

MUMMIUS' TEMPLE OF HERCULES VICTOR AND THE ROUND TEMPLE ON THE TIBER

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THE ONLY INFORMATION about the temple of Hercules Victor that was dedicated from Achaean war booty by L. Mummius Achaicus *cos.* 146 is an inscription on a slab of peperino measuring 0.55×0.60 m., found in 1786 during the demolition of an old wall in one of the gardens adjacent to the Ospedale del Celio. The text of the inscription (*CIL* 1².626 = *CIL* 6.331 = *ILLRP* 122) is as follows:

*L. Mummi(us) L. f. cos. duct(u)
auspicio imperioque
eius Achaia capt(a) Corinto
deleto Romam redieit
triumphans. ob hasce
res bene gestas quod
in bello voverat
hanc aedem et signu(m)
Herculis Victoris
imperator dedicat.*

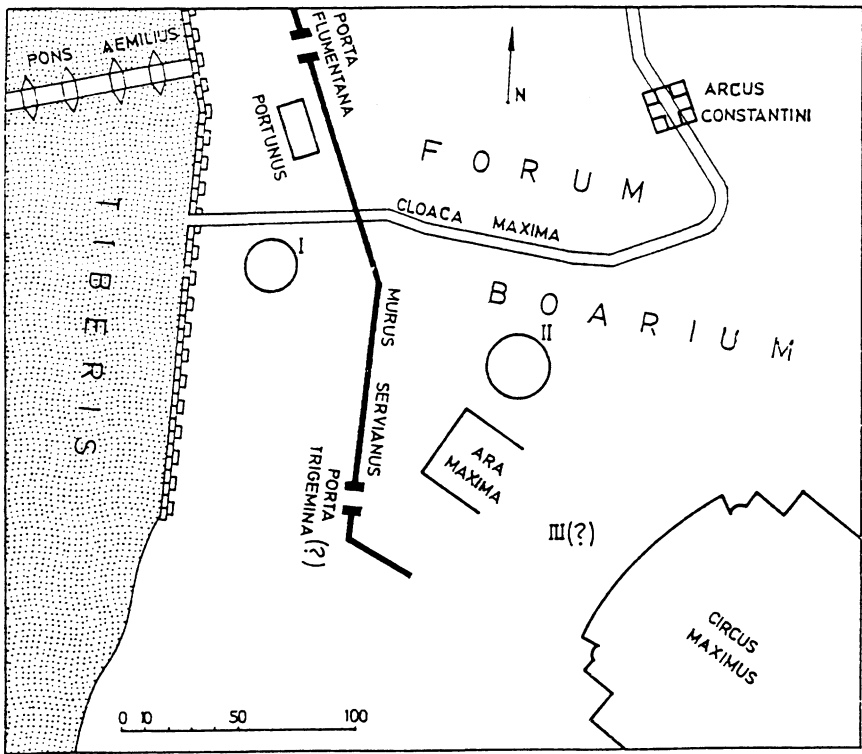
The site where the inscription was found has led to the conclusion that the temple mentioned stood somewhere on the Caelian, in the vicinity of the Lateran.¹ There is, however, no evidence for the cult of Hercules Victor in

I would like to express my gratitude to Professor F. Coarelli for having discussed with me the subject of this paper and for having made available to me parts of his study of the Forum Boarium before its publication (*Il Foro Boario dalle origini alla fine della Repubblica* [Rome 1988], hereafter cited as Coarelli, *Il Foro Boario*). His comments helped me sharpen my arguments and avoid a number of errors. This article was substantially complete by the end of 1984, but a series of mishaps considerably delayed its submission for publication. I have added references to Professor Coarelli's book in the footnotes and addressed his rebuttal of my proposal in an Endnote.

I also offer my warmest thanks to Nicholas Purcell for his valuable observations and criticism and to two anonymous referees of *Phoenix* for their suggestions. It goes without saying that I alone am responsible for errors.

