Welwei, *op. cit.* (n. 24), 9 ('eine fragwürdige Interpretation'); 10 ('eine unverbindliche Auslegung des Gemäldes'); cf. 8 ('die phantasievolle Ausschmückung des Berichtes').

<sup>30</sup> G. de Sanctis, *Storia dei Romani* (1917), vol. 3, part II, 260, n. 118, 'forse un riquadro del dipinto ov'erano altri volones recanti a Gracco le teste recise

dei nemici ha dato anche origine alla ridicola storiella che credendosi di non avere la libertà se non al prezzo, ciascuno, della testa d'un avversario, i *volones* avevano finito col sospendere il combattimento brandendo nelle destre quelle teste invece delle spade'; followed by Welwei, *op. cit.* (n. 24), 9 ('eine annalistische Erfindung'); similarly, Zinserling, 'Historiendarstellungen', 405.

<sup>31</sup> There is even less reason to dismiss it as an aspect of battle and of Roman historical imagery, as the appearance of similar scenes on Trajan's Column and the Great Trajanic Frieze make plain; J.-L. Voisin, 'Les Romains, chasseurs de têtes', in *Du châiment dans la cité* (1984), 214–93, collects the evidence. For related imagery, cf. the description of the triumphal paintings carried in Caesar's African triumph of 46 B.C., which depicted the suicides of Scipio, Petreius, and Cato: Appian, *BC* 2.101.

<sup>32</sup> For another single-scene painting, cf. that of M. Fulvius Flaccus in the Vortumnus Temple on the Aventine in 264 B.C. (attested at Festus 228L = Zinserling, 'Historiendarstellungen', no. 3). On the myriad problems of accepting the reality of monuments attested by the annalistic tradition, see T. P. Wiseman, 'Monuments and the Roman annalists', in I. S. Moxon, J. D. Smart and A. J. Woodman (eds), *Past Perspectives. Studies in Greek and Roman Historical Writing* (1986), 87–100. Cf. recently, the scepticism of Feldherr, *op. cit.* (n. 19), 34: 'It is possible that Livy did make use of the painting as a source for his account, but the text nowhere signals this dependence'.

Even the significance that Livy implies was evoked by the scene represented — the victory banquet with some figures standing and other reclining — has been doubted. But the very strangeness of the painting's subject matter should give one pause; what other than the painting itself might have given rise to such an unusual and unconventional account? Nevertheless, it has been suggested that, as in the case of the celebrations following the triumphal procession of Gaius Cornelius Cethegus, later reported by Livy for 197 B.C., it was the Beneventan colonists themselves, not the newly freed *volones*, who were shown wearing the tokens of liberty. Accordingly, it has been argued that the attributes of Gracchus' *liberti* would signal, as they would in 197, the Beneventans' release from captivity.<sup>33</sup> Yet such a sceptical account fails to comprehend the standing and reclining poses specified by Livy: why would some of the Beneventan colonists — citizens, all, since 268 B.C.<sup>34</sup> — have stood and served? Surely the wearing of the 'liberty cap' itself would have sufficed as a symbol, just as it would in 197; and how should we imagine that the choice was made among these citizens to determine who would recline and who would 'stand and serve while they ate'? Such arguments fail to persuade. There are simply no compelling reasons to doubt Livy's account, the painting it attests, and the subject matter it implies: the work must have depicted the differing comportment of Gracchus' victorious troops at the public feasting. What must now be asked is how the painting did so, and why.

#### THE PAINTING'S POSSIBLE APPEARANCE

There has been a fair amount of speculation about what this painting might have looked like. Indeed, if one believes Livy's testimony, one is entitled to imagine the appearance of Gracchus' painting (and for that matter, all other such historical paintings that survive only in literary descriptions);<sup>35</sup> there are surviving comparanda that suggest some probabilities, and historians have not failed to note them. These are of three basic pictorial types, and we may briefly examine them and the likelihood of their relevance to the various characteristics attributed to Gracchus' picture.

Von Blanckenhagen, speaking of Gracchus' Temple of Liberty painting, noted 'the amazing number of details to be seen in this purely historical picture, which at that time in Italy could only have been executed in that kind of "bird's eye perspective"'.<sup>36</sup> Thus he assumed the grand sweep of the festivities as the proper scale of the event, which Livy says took place before the doors of the town's houses. And, as a result, he likened the picture to that series of paintings commemorating other military conquests in

<sup>33</sup> Welwei, *op. cit.* (n. 24), 10: 'Dass hiermit der Anteil der *volones* an dem Erfolg des Sempronius und die "Belohnung" der Sklaven besonders detont wurden, ist wenig wahrscheinlich. Eher ist anzunehmen, dass der Sieg bei Benevent als Befreiung der Bewohner der vom karthagischen Angriff bedrohten Stadt gefeiert sowie auch darüber hinaus die Leistung des Sempronius generell als bedeutender Beitrag zur Erhaltung der bürgerlichen Freiheit verstanden werden sollte'. Welwei cites Livy 30.23.1–2: the colonists of Cremona and Placentia, following the triumphal procession of Gaius Cornelius in 197 B.C., wore the cap of liberty, which, since they were already citizens, in this instance signalled their delivery from captivity. There were other occasions on which the *pileus* was worn as a symbol of deliverance: in 201 B.C., the senator Q. Terentius Culleo wore it in the triumphal procession of Scipio, and again at Scipio's funeral, to acknowledge that he had been freed by Scipio from the Carthaginians (Livy 30.45.5 and 38.55.2); in 167 B.C., King Prusias of Bithynia wore the *pileus* and called himself the freedman of the *populi romani* (Livy 45.44.19, citing Polybius 30.18).

<sup>34</sup> See Aulus Gellius 16.13.8 on citizenship in the *colonia*, with Nicolet, *World*, 29.

<sup>35</sup> *cf.*, however, A. Giuliano, 'Rilievi con scene di banchetto a Pizzoli', *StMisc* 10 (1963–64), 37: 'Quale fosse l'aspetto di questa tavola non possiamo sapere'; see now the comments of J. D'Arms, 'Performing culture: Roman spectacle and the banquets of the powerful', in *Ancient Spectacle*, 316, n. 19, who rightly labels such 'agnosticism [as] . . . too extreme'.

<sup>36</sup> P. H. von Blanckenhagen, 'Narration in Hellenistic and Roman art', *AYA* 61 (1957), 81; *cf.*, *idem* in *Augustan Villa*, 44 and n. 88 ('There is simply no way of producing a complete pictorial record of events within their settings other than a representation in bird's eye perspective'); rejected expressly by Giuliano, *op. cit.* (n. 35); B. M. Felletti Maj, *La tradizione italica nell'arte romana I* (1977), 311–12. Note G. Becatti, *Arte e gusto negli scrittori Latini* (1951), 7–8, who suggests — surely incorrectly — that pictures of this period probably had little artistic merit.

'cartographic' form<sup>37</sup> that were also set up before the eyes of the Roman public: the *picta Italia* of P. Sempronius Sophus at the Temple of Tellus (268 B.C.),<sup>38</sup> the painted *Sardiniae insulae forma*, in which images of battles were depicted, displayed by another Ti. Sempronius Gracchus in the Temple of Mater Matuta (175 B.C.);<sup>39</sup> or the image of the assault on Carthage displayed in the Roman Forum by L. Hostilius Mancinus (146 B.C.).<sup>40</sup> The hybrid form that von Blanckenhagen assumed was employed for all such paintings comprised three distinct elements: a large number of figures, an expansive landscape setting, and, of necessity, in order to render these, the use of a 'bird's eye' perspective. The latter von Blanckenhagen regarded as a distinctly Roman approach,<sup>41</sup> one that married a 'normal' point of view for the figures and an elevated vantage point for the topographical setting — a pictorial mode that would have sacrificed naturalistic effects for an increase in pictorial information.<sup>42</sup>

Several surviving examples of this sort of image are well-known. For instance, the famous painting of the riot in Pompei's amphitheatre<sup>43</sup> combines frontal and 'bird's eye' views, as it assembles its depicted architectural structures, one by one, in cumulative fashion. The small-scale figural forms are dispersed throughout the image yet always at the same size, without the slightest regard for the perspectival diminution that so defines the architectural forms that structure the spaces they inhabit. This suggests that this pictorial mode was not primarily figural, but spatial; a conclusion reinforced by the recent discovery of the large wall fresco on the Colle Oppio, whose majestic architectural cityscape is entirely void of human presence.<sup>44</sup>