The following works are cited by author's name alone: G. Cressedi, "Il Foro Boario e il Velabro," *BullComm* 89 (1984) 249–296; H. Lyngby, *Beiträge zur Topographie des Forum-Boarium-Gebietes in Rom* (Lund 1954, *Scripter utgivna av Svenska Institutet i Rom*, 8°, 7); F. Rakob and W. D. Heilmeyer, *Der Rundtempel am Tiber in Rom* (Mainz 1973); D. E. Strong and J. B. Ward-Perkins, "The Round Temple in the Forum Boarium," *PBSR* 28 (1960) 7–30.

¹A. M. Colini, *Storia e topografia del Celio nell'antichità* (Rome 1944, *MemPontAcc* 7) 41–42. See also L. Pietilä-Castren, "Some Aspects of the Life of Lucius Mummius Achaicus," *Arctos* 12 (1978) 115–123.



- I Hercules Victor ad Portam Trigeminam
 II Hercules Victor in Foro Boario = aedes Aemiliana Herculis
 III Hercules Invictus ad Circum Maximum = Hercules Pompeianus

this area;² the only zone in Rome where the god was worshipped under this name was the Forum Boarium and its environs, an area connected with the legend of his fight with Cacus.³ In this article I shall try to demonstrate that Mummius' temple of Hercules Victor should be sought in the neighbourhood of the Forum Boarium and, more precisely, that it should be identified with the still preserved round temple on the Tiber (see map, temple I).

²The arguments for this assumption, very weak indeed, are given in Colini (above, n. 1) 41–42, 264, n. 86. See also Endnote.

³G. Wissowa, *Gesammelte Abhandlungen zur römischen Religionsgeschichte* (Munich 1904) 260–265; *id.*, *Religion und Kultus der Römer*² (Munich 1912) 271–284; Boehm in *RE* 8 (1912) 552–571; J. Bayet, *Les origines de l'Hercule romain* (Paris 1926, BEFAR 132) *passim*. See also Lyngby 1–62; G. Lugli, *Fontes ad topographiam veteris urbis Romae pertinentes* 8 (Rome 1962) 335–344.

I THE TEMPLES OF HERCULES VICTOR IN ROME

Our main literary sources relating to the Roman temples of Hercules Victor are two almost identical testimonies by Servius (*sed Romae Victoris Herculis aedes duae sunt, una ad Portam Trigeminam, alia ad Forum Boarium, ad Aen.* 8.363) and Macrobius (*Sat.* 3.6.10). In extant Roman calendars we find references to one of these temples. The Fasti Antiates Maiores on 13th August read: *Herculi Victori* (*InsIt* 13.2.16), and in the Fasti Allifani we find on this day, among others, an entry: *Herculi Invicto ad Portam Trigeminam* (*InsIt* 13.2.181). The same *dies natalis* proves that the two calendars speak of the same temple despite the differences in names; the Fasti Antiates Maiores are the earliest extant Roman calendar (compiled not later than the years 67–55 B.C.),⁴ and we should accept the name they give, *Hercules Victor*. The names Victor and Invictus, as applied to Hercules, were interchangeable at least from the first century A.D. (the *terminus post quem* of the Fasti Allifani is A.D. 17).⁵ The *Hercules Victor* of the Fasti Antiates Maiores and the *Hercules Invictus ad Portam Trigeminam* of the Fasti Allifani are therefore identical with the *Hercules Victor ad Portam Trigeminam* of Servius and Macrobius.⁶

The location *ad Portam Trigeminam* (as opposed to *in Foro Boario*) makes it possible to identify this temple conclusively. The section of the Servian Wall between the Aventine and the Capitol ran parallel to the course of the Tiber, ca sixty to one hundred metres from the river; in the past, its remains were visible near the church of S. Maria in Cosmedin, the fountain of the Piazza Bocca della Verità, and the temple of Portunus.⁷ The location *ad*

⁴Degrassi in *InsIt* 13.2.28.

⁵Degrassi in *InsIt* 13.2.184.

⁶Lynby (28) in keeping with his theory that every difference in names, be it the smallest, signifies a different edifice, is of the opinion that there were two temples of Hercules *ad Portam Trigeminam*, the Hercules Victor and the Hercules Invictus. His view is, however, obviously mistaken, as the identical *dies natalis* in the two calendars shows. On the other hand, Lynby's critics (e.g., Degrassi in *InsIt* 13.2.494), stipulating total interchangeability between the names Victor and Invictus, go too far: S. Weinstock, "Victor and Invictus," *HTbR* 50 (1957) 211–247, has shown that these were two different cults, introduced into Rome in different periods (see below). The two names started to merge only in the first century A.D.: in A.D. 81 C. Vibius Fronto made an offering *Herculi Victori Pollenti Potenti Invicto* (*CIL* 6.328). Still, most of the surviving praetorian inscriptions (*CIL* 6.312–319), the earliest dated to A.D. 193, are addressed to Hercules Invictus save for 6.316 (no surname) and 6.319 (*Argive Victor Hercules*). Private inscriptions from the Republican period found in the vicinity of the Circus Maximus name both Hercules Victor and Invictus, see C. Pietrangeli, "Il mitreo del Palazzo dei Musei di Roma," *BullComm* 68 (1940) 143–173.

⁷This problem is dealt with most comprehensively in Coarelli, *Il Foro Boario* 13–59; see also *id.*, *Guide archeologiche Laterza: Roma*³ (Bari 1985) 16, 313–314, 321. The finds are described in *NScAnt* 1885.527; 1886.123; 1888.700; 1892.111–112. See R. Lanciani, *Forma Urbis Romae* (Milan 1893) pl. XXVIII; Cressedi 291–293.

Portam Trigemina signifies that this temple stood on the narrow strip of land between the Servian Wall and the Tiber⁸—this is precisely the site occupied by the round temple.⁹

In 1895, a part of a base of a statue was found a few metres from the round temple with an inscription: *Jo Olivarius opus Scopae minoris*.¹⁰ The *Notitia Regionum* quotes in the Regio XI, i.e., in this area, some unspecified monument called *Hercules Olivarius*,¹¹ so the statue and, consequently, the temple must have been dedicated to Hercules; the full text of the inscription could be reconstructed hypothetically as [*Hercules Victor volg*]o *Olivarius opus Scopae minoris*. The form of the temple is an additional argument for its identification: Servius states that shrines dedicated to Hercules were usually round.¹² His statement is corroborated by Livy's account (10.23.3) of the existence of a round temple of Hercules in the Forum Boarium; elsewhere in Rome, the temple of Hercules Musarum in *Circo Flaminio* was round too.¹³ All this considered, we can safely identify the temple of Hercules Victor *ad Portam Trigemina* with the still standing round temple on the Tiber (map, temple I).

The quest for the temple of Hercules Victor in *Foro Boario*, i.e., within the Servian Wall, is more complicated. It must be sought among the numerous shrines dedicated to Hercules in that area (see Lyngby 1–62). Apart

⁸See also *CIL* 6.9319 and the comment by C. Hülsen, *Il Foro Boario e le sue adiacenze nell'antichità* (Rome 1896, *DissPontAcc*, 2nd ser., 6) 245. See also Coarelli, *Il Foro Boario* 97–98.

⁹According to L. Richardson, "Honos et Virtus and the Sacra Via," *AJA* 82 (1978) 240–246, the location term *ad portam* meant "inside the gate." While discussing the placement of the temple of *Honos et Virtus* and of the shrine of Camenae *ad Portam Capenam*, he says that they "stood near the Porta Capena but not outside it, for that would be *extra portam*" (244). But we do know that the two sanctuaries stood outside the gate; see Livy 26.32.4 on the temple of *Honos et Virtus* and *Schol. Iuv.* 3.11 together with Festus 97 L. on the shrine of the Camenae. As for the general meaning of *ad portam* in similar contexts, in all the cases but one of the sites located by our sources in relation to gates when the position of the two is known, *ad portam* means "outside the gate." See, apart from the above-mentioned cases, the tomb of the Scipios *ad Portam Capenam* (Livy 38.55.2 and 38.56.4; *Schol. Bob. in Cic. pro Archia* 22) and the temple of Venus Erycina *ad Portam Collinam* (Livy 40.34.4). See also G. Säfslund, *Le mura di Roma repubblicana* (Lund 1932, *Scrifter utgivna av Svenska Institutet i Rom*, 8°, 1) 198, n. 3. The only exception to the rule is the *campus sceleratus*, located by our sources *ad Portam Collinam* but situated within the Servian Wall (Livy 8.15.8, 22.57.2; Oros. 4.2.8; Plut. Numa 10.8; Serv. *ad Aen.* 11.206): an inconclusive case since the chamber was actually dug in the agger.