The best example of this kind of painting that unites both figures and architectural setting is, however, much later in date: a large scene from the tomb of the Aurelii in the Viale Manzoni in Rome, of c. A.D. 220 (Pl. V).<sup>45</sup> Among the tomb's many frescoes is an image, variously interpreted, of a large city view, dominated by the twin forms of a large portico and an enclosed garden. While both architectural settings are inhabited by figures, the portico is the scene of a large group. This fresco suggests that if such an extensive scene had been represented in Gracchus' commemorative painting, those details specified by Livy — those caps and headbands, the very conspicuousness of which made the scene both fitting and relevant to the Temple of Liberty<sup>46</sup> — would have hardly seemed the image's most notable quality. The Aurelii tomb painting demonstrates how relatively small the figural forms of a 'bird's eye view' painting most often were. Moreover, it tells us something about the presumed expanse of the depicted scene, which even here provides the setting for what can hardly be considered a vast

<sup>37</sup> Cartographic form: T. Mikocki, *La perspective dans l'art romain* (1990), 90–3; E. Pfuhl, *Malerei und Zeichnung der Griechen* (1923), vol. 3, 888; Holliday, op. cit. (n. 16), 6; C. M. Dawson, *Romano-Campanian Mythological Landscape Painting*, Yale Classical Studies 9 (1944), 51–2; M. Torelli, *Typology and Structure of Roman Historical Reliefs* (1982), 120–2; Felletti Maj, op. cit. (n. 36), 62, speaks of a 'gusto per la pittura cartografica [che] continuò', but, at 310, allows only the painting of Sardinia in the Temple of Mater Matuta the distinction of having been rendered in 'bird's eye view'.

<sup>38</sup> Varro, *Res Rust.* 1.2.1 = Zinserling, 'Historiendarstellungen', no. 2.

<sup>39</sup> Livy 41.28.8–10 = Zinserling, 'Historiendarstellungen', no. 11.

<sup>40</sup> Pliny, *HN* 35.23 = Zinserling, 'Historiendarstellungen', no. 13.

<sup>41</sup> Von Blanckenhagen, *Augustan Villa*, 44: 'Bird's eye view is not Greek. Combinations of people and settings in Hellenistic art, though not infrequent, conspicuously avoid bird's eye perspective; instead, they demonstrate various attempts at congruity in the fusion of the two elements.' *Contra*, G. Wataghin-Cantino, 'Veduta dall'alto e scena a volo d'uccello. Schemi compositivi dall'ellenismo alla tarda antichità', *RivIstNazArch* 16 (1969), 30–107.

<sup>42</sup> Von Blanckenhagen, *Augustan Villa*, 43: 'each [object] appears in its own perspective, namely, that

which is most informative and in which its shape and volume may be comprehended most easily'; 44: 'it is only in pictures that are means to an end that inconsistency of scale and of perspective diminution will be accepted as a convention by a public acquainted with and used to a realistic rendering of persons and objects.'

<sup>43</sup> V. Sampaolo in A. Donati (ed.), *Romana pictura: la pittura romana dalle origini all'età bizantina* (1998), 306; B. Bergmann, 'Introduction: the art of ancient spectacle', in *Ancient Spectacle*, 15.

<sup>44</sup> E. La Rocca, 'L'affresco con veduta di città dal colle Oppio', in E. Fentress (ed.), *Romanization and the City: Creation, Transformations, and Failures*, *JRA Suppl.* 38 (2000), 57–71. Another example is provided by the famous Torlonia cityscape relief from Fucino, which, although it does contain a few very minor figures, attests the same tradition: see D. Facenna in *Il tesoro del lago. L'archeologia del Fucino e la collezione Torlonia* (2001), 34–40 (I owe this reference to one of this journal's anonymous readers).

<sup>45</sup> G. Wilpert, 'Le pitture dell'ipogeo di Aurelio Felicissimo presso il Viale Manzoni in Roma', *Mem-PontAcc* 1.2 (1924), 5–43, esp. 40ff. with fig. 9 and tav. 22; *LTUR* IV, s.v. 'Sepulchrum: Aurelli' (F. Bisconti); Wataghin-Cantino, op. cit. (n. 41), esp. 69f.

<sup>46</sup> Similarly D'Arms, op. cit. (n. 35), at n. 19.

throng. In similar fashion, surviving scenes of banquets, in either painting or mosaic, only rarely include more than one *triclinium*,<sup>47</sup> and the crowded scene imagined by von Blanckenhagen finds little in the way of parallel. We simply have no examples, either in painting or mosaic, that depict large groups of figures arrayed within a panoramic setting at a scale sufficiently large so as to give such prominence to those specific details of costume noted by Livy.<sup>48</sup>

Other scholars have implied that Gracchus' painting belonged to a second pictorial type, one that is distinguished by the representation of multiple scenes. Such interpretations assume (somewhat oddly, given Livy's account) that the Temple of Liberty painting depicted not only the banquet, but Livy's entire report of the battle that preceded it. This, as we have seen, was the essence of de Sanctis' and Welwei's interpretations.<sup>49</sup>

The most famous example of this pictorial type, from roughly the same period as the Temple of Liberty painting, is the fresco from the Esquiline tomb in Rome (Pl. VI).<sup>50</sup> The surviving fragment of this work reveals a composite of individuated vignettes, arranged in tiers, which suggest a consecutive series of paratactic scenes that formed the larger whole. Such a synoptic narrative is not without parallels. The most famous, the celebrated Nile mosaic from late second-century Palestrina,<sup>51</sup> transforms the course of the river from its headwaters to its delta at Alexandria into a synoptic image, arrayed in registers filled with individuated topographical detail and narrative vignettes, all of which are treated independently with regard to space and setting. But this complex pictorial type would also seem utterly different from the Gracchan picture as Livy actually refers to it.

There is, however, a third possibility. Gracchus' painting might well have been an essentially figural composition, one that eschewed any great sweep of setting, and in which the scene's protagonists dominated the pictorial field — thus a composition that was the very antithesis of either of the forms that, as we have seen, have so often been assumed. On this view, a panoramic landscape or a spacious architectural setting (Livy's 'before the doors of the houses') might have played little or no role, and a more conventional, indeed, more limited mode of perspective would have been employed in the representation of a main group of reclining and standing figures. This compositional type structures many surviving Italic frescoes of fourth- and third-century date, such as the many paintings known from Etruscan tombs (Pl. VII), where the use of relatively larger scale figures to mark significant scenes, and the concomitant absence of either an architectural or landscape setting, may be recognized as fundamental formal qualities of the Roman visual language, ones presumably in widespread use in paintings of mid- to

<sup>47</sup> Bird's eye view of banquets: painting at the first-century Tomb of Vestorius Priscus, Pompei, with one *triclinium* (illustrated and discussed in F. Ghedini, 'Raffigurazioni conviviali nei monumenti funerari romani', *RdA* 14 (1990), 35–62, fig. 1); painting in the fourth-century A.D. Hypogaeum of Vibia, Rome, with one *stibadium* (illustrated and discussed in K. M. D. Dunbabin, 'Triclinium and stibadium', in W. J. Slater (ed.), *Dining in a Classical Context* (1991), 121–48, fig. 29); a fourth-century A.D. mosaic of an outdoor banquet, with one *stibadium* (Detroit Institute of the Arts: see C. Kondoleon, *Antioch: The Lost City* (2000), cat. 68). More than one *triclinium/stibadium*: Mausoleum of Clodius Hermes at S. Sebastiano (Ghedini, fig. 7). Large group of figures seated at multiple tables: late fourth-century A.D. mosaic in Carthage (K. M. D. Dunbabin, *Mosaics of the Greek and Roman World* (1999), fig. 36).

<sup>48</sup> For common usage of the type, and its limitations with respect to the number of figures and the extent of the depicted space, cf., e.g., the cult of Isis painting from Herculaneum: illustrated in R. Ling, *Roman Painting* (1991), fig. 174.