¹⁰*NScAnt* 1895.458–460; *CIL* 6.33936. See Cressedi 269–270.

¹¹A. Nordh, *Libellus de Regionibus Urbis Romae* (Lund 1949, *Scrifter utgivna av Svenska Institutet i Rom*, 8°, 3) 91.

¹²Serv. *ad Aen.* 9.409: *aedes autem rotundae tribus diis dicunt fieri debere, Vestae, Dianae vel Herculi vel Mercurio*. Considering that at least two Roman temples of Hercules were circular (see below), there is no doubt that the god whom the commentator's source had in mind was Hercules, not Mercurius.

¹³See, e.g., G. Lugli, *Itinerario di Roma antica* (Milan 1970) 416–417.

from the complex of the Ara Maxima (Lyngby 19–23), which is of no concern here, within the walls there stood two temples of Hercules.¹⁴ Livy and Festus mention a temple next to which the shrine of Pudicitia Patricia was located; Livy's account (*in sacello Pudicitiae Patriciae quae in Foro Boario est ad aedem rotundam Herculis*, 10.23.3) makes it possible to identify this temple with the round shrine which stood north-east of the church of S. Maria in Cosmedin¹⁵ (map, temple II). It was demolished at the end of the fifteenth century A.D. and is known from drawings by Baldassare Peruzzi and Pirro Ligorio. The account of Festus (282 L.), unfortunately corrupt (*Pudicitiae signum in Foro Bovario est ubi familiaria aedisset Herculis*), leads to identifying this temple (if the emendation by Scaliger—*ubi Aemiliana aedis est Herculis*—is accepted) with the one built to Hercules by P. Cornelius Scipio Aemilianus.¹⁶

The other temple of Hercules in the neighbourhood of the Forum Boarium was that of Hercules Invictus, the earliest temple of the god in Rome.¹⁷ The Fasti Allifani and Amiternini on 12th August read: *Herculi Invicto ad Circum Maximum*.¹⁸ This location enables us to identify this temple with the sanctuary mentioned by Pliny (*Herculem qui est apud Circum Maximum in aede Pompei Magni*, HN 34.57) and Vitruvius (*ornanturque signis fictilibus aut aereis inauratis earum fastigia tuscanico more, uti est ad Circum Maximum Cereris et Herculis Pompeiani, item Capitolii*, 3.3.5). Cn. Pompeius Magnus could not have been the founder of a temple in so antiquated a style of architecture; the surname *Pompeianus* indicates, therefore, that the dynast only rebuilt it in its original form.¹⁹ The original temple was stylistically similar to those of Iuppiter Optimus Maximus and Ceres Liber et Libera,

¹⁴Lyngby xix–xx arrives at the total of nine shrines dedicated to Hercules in his area, including five temples, but see above, n. 6.

¹⁵O. Richter, *Topographie der Stadt Rom*² (Munich 1901) 188–189; Lyngby 155–156 (the *testimonia* of Renaissance antiquaries); Cressedi 265–268 (drawings by Peruzzi and Ligorio); Pietrangeli (above, n. 6) 164 (the temple's location). See now Coarelli, *Il Foro Boario* 84–92.

¹⁶Plut. *praec. rei p. ger.* 20; see K. Latte, *Römische Religionsgeschichte* (Munich 1960) 218, n. 3. Wissowa's old hypothesis that the *aedes Aemiliana* was built by L. Aemilius Paullus cos. 182, 168 (*GesAbh* [above, n. 3] 261–262) has been exploded by E. Pais, *Fasti Triumphales populi Romani*² (Rome 1920) 501. For a defence of Wissowa's untenable proposition (we do not hear about any temple founded by Paullus), see A. Astin, *Scipio Aemilianus* (Oxford 1967) 121. Cressedi's attempt (271) to identify the *aedes Aemiliana* with the round temple, resulting in a bizarre reconstruction of its denomination as *aedes Aemiliana Herculis extra Portam Trigeminam* is flatly contradicted by Festus' positioning of the *aedes Aemiliana* in the Forum Boarium.

¹⁷Lyngby 7–19; see also R. E. Palmer, "The Censors of 312 B.C. and the State Religion," *Historia* 14 (1965) 293–324. For the temple's dating between the years 292 and 219, see Wissowa, *RKR* (above, n. 3) 223–224, 517.

¹⁸*InsIt* 13.2.181 (Fasti Allifani), 191 (Fasti Amiternini). According to the Fasti Vallenses (*InsIt* 13.2.149), 12th August was dedicated, among others, *Herculi Magno Custodi in Circo Flaminio*, but see Degraffi in *InsIt* 13.2.494.

¹⁹Wissowa, *GesAbh* (above, n. 3) 262–263. For Pompeius' devotion to Hercules Invictus, see App. *BC* 2.319; Plut. *Pomp.* 69. See also Weinstock (above, n. 6) 228–229.

dedicated respectively in 509 and 493 B.C., and so must have been founded before the influence of Greek architecture came to be felt in Rome. This temple lay closer to the Circus Maximus than the *aedes Aemiliana*, possibly near the intersection of the Via dell'Ara Massima and the Via della Greca²⁰ (map, temple III).

We thus have an unnamed temple of Hercules in *Foro Boario* (temple II) and the temple of Hercules Invictus *ad Circum Maximum* (temple III). The *Hercules Victor* in *Foro Boario* in the accounts of Servius and Macrobius should be identified with one of these two temples. The interchangeability of the surnames Victor and Invictus speaks for the *Hercules Pompeianus* (temple III), whereas the location in *Foro Boario* favours the *aedes Aemiliana* (temple II). The former would imply, however, that not only the surnames Victor and Invictus but also the locations in *Foro Boario* and *ad Circum Maximum* were used indiscriminately. In the case of the latter, we are left with three temples of Hercules Victor/Invictus whereas Servius and Macrobius speak of only two.

I think that the identification of the temple of Hercules Victor in *Foro Boario* with the *aedes Aemiliana* is preferable. The references of ancient writers to the temple of Hercules in *Foro Boario* (and, incidentally, to the god's temple *ad Circum Maximum*) without mentioning the surname²¹ indicate that the location, not the god's epithet, was the decisive identifier of these temples. We may assume too that the author of the reference to the two temples of Hercules Victor in Rome was sufficiently well informed (he must have been an antiquary) to be aware of the distinction between Hercules Victor and Hercules Invictus.²²

II THE ROUND TEMPLE ON THE TIBER AND ITS DATING

The sources are silent about who built the existing temple *ad Portam Trigeminam* and when.²³ It is a tholos about fifteen metres in diameter, built in pure Greek style. The crepidoma of Grotta Oscura tufa supports nineteen (out of the original twenty) columns of marble and a cella built of a mixture of travertine and marble blocks; the stone slabs on which the bases of the columns stand are also of travertine. Originally, the marble used in the construction of the temple was Pentelic; some time later, some of the columns and capitals were replaced by stylistically distinct ones, carved from Luna marble (so-called group B capitals, as opposed to those of group A).

The *terminus post quem* of the construction of the temple is given in a

²⁰Thus Coarelli (above, n. 7) 321, 323; *id.*, *Il Foro Boario* 77–84.

²¹Pliny *HN* 10.79, 35.19.