<sup>49</sup> op. cit. (nn. 24 and 30); Zinserling, 'Historiendar-

stellungen', 405, admitted the possibility, although his analysis (416–17) would seem to preclude it.

<sup>50</sup> Ling, op. cit. (n. 48): late third or early second century; F. Coarelli in *Roma medio repubblicano* (1973): first half of the third century; T. Hölscher, 'Die Geschichtesauffassung in der römischen Repräsentationskunst', *JdI* 95 (1980), 265–321, at 270, early third century; and most recently, K.-J. Hölkesskamp, 'Fides — deditio in fidem — dextra data et accepta: Recht, Religion, und Ritual in Rom', in C. Bruun (ed.), *The Roman Middle Republic. Politics, Religion, and Historiography, c. 400–133 B.C.*, Acta Instituti Romani Finlandiae 33 (2000), mid-third century.

<sup>51</sup> Dunbabin, op. cit. (n. 47, *Mosaics*), 49–51; thorough discussion in P. G. P. Meyboom, *The Nile Mosaic of Palestrina. Early Evidence of Egyptian Religion in Italy* (1995); cf. A. Steinmeyer-Schareika, *Das Nilmosaik von Palestrina und eine ptolemäische Expedition nach Äthiopien* (1978); F. Coarelli, 'La pompe di Tolomeo Filadelfo e il mosaico nilotico di Palestrina', *Ktema* 15 (1990), 225–51 = F. Coarelli, *REVIXIT ARS. Arte e ideologia a Roma. Dai modelli ellenistici alla tradizione repubblicana* (1996), 102–37.

late Republican date.<sup>52</sup> These characteristics also mark works in other media of this period (and of later periods, as well), such as the numerous engraved bronze Latin cistae, the frieze of the Basilica Aemilia, as well as the famous late Republican census relief, now in the Louvre.<sup>53</sup> But perhaps the most evocative comparison with Livy's account of Gracchus' painting is provided by these characteristics' appearance on a first-century relief from Amiternum that depicts a banquet scene (Pl. VIII, 1), with large figures filling the foreground, disposed across the horizontal composition in two groups, at *triclinium* and at table.<sup>54</sup>

It is this essentially figural tradition that is evoked by what little Livy actually says about Gracchus' painting. In this pictorial type, the spectators' sense of being 'present at the event' is not tied to a convincing display of spatial illusionism, but asserted by a long-established mode of pictorial immediacy rooted in a focus on the representation of human actions. The Beneventan victory banquet — above all, the necessarily recognizable costumes of the celebrating troops — demanded legibility in order that the scene's significance be grasped and its commemorative function be fulfilled; to do so, Gracchus' painting required figures of sufficient prominence.<sup>55</sup>

#### EXEMPLUM VIRTUTIS ET LIBERTATIS

What of the scene's significance? The decision to record for posterity this vision of the victory festivities, which so conspicuously distinguished between the former slaves who had served with valour and those who had deserted their commander, would seem to have been rooted in a desire to provide that most Roman of representations — an *exemplum*, a model for conduct.<sup>56</sup> This long Roman moralizing tradition had celebrated individual accomplishments, preserved their memory, and held them aloft as deeds to be emulated; so the *exempla* played an essential role in the perpetuation of the *mos maiorum*.<sup>57</sup> Thus Polybius concludes his famous description of the aristocratic funeral, evoking its exemplary value:

Since the reputation for virtue of good men is always being made new, the renown of those who did some noble deed is immortal and the glory of those who rendered service to their country becomes well-known to the many and an inheritance for those who come after. But

<sup>52</sup> Pl. VII illustrates a procession from the so-called Tomb of the Typhon at Tarquinia (second century B.C.): see M. Moltesen and C. Weber-Lehmann, *Etruskische Grabmalerei* (1992), 43–6 and fig. 1.37, and for the imagery and its context, P. J. Holliday, 'Processional imagery in late Etruscan funerary art', *AJA* 94 (1990), 73–93, at 82; cf., *inter alia*, the similar procession from the Tomb of the Conference (late second or early first century B.C.), also at Tarquinia: see Ling, *op. cit.* (n. 48), fig. 5.

<sup>53</sup> An historiated third-century B.C. Latin cista in Rome's Villa Giulia, and its comparanda: see A. Kuttner, 'A third century BC Latin census on a Praenestine cist', *RM* 98 (1991) 141–61. Basilica Aemilia frieze: see D. Arya, 'Il ratto delle Sabine e la guerra romano-sabina', in A. Carandini and R. Cappelli (eds), *Roma: Romulo, Remo e la fondazione della città* (2000), 303–19; F. Albertson, 'The Basilica Aemilia Frieze: religion and politics in late Republican Rome', *Latomus* 49 (1990), 801–15; P. Kranzle, 'Der Fries der Basilica Aemilia', *Antike Plastik* 23 (1994), 93–127. Louvre census relief: A. Kuttner, 'Some new grounds for narrative: Marcus Antonius's base (the *Ara Domitii Ahenobarbi*) and Republican biographies', in P. J. Holliday (ed.), *Narrative and Event in Ancient Art* (1993), 198–229.

<sup>54</sup> Giuliano, *op. cit.* (n. 35), 37, draws a vague parallel with the Gracchus painting; Ghedini, *op. cit.* (n. 47), 38–9, 44; Compostella, *op. cit.* (n. 15), 670–3;

Dunbabin, *op. cit.* (n. 47, 'Triclinium and stibadium'), 147 n. 102; D'Arms, *op. cit.* (n. 35), 312.

<sup>55</sup> One other relevant, but, to my knowledge, unique example should be mentioned that might correspond with Livy's vague description, although the absence of early comparanda would seem to discount its evidentiary value for the solution to our problem: a (mid?) second-century A.D. relief now at Ince Blundell that shows a vintaging scene, with a group of figures and large wine vats disposed in perspective (see G. Rodenwaldt, 'Römische Reliefs Vorstufen zur Spätantike', *JdI* 55 (1940), 13–43, figs 13–14; M. Rostovtzeff, *Social and Economic History of Rome* (1926), 184; B. Ashmole, *A Catalogue of the Ancient Marbles at Ince Blundell Hall* (1929), 108–9).

<sup>56</sup> For the tradition, see J. Berlioz and J.-M. David, 'Rhétorique et histoire. L'exemplum et le modèle de comportement dans le discours antique et médiéval', *MEFRA* 92 (1980), 15–31, with extensive bibliography. Zinserling, 'Historiendarstellungen', 416–17, notes 'dass ein thema wie dieses [i.e., a genre scene] in dieser Zeit ungewöhnlich ist'.

<sup>57</sup> K.-J. Hölkeskamp, 'Exempla und mos maiorum. Überlegungen zum kollektiven Gedächtnis der Nobilität', in H.-J. Gehrke and A. Möller (eds), *Vergangenheit und Lebenswelt. Soziale Kommunikation, Traditionsbildung und historisches Bewußtsein* (1996), 301–38.



the greatest result is that the young men are encouraged to undergo anything for the sake of the common cause in the hope of gaining the good reputation which follows upon the brave deeds of men.<sup>58</sup>

As such an *exemplum*, the banquet scene offered a quotidian vehicle for the representation of Roman values, as this particular historical event was employed to give both form and substance to a general sense of what the Romans understood as *virtus*. This was the force of the distinction between those who reclined and those who stood. The *pileus* and the woollen headbands were discrete attributes, and conventional symbols of liberty,<sup>59</sup> by contrast, to dine at the *triclinium*, on couches, was to participate fully in a long-standing social institution.<sup>60</sup> To dine in this fashion was a prerogative — and when represented, a symbol — of social status. This was the right of the free citizen, and *only* the free citizen:<sup>61</sup> the right to join in such a highly codified and prominent form of social interaction was demonstrated in this famous painted scene by its figures' comportment — reclining signalled their social position, and epitomized their social class.<sup>62</sup>

Livy's account of the scene thus suggests a powerful instance of Roman visual language, and a potent instance of one of its particularly striking modes of expression. For, as a public image, Gracchus' banquet was intended as a metaphor; the symbolism of the banquet effectively transposed the representation of *virtus* from one socio-historical register to another. This abstract concept evoked far more than courage in battle; indeed, it could rightly be deemed the essential quality of the Roman male citizen.<sup>63</sup> In Gracchus' painting, *virtus* was given compelling form and substance, not by an iconography that would distinguish slaves from *liberti* among the throng of his soldiers, but by the right of the latter group to partake of a social practice reserved for those who were free. In the ancient world, the banquet had long served a similarly metaphorical function in the funerary sphere, where the after-life had been defined by this image drawn from real life.<sup>64</sup> The painting in the Temple of Liberty, as it effected an analogy between different spheres of the citizen's responsibilities and prerogatives, suggested that those who had shown no *virtus* in battle had nothing in common with what was expected of a Roman, and thus had no right to live like one.<sup>65</sup>

<sup>58</sup> Polybius 6.54.2–3 (trans. Flower). Cf. Sallust, citing the opinions of Quintus Maximus and Publius Scipio concerning the wax masks of illustrious ancestors: 'the memory of great deeds that kindles in the breasts of noble men this flame that cannot be quelled until they by their own prowess have equalled the fame and glory of their forefathers' (*BJ* 4.5–6, trans. Rolfe).