²²And between the locations *ad Circum Maximum* and in *Foro Boario* as well. Coarelli, *Il Foro Boario* 187–192, identifies the temple of Hercules Victor in *Foro Boario* with that of Hercules Invictus (Pompeianus) *ad Circum Maximum*, but see Endnote.

²³On this temple, see Strong and Ward-Perkins; Rakob and Heilmeyer.

passage by Velleius Paterculus stating that the first marble building in Rome was the temple of Iuppiter Stator, dedicated ca 143 B.C. by Q. Caecilius Metellus *pr.* 148, *cos.* 143;²⁴ the *terminus ante quem*, variously estimated in the past, has recently been fixed at the first decade of the first century B.C. at the latest (Rakob and Heilmeyer 36, n. 17; 36–39), i.e., at the outbreak of the Social War in 91, which paralysed public building activity for many years. The use of Pentelic marble indicates that the temple was built between 143 and the forties of the first century B.C., when the Romans started using Luna marble. Grotta Oscura tufa, the main building material in Rome from the fourth century B.C. onwards,²⁵ went out of use after the so-called Sullan period which, as demonstrated most convincingly by F. Coarelli,²⁶ designates in the archaeology of Rome mainly constructions of the second half of the second century B.C. As far as ornamentation is concerned, R. Delbrück observed that the Hellenistic capitals of the temple (those belonging to group A) reveal close similarity to the Corinthian capitals of the Athenian Olympieion and for this reason hypothetically placed the construction of the round temple around 130 B.C.²⁷ Strong and Ward-Perkins (*passim*, esp. 12) emphasize the similarities in ornamentation and building technique shared by the round temple and the architecture of Asia Minor of the second half of the second century B.C.; most of all, they point to the influence of Hermogenes, best seen in the technique of building cella walls, fluting, and capitals of the round temple. Rakob and Heilmeyer (27, 39) admit that stylistically the temple belongs to the second century B.C., but date its construction to ca 100–90 B.C., apparently in order to comply with Pliny's statement that the columns of the atrium of L. Lucinius Crassus *cos.* 95 were of marble *cum in publico nondum essent ullae marmoreae* (HN 17.6). We have, however, no reason to dispute Velleius' statement that the first marble building in Rome was the temple of Iuppiter Stator.²⁸ Generally speaking,

²⁴Vell. Pat. 1.11.3. M. G. Morgan, "The Portico of Metellus: A Reconsideration," *Hermes* 99 (1971) 480–505, is of the opinion that Metellus began the construction of his temple only in the year of his consulate in 143, but his view of vowing a temple as a sort of blackmailing the electorate ("make me consul or I shall not fulfil my vow") is implausible. Equally unconvincing is his estimate of the time needed to build a temple: Scipio Aemilianus could have started the construction of this temple of Hercules only after his return to Rome, i.e., around the middle of 146, yet he still managed to have it dedicated while holding the office of censor (see above, n. 16), in 142.

²⁵M. E. Blake, *Ancient Roman Constructions in Italy from the Prehistoric Period to Augustus* (Washington, D.C. 1947)

²⁶F. Coarelli, "Public Building in Rome between the Second Punic War and Sulla," *PBSR* 45 (1977) 1–23, esp. 7–9.

²⁷R. Delbrück, *Hellenistische Bauten in Latium* 2 (Strassburg 1912) 43, 58.

²⁸P. Gros, "Les premières générations d'architectes hellénistiques à Rome," in *Mélanges offerts à Jacques Heurgon. L'Italie préromaine et la Rome républicaine* (Paris 1976) 387–410, at 393. On the other hand Gros accepts the date of the round temple as proposed by Rakob and Heilmeyer (404).

the verdict of Strong and Ward-Perkins (30)—“there does not seem to be any reason why this building should not be of any date after the middle of the second century B.C.”—still stands.²⁹ The close similarity to the works of Hermogenes suggests an early date, close to the *terminus post quem* fixed by the casual remark by Velleius.

III THE FOUNDER OF THE ROUND TEMPLE

Servius and Macrobius say that in Rome there were *two* temples of Hercules Victor. One of them, the *Hercules Victor in Foro Boario*, should, as shown above (314), be identified with the *aedes Aemiliana*. As for the other, the inscription quoted at the beginning of this paper reveals that L. Mummius Achaicus *cos.* 146, the conqueror of the Achaeans and destroyer of Corinth, dedicated *ex manubiis* a temple to Hercules Victor. This temple should therefore be identical with the *Hercules Victor ad Portam Trigeminam*, i.e., with the round temple on the Tiber.³⁰ The fact that the inscription was found on the Caelian is of little relevance since it seems that the stone did not belong to the temple itself but to one of the many lesser monuments with which Mummius adorned the City.³¹ The form of the inscription, the variation in the letters' dimensions from line to line to an extent not found in any other known official Republican inscription, the fact that some lines would have been utterly unintelligible from the ground if the inscription had been placed *supra valvas templi*, as custom dictated—all this leads to the conclusion that the inscription belonged not to the temple but to one of the lesser monuments set up by Mummius.³² Furthermore, Mummius' inscrip-

²⁹Coarelli (above, n. 26) 8; *id.*, “Architettura e arti figurative in Roma,” in *Hellenismus in Mittelitalien* (Göttingen 1976, *AbhGött* 3.97) 21–50, at 30, dates the round temple at ca 120 B.C. See Endnote.

³⁰The identification of Mummius' temple of Hercules Victor with that of Hercules Victor *ad Portam Trigeminam* (but not with the round temple) had already been postulated by F. Ritschl; see G. De Rossi, “Dell'Ara Massima di Ercole e del tempio d'Ercole nel Foro Boario,” *AdInstArch* 1854.28–29. D. Kienast, “Imperator,” *ZSav* 78 (1961) 403–421, and Pietilä-Castren (above, n. 1) 119–120, infer from the fact that on the inscription Mummius calls himself *imperator* that the temple was dedicated before his triumph in 145, which would imply in turn that the building was very modest. Their reasoning is, however, obviously wrong; see R. Combès, *Imperator* (Paris 1966) 68–70, 118–120. The most probable date of the dedication of the temple is Mummius' censorship in 143/2. A. E. Gordon's view that if the date were 143/2, the word *censor* would surely appear on the inscription (*Illustrated Introduction to Latin Epigraphy* [Berkeley 1983] 87) is of no consequence either.

³¹Festus 125 L. (*aedificia Mummiana*); Cic. *in Verr.* 2.1.55, *Off.* 2.76, *Orator* 232; Strabo 8.6.23; Plin. *HN* 34.36. See G. Nenci, “‘Graecia capta ferum victorem cepit.’ Hor. Ep. II 1, 156,” *AnnPisa* 8 (1978) 1007–1023, where it is demonstrated that the quoted words of Horace should be related to Mummius' spoils.

³²All this has been observed by a number of scholars, from F. Bücheler, *Carmina Latina Epigraphica* 1 (Leipzig 1895) onwards; their inference that the inscription in question is a poor copy of the original complements rather than contradicts my proposition. The alternative is that Mummius' temple was an insignificant shrine (thus Lyngby 57; Gordon [above, n. 30] 86–87), but see below, 327–329, and n. 71.

tion seems to be written in Saturnian verse; we know that one of his contemporaries, D. Iunius Brutus Callaicus *cos.* 138, *Acci, amicissimi sui, carminibus templorum ac monimentorum aditus exornavit suorum* (Cic. *Arch.* 27). The inscriptions placed on all the monuments set up for a single deity by a general would have borne the same verse: it is doubtful that the poet would have composed individual *carmina* for every monument dedicated by his patron, especially if the patron was Mummius, whose dedications were scattered throughout the City.