<sup>59</sup> One might well ask where the *pilei* and the headbands came from, given the apparently spontaneous nature of the celebration: were they merely added to the painted version of the scene to signal the *libertas* theme? If so, they would both clearly underscore the deliberate, confected nature of such an 'historical' subject, as well as reinforce the painting's calculated status as *exemplum*.

<sup>60</sup> Dunbabin, *op. cit.* (n. 47, 'Triclinium and stibadium'); eadem, 'Ut Graeco more biberetur: Greeks and Romans on the dining couch', I. Nielsen and H. S. Nielsen (eds), *Meals in a Social Context*, Aarhus Studies in Mediterranean Antiquity 1 (1998), 81–101; eadem, 'Dining and convivial spaces in the Roman villa', *JRA* 9 (1996), 66–80.

<sup>61</sup> Livy 25.6.22, speaking of the *volones*' reward for service: 'operae pretium habent libertatem civitatemque'; see C. Wirszubski, *Libertas as a Political Idea*

*at Rome during the Late Republic and Early Principate* (1960), 3–5, on the relationship between *civitas* and *libertas*.

<sup>62</sup> cf. the general discussion of the phenomenon of signalling social status in F. Kolb, 'Zur Statussymbolik im antiken Rom', *Chiron* 7 (1977), 239–59, and the broad treatment of R. Brilliant, *Gesture and Rank in Roman Art. The Use of Gestures to Denote Status in Roman Sculpture and Coinage* (1963).

<sup>63</sup> cf. Livy 7.6.3 for the pairing of *arma virtusque*; for the full panoply of Livy's usage, see T. J. Moore, *Artistry and Ideology: Livy's Vocabulary of Virtue*, Athenaeum Monographien: Altertumswissenschaft Bd. 192 (1989), 5–13.

<sup>64</sup> *Inter alia*: J. M. Denzter, *Le motif du banquet couché dans le proche-Orient et le monde grec du VII au IV siècle avant J.C.* (1982); J. M. C. Toynbee, *Death and Burial in the Roman World* (1971); Ghedini, *op. cit.* (n. 47).

<sup>65</sup> cf. M. Jaeger, *Livy's Written Rome* (1997), 106: 'the distinction between ex-slave and freeborn soldier [is perceived] only through the filter of the officially recognized distinction between courage and cowardice'. This only grasps half the story, and thoroughly misses the point of the banquet scene and Gracchus' order to stand.

## THE POLITICAL CONTEXT

Gracchus, like his father,<sup>66</sup> was a plebeian. This made the Aventine Hill an appropriate setting for both the father's Temple of Liberty and the son's painting. The site had a long history of association with the plebs: Livy refers to 'nightly gatherings' there of the plebeians in 494 B.C.;<sup>67</sup> its early settlement by the plebeians is associated with the Lex Icilia de Aventino of 456 B.C.;<sup>68</sup> and the Aventine was remembered as the site of the *secessio* of the plebeian soldiers in 449 B.C.<sup>69</sup> Tradition suggests that the Aventine was, in effect, a 'counter-foundation' to the patrician dominance on the Capitoline.<sup>70</sup> The elder Gracchus' temple and the younger's painting were thus prominent plebeian examples of that public self-aggrandizement that so marks mid-Republican history, and that resulted in the erection of so many public monuments that commemorated private *gloria*.<sup>71</sup>

But the Temple of Liberty and its painting were not solely the index of plebeian concerns. In 214 B.C., after dramatic social and political change, Rome was still a distinctly stratified society — and would always remain so — but the nature of that stratification had begun to change. Almost a century and a half after the Licinio-Sextian law (367 B.C.) had allowed plebeians to be admitted to the consulship,<sup>72</sup> and nearly a century after the Lex Ogulnia (300 B.C.) had allowed them admission to the senior priestly colleges (*pontifices* and *augures*), the 'struggle of the orders' had constitutionally, if not actually, ended.<sup>73</sup> In fact, only the previous year, in 215 B.C., the first pair of plebeian consuls had finally been elected, although this result was overturned on account of ritual impropriety, quite possibly motivated by patrician political concerns.<sup>74</sup> But the evolving political situation in Italy heralded change in the future of Roman politics in several ways, as the constituent political classes were augmented, and the old social hierarchies were transformed. Thus, at Rome, the aristocracy, whether patrician or plebeian, wished to distinguish itself not only from the growing class of *liberti*, but also from the newly-enfranchised residents of the Italian *municipia*. The rapidly expanding citizenship, and with it the advance of new citizens to the increasing number of curule

<sup>66</sup> *RE* IIA<sup>2</sup>, Sempronius 50 (F. Münzer); Aulus Gellius 10.6.3, recording the elder Gracchus as plebeian aedile in 246 B.C. The Sempronii, however, had been patricians.

<sup>67</sup> Livy 2.28.1.

<sup>68</sup> Livy 3.31–2; Dion. Hal. 10.31–2.

<sup>69</sup> *Secessio* of 449 B.C.: Livy 3.50–4. This would eventually be echoed by C. Gracchus' retreat to the Aventine in 121 B.C.: see T. J. Cornell, 'The value of the literary tradition concerning Archaic Rome', in K. A. Raafaub (ed.), *Social Struggles in Archaic Rome: New Perspectives on the Conflict of the Orders* (1986), 75, with sources.

<sup>70</sup> The basic study remains A. Merlin, *L'Aventin dans l'antiquité* (1906), esp. 69–91; followed by M. Andreussi in *LTUR* I ('Aventinus, Mons'), 148.

<sup>71</sup> cf. L. Pietilä-Castren, *Magnificentia Publica. The Victory Monuments of the Roman Generals in the Era of the Punic Wars*, Commentationes Humanarum Litterarum 84 (1987), who does not, however, discuss the Aventine temple; more broadly, Ziolkowski, op. cit. (n. 25); E. M. Orlin, *Temples, Religion, and Politics in the Roman Republic* (1997).

<sup>72</sup> Licinio-Sextian Rogationes: Livy 6.42, with the recent discussions of T. J. Cornell, *The Beginnings of Rome: Italy and Rome from the Bronze Age to the Punic Wars (ca. 1000–264 BC)* (1995), 333–40, and R. Stewart, *Public Office in Early Rome. Ritual Procedure and Political Practice* (1998), both works with extensive bibliography.

<sup>73</sup> Lex Ogulnia: Livy 6.37.12 and 6.42.2, with Oakley's commentary; Livy 10.6–9. The general background is surveyed in the contributions to Raafaub, op. cit. (n. 69).

<sup>74</sup> Ritual impropriety: Livy 23.31.7ff., with J. Linderski, 'The auspices and the struggle of the orders', in W. Eder (ed.), *Staat und Staatlichkeit in der frühen römischen Republik* (1990), now reprinted in J. Linderski, *Roman Questions. Selected Papers* (1995), 42–3. Political motivation: discussion and bibliography in R. Devlin, 'Religion and politics at Rome during the third century BC', *JRH* 10 (1978–79), 3–19; J. E. A. Crake, 'Roman politics from 215 to 209 BC', *Phoenix* 17 (1963), 123–7.

magistracies, challenged traditional political notions.<sup>75</sup> In the context of such change, *libertas*, and the *civitas* that defined it — at Rome, to real Romans — came to mean something more: *dignitas* would be the prerogative of *nobilitas*.<sup>76</sup>

Thus, in the wake of the Hannibalic War and the resultant expansion of Rome's domain and power, Gracchus' painting represented a fundamentally aristocratic ethos in the face of dramatic social change. The punishment of the cowardly *volones* was an expression of that ethos, as were other retributions meted out to those of Rome's former allies who had deserted her cause. The sources record how the Bruttii, the first of the Italians to defect to the Carthaginian side,<sup>77</sup> were visited, after Hannibal's defeat, with a penalty of a strikingly similar kind:

by way of ignominious punishment [the Romans] refused to enroll the Bruttii as soldiers, or treat them as allies (*socii*), but commanded them to serve the magistrates when they went to their provinces, and to perform the duties of slaves (*servi*).<sup>78</sup>

For Rome's citizens, and above all, the aristocratic class, the message of Gracchus' painting was clear: to fight for Rome was a privilege and a responsibility, and those who failed in their obligations to the state were not real Romans; they were to be considered no better than slaves.

Rome was changing, and the age-old rivalry between patricians and plebeians gave way to an aristocratic solidarity intent on preserving what it might of their class's former prerogatives — prerogatives they held to be central to the vaunted *mos maiorum*; what it meant to be a Roman took on a new and trenchant currency. In such circumstances, the military necessity of arming the *volones* was thus politically justified, even if only a portion of them acquitted themselves with honour; given his success, Gracchus' election to his second consulate in the year following his victory (213 B.C.) hardly comes as a surprise.<sup>79</sup>

#### INSTITUTIONS, IMAGES, *EXEMPLA*

The story of Gracchus' Beneventan victory and the ensuing banquet had its sequel. Livy tells us that Gracchus' slave legions again engaged their enemies,<sup>80</sup> but in 212 B.C.,

<sup>75</sup> Citizenship: see the discussion of P. A. Brunt, *Italian Manpower, 225 B.C.–A.D. 14* (1971), 121–35, on the progressive decline in Italy after 200 B.C. of the 'old Italian stocks' concomitant with the rise in citizen population. Curule magistracies: to take merely the most significant example, in 227 B.C. the number of praetorships was increased to four (Livy *Per.* 20), and in 197 B.C. to six (Livy 32.27.6); the rise of the *novi homines* provides the more august parallel to the political problem posed by Gracchus' manumitted slaves: see T. P. Wiseman, *New Men in the Roman Senate, 139 B.C.–A.D. 14* (1971). For an early first-century example of the sort of political manipulation that ensued, cf. the events of 89 B.C., attested by Festus 366 (Lindsay), Cic., *Pro Archia* 11, and the *Fasti Antiates* (= A. Degrassi, *Inscr. It.* XIII.1, 164–6), when the *lustrum* was declared *vitiosum*, hence invalid, and the census vitiated, with the effect of delaying the grant of citizenship to the Italians voted the previous year: see the analyses of T. P. Wiseman, 'The census in the first century B.C.', *JRS* 59 (1969), 59–75, and J. Linderski, 'The augural law', *ANRW* II.16.3 (1986), 2184–9.

<sup>76</sup> Wirszubski, *op. cit.* (n. 61), esp. 15–16, on the connection between *libertas* and *dignitas*; cf. E. Levy, 'Libertas und civitas', *ZRG* 78 (1961), 142–72; A. von Stylow, *Libertas und Liberalitas. Untersuchungen zur Innenpolitischen Propaganda der Römer* (1972), esp. 9–12. The connection between these two concepts

emerges clearly from Livy's discussion of patrician-plebeian relations in 445 B.C. (4.6, esp. at 11). See also, Val. Max. 8.14.5, on the standard practice of distinguishing among the soldiers in the award of *ornamenta*, and Scipio's refusal to award the *aurea armilla*, 'on the ground that a military honour should not be degraded in the person of a man who had recently been a slave'; detailed commentary in J. Linderski, 'Silver and gold of valor: the award of *armillae* and *torques*', *Latomus* 60 (2001), 3–15. Finally, in the late Republic, it was the strategy of the senatorial class 'to limit the political impact of *libertas* by reconciling it with the concept of *dignitas*': see the recent discussion in H. Mouritsen, *Plebs and Politics in the Late Roman Republic* (2001), esp. 10–12.

<sup>77</sup> Livy 23.11.8 and 11.

<sup>78</sup> Aulus Gellius 10.3.19; cf. App., *Han.* 6.61; Festus 28 (Lindsay); cf. *RE*, s.v. 'Bruttiani' (Neumann). Cf. further, Cicero's account (*Verr.* 2.3.65) of Apronius' banquets, at which he would dine at his *triclinium*, having summoned *homines honestissimos* whom he would have stand as spectators (I owe this last reference to a lecture by John D'Arms).

<sup>79</sup> cf. similar conclusions in Zinserling, 'Historiendarstellungen', 416–17, although he fails to grasp the real nature of the imagery, as he regards the hilarity of the painted scene to have constituted a 'distraction' from political realities.

<sup>80</sup> Livy 25.6.21.

upon Gracchus' death, the *volones* deserted: his 'slave army', which 'had served with the utmost loyalty while Gracchus lived, abandoned its standards, as if discharged by the death of the general'.<sup>81</sup> What was the basis of their loyalty solely to Gracchus?

Roman soldiers had traditionally taken a voluntary oath, the *sacramentum*, an essentially religious declaration of allegiance that bound them to the consuls.<sup>82</sup> Such an act appears to have been an old Italic tradition, and Livy records the employ of a *vetustum sacramentum* by the Samnites, by means of which they initiated their soldiers and invoked the assistance of their gods. Roman troops also voluntarily declared their solidarity with their fellow soldiers by another oath, known as *coniuratio*.<sup>83</sup> Of the two of these, the voluntary *coniuratio* is most likely the older, as the *sacramentum* presupposes the institution of yearly magistrates.<sup>84</sup> But in 216 B.C., the traditional *coniuratio* was transformed, and the soldiers' sworn declaration 'not to abandon their ranks' was henceforth administered by the tribunes. The new oath (*ius iurandum*) now constituted a formal bond, no longer between the soldiers themselves, but with their commander.<sup>85</sup>

There is a clear relationship between the new form of the oath and the massive conscription of non-Romans for the war against Hannibal. The unprecedented *dilectus* recorded by Livy for 216 B.C.,<sup>86</sup> which expressly included allied and Latin troops, is directly tied to his account of the new oath — none were Roman citizens. And after the disastrous losses at Cannae, as Livy reports,<sup>87</sup> recruitment was transformed as the treasury responded to the pressing need for soldiers with a mass purchase of slaves. The *volones* — the army of Gracchus — also swore the oath to the consul, and, as we have seen, those who had fled the fight at Beneventum swore yet again, when they effected another *ius iurandum* concerning their renunciation of the privilege to dine, reclining at the *triclinium* in the fashion suited to their new status as the freedmen they now were.

The force of these oaths, as various demonstrations of loyalty, was given substantive form at this very time in the coinage. A scene of an oath-taking appears on a pair of gold coins of anonymous issue and uncertain mint that may be dated to this same period, if not to the same year (Pl. VIII, 2).<sup>88</sup> The obverses of both coins show two armed warriors, one beardless, in armour, the other bearded, and (apparently) in a tunic<sup>89</sup> (or a kilt);<sup>90</sup> both stand astride a kneeling figure holding a pig in preparation for the ritual's enactment. The nature of the rite may be recognized as that recorded by Livy for the mid-seventh century between the Romans and the Albans, which is its most ancient

<sup>81</sup> Livy 25.20.4.

<sup>82</sup> See S. Tondo, 'Il "Sacramentum Militiae" nell'ambiente culturale romano-italico', *Studia et documenta historiae et iuris* 29 (1963), 1–123; idem, 'Sul sacramentum militiae', *SDHI* 34 (1968), 376–96. F. Hickson Hahn, 'Vergilian transformation of an oath ritual: *Aeneid* 12.169–174, 213–215', *Vergilius* 45 (1999), 22–38, is of little relevance to our problem.

<sup>83</sup> The Samnite's *sacramentum* (Livy 10.38.2) was very different from the *coniuratio* of the Romans, according to whom the Samnite's oath was a *detestatio*, an execration that brought the negative forces of *religio* upon them (see the discussion of J. Linderski, 'Roman religion in Livy', in W. Schuller (ed.), *Livius. Aspekte seines Werkes*, XENIA 31 (1993), 53–70, at 61). *Coniuratio*: Livy 22.38.1–6; Frontinus, *Strat.* 4.1.4.

<sup>84</sup> A. Momigliano in *JRS* 57 (1967), 253–4.

<sup>85</sup> Livy 22.38.3, with the commentary on the textual tradition in F. Hinard, 'Sacramentum', *Athenaeum* 81 (1993), 250–61, esp. at 252–3 and idem, 'Aulu-Gelle et les serments militaires', in *Au miroir de la culture antique. Mélanges offerts au Président René Marache par ses collègues, ses étudiants et ses amis* (1992), 287–301, at 292; cf. the account of the oath's formulation in Polybius 6.21, and the acknowledgement, at 6.33, that it was administered to slaves and freemen alike. Was the *coniuratio* the same basic pledge as *iusiurandum*? So Nicolet, *World*, 102, and Hinard, 'Sacramentum', 252. Cf. Aulus Gellius, *NA* 16.4.2

(citing Cincius) for the *iusiurandum* compelled by the tribunes in 190 B.C., with Hinard, 'Aulu-Gelle et les serments militaires'. For discussion of the broader implications of the *coniuratio*, see W. Hoben, *Terminologische Studien zu den Sklavenerhebungen der römischen Republik* (1978), esp. 6–17; J. Rüpke, *Domus militariae. Die religiöse Konstruktion des Krieges in Rom* (1990), esp. 70–84. Cf. further, Livy 22.53.10 for the oath sworn to Rome and the younger Scipio not to desert the *populi romani*; Diodorus 37.11, for the oath of the Italians to Drusus (91 B.C.), with L. R. Taylor, *Party Politics in the Age of Caesar* (1949; 1966), 46, with arguments for its authenticity.

<sup>86</sup> Livy 22.36.1ff., with Nicolet, *World*, 96–102.

<sup>87</sup> Livy 22.57.11.

<sup>88</sup> Crawford, *RRC*, 29, 1–2 (stater and half-stater), dated 225–214 B.C.; idem, 'Foedus and sponsio', *PBSR* 41 (1973), 6, acknowledging the correct dating to 216 B.C. by R. Thomsen, *Early Roman Coinage* (1961), II, 255–87, esp. 285; similarly, J. Bleicken, 'Coniuratio: Die Schwurszene auf den Münzen und Gemmen der römischen Republik', *Jahrbuch für Numismatik und Geldgeschichte* 13 (1963), 51–70; most recently, M. Krumme, *Römische Sagen in der antiken Münzprägung* (1995), 60–4, 160–3; A. Burnett, 'The iconography of Roman coin types in the third century BC', *NumChron* 146 (1986), 67–75, does not discuss these coins.

<sup>89</sup> Bleicken, op. cit. (n. 88), 60.

<sup>90</sup> Crawford, op. cit. (n. 88, 'Foedus'), 5.

attested occurrence. After the initial preparations, the *pater patratus* pronounced the oath to Jupiter:

From these terms, as they have been publicly rehearsed from beginning to end, without fraud . . . and as they have been this day clearly understood, the Roman People will not be the first to depart. If it shall first depart from them, by general consent, with malice aforethought, then on that day do thou, great Diespiter, so smite the Roman People as I shall here today smite this pig: and so much the harder smite them as thy power and thy strength are greater.<sup>91</sup>

In the context we have sketched, the image was surely a call to loyalty, but not merely one addressed to Rome's allies, as Crawford has suggested.<sup>92</sup> The problem is not only the interpretation of the depicted scene and the identification of its protagonists, but, more fundamentally, of the origin of the image. While the differing costumes of the figures on these coins indeed suggest a Roman and a foreigner,<sup>93</sup> there is no reason to see these as corresponding to the historical circumstances of the penultimate decade of the third century, especially since such a topical, historical representation in the coinage of this period would be a striking anachronism.<sup>94</sup> That the figures who enact this rite are intended as mortals, not gods, nor personifications, further distinguishes this image amidst the numismatic tradition of the time.

The appearance of the motif on gems (unfortunately, undatable) and on a large silver plate, or *lanx* (c. A.D. 150?), similarly suggests a common origin in a subject of wide purchase and broad relevance.<sup>95</sup> A mythological source for the oath-scene, or one from 'mythic history', is surely the most likely explanation.<sup>96</sup> And, since what is perhaps this scene's sole third-century numismatic parallel — the appearance, c. 269–266 B.C., of the wolf and twins — is surely a representation of the statue erected in 296 B.C. by the Ogulnii,<sup>97</sup> a similar derivation from a public monument representing a scene of early Roman (mythic) history would seem appropriate for the oath-scene, as well. Indeed, this is suggested by Vergil's description of one of the scenes shown on the Shield of Aeneas:

Then, these same kings [*sc.* Romulus and Titus Tatius], their quarrel set aside, are standing, armed, holding pateras before the altar of Jove, and are united by a treaty by means of the killing of a sow.<sup>98</sup>

The reality of such an image at Rome is attested by the Servian commentary on the passage, which records a statuary group in the Via Sacra of Romulus and Titus Tatius,

<sup>91</sup> Livy 1.24, esp. 7–8; Livy notes at 1.24.4 that, 'one treaty differs from another in its terms, but the same procedure is always employed . . . nor has tradition preserved the memory of any more ancient compact' (trans. Foster). As the language of the passage makes plain, this was *not* a sacrifice. For detailed discussion of some of the finer points, see A. Magdelaine, 'Quirinus et le droit', *MEFRA* 96 (1984), 195–237 = *ŷus Imperium Auctoritas. Études de droit romain* (1990), 245.

<sup>92</sup> *RRC*, 2.715.

<sup>93</sup> Crawford, *RRC*; Thomsen, op. cit. (n. 88), 285 ('a Roman and an ally of a more barbaric character'); H. U. Istinsky, 'Schwurszene und Coniuratio', *Jahrbuch für Numismatik und Geldgeschichte* 14 (1964), 83–7, at 86.

<sup>94</sup> So too, A. Alföldi, 'Hasta-summa imperii. The spear as embodiment of sovereignty in Rome', *AJA* 63 (1959), 1–27, at 20. The view of Istinsky, op. cit. (n. 93), 87, who sees the oath-scene as corresponding precisely to the Italic rite of 293 B.C. described at Livy 10.38.8, is to be rejected; it is hardly likely that the coins and gems would employ such a specific Italic

scene, over and over again, as we shall see, in Republican contexts.

<sup>95</sup> Gems: A. Furtwängler, *Die antiken Gemmen* (3 vols, 1900), pl. 27, no. 34 (Berlin) and pl. 46, no. 2 (Vienna); Bleicken, op. cit. (n. 88), pl. 8, 17 (Geneva). *Lanx*: B. Svoboda, 'The silver *lanx* as means of propaganda of a Roman family', *JRS* 58 (1968), 124–5, with plates. Torelli's proposal that the Louvre census relief represents a related oath-scene is hardly convincing (op. cit. (n. 37), 10 and n. 20).

<sup>96</sup> As Aeneas and Latinus: Alföldi, op. cit. (n. 94), 20–1 and idem, 'Die Penaten, Aeneas, und Latinus', *RM* 78 (1971), 1–52, esp. 16–22; T. Hölscher, 'Mythen als Exempel der Geschichte', in F. Graf (ed.), *Mythos in mythenloser Gesellschaft: Das Paradigma Roms, Colloquia Raurica* 3 (1993), 67–87, at 75. As Romulus and Titus Tatius: Crawford, *RRC*, 2.715 n. 5.

<sup>97</sup> Crawford, *RRC* 20, 1, with Livy 10.23.11–12; T. P. Wiseman, *Remus. A Roman Myth* (1995), 72–6; C. Parisi Presicce, *La lupa capitolina* (2000), esp. 21.

<sup>98</sup> Vergil, *Aen.* 8.639–41.

who, so the *auctor* implies, were engaged in the declaration of an oath over a sow.<sup>99</sup> The Servian commentary is perhaps not the sole witness, for Festus, in his discussion of the Via Sacra, records that it took its name from the fact that it was in that place that Romulus and Titus Tatius made their *foedus*. If Festus is to be believed, the tradition is old indeed.<sup>100</sup>

Whatever the coins' precise subject matter, what should be clear is that it is extremely unlikely that this is a topical representation that makes its first *visual* appearance on this coin. Thus the specific relevance of the figures' costumes, or even of the exact nature of the ritual action depicted, seems unlikely to provide a clue to the image's employment at this very moment,<sup>101</sup> and its representation of a scene of oath-taking, whatever its topicality, must be deemed to have functioned not specifically, but generally.<sup>102</sup> That this was indeed the case is borne out by later appearances of the same motif. Its re-emergence in the coinage in 137 B.C. (Pl. VIII, 3) was surely to be understood in such fashion — not as a contemporary scene, but as the iteration of an authoritative image and the social values it represented.<sup>103</sup> In fact, even Crawford's elaborate interpretation of this issue suggests as much. In his view, in 137 B.C. the oath-scene was revived in the face of a refusal to repudiate the agreement effected by C. Hostilius Mancinus after the disaster at Numantia.<sup>104</sup> This second-century coin, like its predecessor, was intended to recall the honouring of the agreement of the Caudine Forks (321 B.C.), which served as 'a simple statement of an exemplum to be followed and a powerful appeal to the concept of *Fides Romana*'.<sup>105</sup> The same might be said, *mutatis mutandis*, of the appearance of the motif in the Italic coinage of c. 90 B.C.<sup>106</sup> Here, once again, the oath-scene was employed, in identical and variant forms — surely to similar ends.<sup>107</sup>

What is impressive about the history of this coin type is that an image depicting a social institution — the swearing of an oath — could continue to stand as an *exemplum*, regardless of its specific subject matter and the original context in which that subject had been invoked. On all of these coins the depiction of a highly codified and recognizable religious action has taken on the broad character of a symbol, one that might be called upon again and again to represent not only the *pietas* implicit in such oaths, but the *virtus* of those who fulfilled them, and, above all, the *fides* that such actions

<sup>99</sup> Servius ad loc.; similarly discussed by A. Kuttner, *Dynasty and Empire: The Case of the Boscoreale Cups* (1995), 125, although this is not a scene of sacrifice (see above, n. 91); nor does Vergil's *armati* necessarily signify that both figures appeared 'in armour' — as the coins so clearly demonstrate. Cf. Alföldi's objection to the identification (op. cit. (n. 94), 20): 'the bearded Titus Tatius with the young Romulus could in no case be pictured in such utterly different attire'.

<sup>100</sup> Festus 372 (Lindsay); cf. Coarelli, *Il Foro Romano*, 1.52. Dionysius, 2.46.3 also associates the story with the Via Sacra.

<sup>101</sup> Costumes: central to the interpretation of Crawford, *RRC*, 2. 715, n. 5; cf. the doubts voiced by E. Rawson, 'The antiquarian tradition: spoils and representations of foreign armour', in W. Eder (ed.), *Staat und Staatlichkeit in der frühen römischen Republik* (1990), 158–73, at 172. Ritual action: these are not the *fetial* priests one might expect from an association with Livy 1.32.6, on which see A. Magdelaine, 'L'acte juridique au cours de l'ancien droit romain', *BIDR* (1988) = *Jus Imperium Auctoritas. Études de droit romain* (1990), 717.

<sup>102</sup> Crawford, *RRC*, rejects an association with the *coniuratio* of 216 B.C.; this holds solely for a specific iconographical interpretation of the oath-scene as an illustration of Livy.

<sup>103</sup> It should by now have become clear that the repeated attempts (so Svoboda, op. cit. (n. 95); Bleicken, op. cit. (n. 88)) to associate the image with a significant event in which one of the Veturii played an important role (owing to the 137 B.C. issue of T. Veturius; see next note) should similarly be rejected; L. Breglia, 'L'oro del giuramento e i denari romani e italici del I c. sec.', *Numismatica* 13 (1947), 67–79, has been largely superseded. Cf. the recent discussion of A. Meadows and J. Williams, 'Moneta and the monuments: coinage and politics in Republican Rome', *JRS* 91 (2001), 27–49, at 38.

<sup>104</sup> *RRC* 234, 1; for the myriad prosopographical problems related to the moneyer T. Veturius, see E. Badian, 'Sulla's augurate', *Arethusa* 1 (1968), 26–46, esp. 34–5.

<sup>105</sup> Crawford, op. cit. (n. 88, 'Foedus'), 6–7.

<sup>106</sup> Bleicken, op. cit. (n. 88), no. 5, a–d; Felletti Maj, op. cit. (n. 36), 129–30, 159–60.

<sup>107</sup> The concept outlived the form of the Republican image: see P. G. Hamberg, *Studies in Roman Imperial Art* (1945), 27, for a Trajanic coin showing the emperor, in priestly garb, joining hands with his soldiers over a burning altar, signalled by the legend as FIDES; the interpretation derives from P. L. Strack, *Untersuchungen zur römischen Reichsprägung des Zweiten Jahrhunderts* (1931), I, 82.

manifest in the political sphere.<sup>108</sup> Just as in the case of Gracchus' Temple of Liberty painting, on this entire series of coins the particulars of history or myth that motivated the oath-scene have given way to a more fundamental generality of theme, one recognized in the image of a social institution — an oath-taking — that was firmly entrenched at the heart of the Roman way of life. Generality allowed the *exempla* their extensive purchase; continued invocation, in a myriad of contexts, would confirm their value.

#### SYMBOLS AND SOCIAL NORMS

The two instances we have examined, Gracchus' painting in the Temple of Liberty and the 'oath scene' from the coinage, demonstrate how the representation of social institutions could serve broadly and generally as potent symbols of social norms, despite their original, even fundamental, topicality. These monuments may be set within the particularly Roman representational tradition to which they belong. Our two examples display a remarkable correspondence, both formally and conceptually, and together they may be held to epitomize how, in the Roman world, the representation of social institutions in visual forms might not only concretize those institutions' role in the dominant ideology but also extend their meaning and purchase. This tradition had a long life; yet, despite the clear significance of such ideological representations in the mid-to-late Republican period attested by the sources, especially concerning the new temples dedicated to personified virtues and values, few (if any) other early examples of the phenomenon survive. In the coinage, our largest repertory of extant Republican imagery, the depiction of social and political institutions was most often treated topically, as a direct result of the control of that imagery by the moneyers; seldom does the coinage speak with the necessarily general language of images that would allow these institutions to evoke the abstract values that were so central to Roman political, social, and religious life.

So, in light of the scarcity of Republican monuments, discussion of this phenomenon has revolved around imperial works; most famously, around the great series of late second-century biographical sarcophagi on whose reliefs that long-standing set of great Roman virtues — *Virtus*, *Pietas*, and *Concordia* — found representation in established scenes drawn from the public image-repertory. As Rodenwaldt pointed out long ago,<sup>109</sup> these sarcophagus reliefs are not biographical in the sense that they record specific events in the lives of the individuals they memorialize, but in the way that these scenes evoke, in their recognizable generality, those social values that particular individuals wished to be remembered as exemplars of. On these private memorials, the conventional visual language of the official state monuments transforms real life as it is cast in the form of a series of *topoi*, and those commemorated are recalled as representatives of a fundamentally Roman *cursus virtutum*. In this process, the biographically fixed coordinates that define the actual lives of historical persons give way to the visualization of their character in the form of concise, highly-charged, and easily comprehended abstractions.<sup>110</sup> As we have seen, the 'pre-history' of the representational mode employed on these private imperial monuments is not irretrievably lost; it is one in

<sup>108</sup> cf. Rawson, *op. cit.* (n. 101), 172: 'It may be best to suppose that in all the coins the unarmed figure is the fetial, the priest who presided, or was supposed to have presided in the past, over the making of treaties; and that the coins simply evoke Rome's *fides* in the making and keeping of treaties'. Cf. Hölscher, *op. cit.* (n. 96), 75, who acknowledges how the oath-scene implies 'the abstract Ideology of *fides*'; and Hölkeskamp, *op. cit.* (n. 50), who offers a detailed analysis of that ideology.

<sup>109</sup> G. Rodenwaldt, 'Über den Stilwandel in der Antoninischen Kunst', *Abhandlungen der preussischen Akademie der Wissenschaften* 3 (1935), 1–27.

<sup>110</sup> cf. C. Reinsberg, 'Das Hochzeitopfer — eine Fiktion', *JdI* 99 (1984), 291–317, at 315; eadem, 'Der Balbinus-Sarkophag — Grablage eines Kaisers?', *Marburger Winckelmann-Programm* (1985), 3–16; also, Rodenwaldt, *op. cit.* (n. 109), 6 ('umfing sie mit einem Blick wie die Worte einer monumentalen Inschrift'); N. B. Kampen, 'Biographical narration and Roman funerary art', *AJA* 85 (1981), 47–58; most recently, H. Wrede, *Senatorische Sarkophage Roms* (2001).

which the Temple of Liberty painting (and the ‘oath-scene’ coins, as well) played a significant, if largely unrecognized, role.

For this is precisely how Gracchus’ painting was conceived — as a symbolic presentation of Roman *virtus*, not merely as a documentary scene drawn from the epic of military victory. In this way, ‘Roman-ness’ was given concrete visual form in the Temple of Liberty painting, and thus it presents us with another instance of the Roman penchant for self-definition by means of the dominant social values — *Concordia*, *Salus*, *Victoria*, *Spes*, *Fides*, and so on.<sup>111</sup> Of this the Gracchan image of *Libertas* provides a very early instance, although it does not take the form of a concept’s personification, but of its exemplification, as its abstract significance is enacted by mortal protagonists. The painting’s character was only to be fully grasped when the banquet scene was understood not as the representation of a particular event, but generally, as an *exemplum*; this distinguished the painted ‘banquet scene’ not only from other ‘historical paintings’, but from the great tradition of epic-documentary representations that culminated, centuries later, in the monumental sculpted friezes of Trajan’s and Marcus Aurelius’ Columns, on which the symbolic character of certain key scenes (*adlocutio*, sacrifice, etc.) was amalgamated within the overarching narrative programme so fundamental to and determinant of these monuments’ form.<sup>112</sup>

Despite his success at Beneventum, Gracchus did not triumph. The painting at the Temple of Liberty nonetheless celebrated and commemorated his *felicitas*, as Livy’s entire account makes plain. Yet in the representation of the fruits of that *felicitas*, military victory — the surest proof that the gods favoured the Romans — gave way to a political and ideological call for the fulfilment of that *dignitas* considered essential to *libertas*. It is in this sense that we should understand Gracchus’ representation of his victory, and that representation’s character as an *exemplum*.

*University of Toronto*

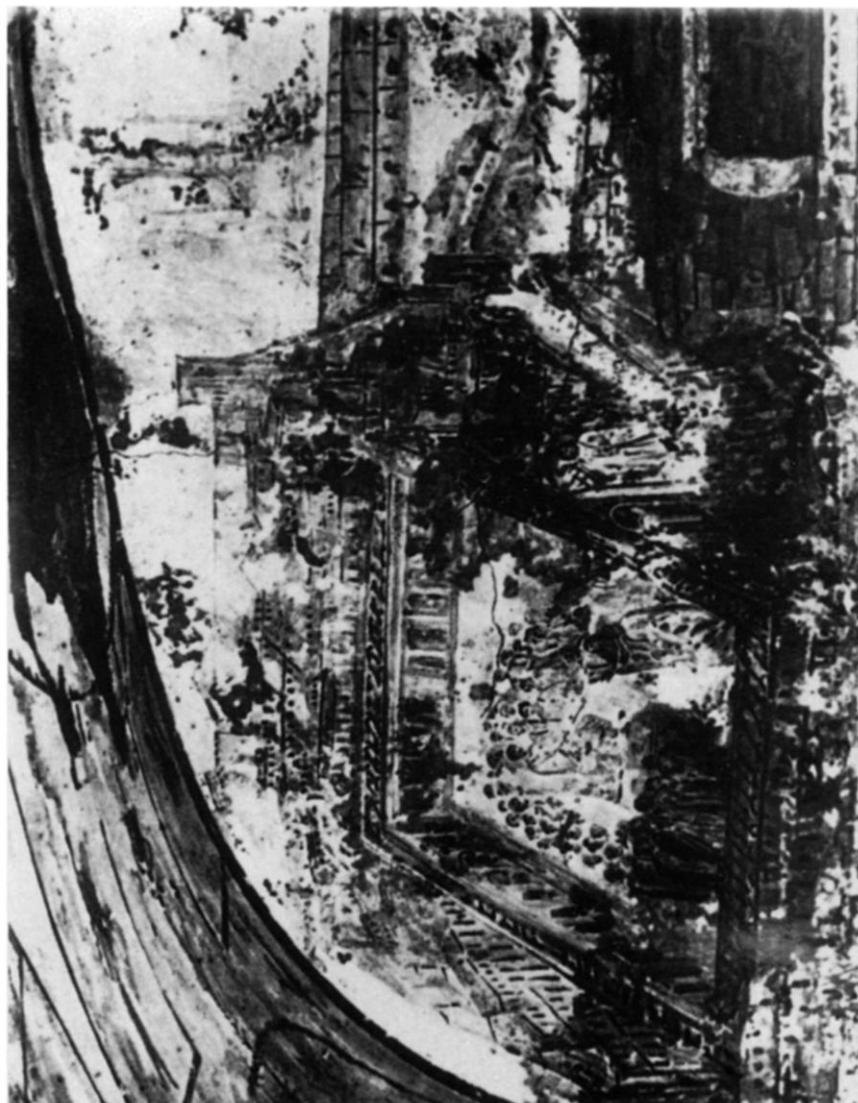
koortboj@chass.utoronto.ca

<sup>111</sup> T. Hölscher, ‘Die Anfänge römischer Repräsentationskunst’, *RM* 85 (1978), 349 = ‘Gli inizi dell’arte di rappresentanza romana’, in *Monumenti*, 43; idem, ‘Die Bedeutung der Münzen für das Verständnis der politischen Repräsentationskunst der späten Republik’, in *Actes du 9ème Congrès international de numismatique*, Berne (1982), 269–82 = ‘L’importanza delle monete per la comprensione dell’arte di rappresentanza politica della tarda repubblica romana’, in *Monumenti*, 75–89; and recently, idem, ‘Die Alten vor Augen. Politische Denkmäler und öffentliches Ged-

ächtnis im republikanischen Rom’, in G. Melville (ed.), *Institutionalität und Symbolisierung. Verstetigungen kultureller Ordnungsmuster in Vergangenheit und Gegenwart* (2001), 183–211, esp. 193, where Hölscher suggests that the mid-Republican display in the *comitium* of the statues of the wolf and twins, Attus Navius, and Horatius Cocles formed the correlative of the same programme of virtues — *concordia*, *pietas*, and *virtus*, respectively.

<sup>112</sup> For this tradition, see Hamberg, op. cit. (n. 107).





ORATORY IN A PORTICO. TOMB OF THE AURELI, VIALE MANZONI, ROME, c. A.D. 220.  
*Photo: DAI inst. neg. 56.I.540 (detail)*



'TRIUMPHAL PAINTING'. ESQUILINE TOMB, ROME, c. 200 B.C. (FACSIMILE).  
(After P. Ducati, *Die etruskische italo-hellenistische und römische Malerei*  
(1941), pl. 33.)



PROCESSION. TOMB OF THE TYPHON, TARQUINIA, SECOND CENTURY B.C. (FACSIMILE: NY CARLSBERT GLYPTOTHEK, INV. NO. 2568). (After M. Miltesen and C. Weber-Lehmann, *Etruskische Grabmalerei* (1992), fig. 1.37.)



1. BANQUET RELIEF FROM PIZZOLI (AMITERNUM), FIRST-CENTURY A.D.(?). (After *Studi Miscellanei* 10 (1963-64), pl. 10.)



2. OATH SCENE COIN, c. 216 B.C.  
Photo: courtesy of the American Numismatic Society

3. OATH SCENE COIN OF T. VETURIUS, 137 B.C. Photo: courtesy of the American Numismatic Society