Coarelli's hypothesis and its criticism

At present, the view which has won the widest acceptance is Coarelli's hypothesis that the round temple was founded by the M. Octavius Herrenus mentioned in the accounts of Servius and Macrobius³³ (quoted below). His arguments are as follows. The inscription on the marble base found close to the temple and the reference in the *Notitia* to a *Hercules Olivarius* (above, 312) prove, according to him, that the full name of the shrine was *Hercules Victor Olivarius* and that the statue by Skopas the Younger, which originally stood on the base, was the cult statue of the temple ("Classe dirigente . . ." [above, n. 33] 255). The surname Olivarius indicates, says Coarelli, that the temple's founder was engaged in olive oil trade,³⁴ and inscriptions from Delos suggest that Hercules was the patron of Italian *olearii* residing on the island.³⁵ Servius and Macrobius provide both the name of that successful merchant and the events which led to the dedication of the temple (see below, 318). Another argument for this identification, by no means trivial, is the site of the round temple—a shrine in the Portus Tiberinus befitted a sailing merchant.

Coarelli's identification is not altogether convincing. The foundation of his thesis is the common belief of Servius and Macrobius that one of the Roman temples of Hercules Victor was built by M. Octavius Herrenus, whose story they quote in the same passages. Their accounts, which are both

³³F. Coarelli in *DialArch* 4–5 (1970–71) 179–181; see also his leading article in the same issue of *DialArch*: "Classe dirigente romana e arti figurative," 241–265; *id.* (above, n. 7) 322, and now *Il Foro Boario, passim*, esp. 180–204. His proposal has been accepted by, among others, Rakob and Heilmeyer 37–39; P. Gros, *Architecture et société à Rome et en Italie centro-méridionale aux deux derniers siècles de la République* (Brussels 1978) 40; R. E. Palmer, "The Vici Luccei in the Forum Boarium and some Luccei in Rome," *BullComm* 85 (1976–77) 150–151; S. Panciera, "Olearii," in *The Seaborne Commerce of Ancient Rome: Studies in Archaeology and History*, ed. J. H. D'Arms and E. C. Kopff (Rome 1980, Mem. Amer. Acad. Rome 36) 235–250, at 236–237.

³⁴Thus already Petersen in *NScAnt* 1895.460.

³⁵*InsDél* 1712–1714. See J. Delorme, "Héraclès et les Elaiopolai de Dèlos à l'époque hellénistique," *REA* 53 (1951) 42–50; P. Bruneau, *Recherches sur les cultes de Dèlos à l'époque hellénistique et à l'époque impériale* (Paris 1970, BEFAR 217) 408–409, 585–620; Panciera (above, n. 33) *passim*.

comments on *Aen.* 8.362–363 (*haec, inquit, limina victor / Alcides subiit*), thus require a thorough examination.

SERVIUS (*ad Aen.* 8.362–363)

(1) *Varro enim Divinarum libro IV Victorem Herculem putat dictum, quod omne genus animalium deinceps vicerit.*

(2) *sed Romae Victoris Herculis aedes duae sunt, una ad Portam Trigeminam, alia ad Forum Boarium:*

(3) *cuius commenti causa haec exponitur: Marcus Octavius Hersennus in prima adolescentia tibicen, postquam arti suae diffisus est, mercaturam instituit. bene re gesta decimam Herculi dicavit. postea cum navigans hoc idem ageret, a praedonibus circumventus fortissime pugnavit et victor recessit. quem in somnis Hercules docuit sua opera servatum. cui Octavius, impetrato a magistratibus loco, aedem cum signo sacravit et Victorem incisis litteris appellavit.*

(4) *ergo Vergilium non tantum ad victoriam praesentem victorem dixisse, sed occulte perpetuo eius epitheto usum debemus accipere, quippe quem Romae sub hoc nomine sacratum coli videbat: nam supra ait "Taurosque hac victor agebat," cum de pugna eius alia loqueretur.*

MACROBIUS (*Sat.* 3.6.10)

(1) *Varro divinarum libro quatro victorem Herculem putat dictum quod omne genus animalium viceret.*

(2) *Romae autem Victoris Herculis aedes duae sunt, una ad Portam Trigeminam, altera in Foro Boario.*

(3) *huius cognomenti causam Massurius Sabinus Memorabilem libro secundo aliter exponit, Marcus, inquit, Octavius Herrenus, prima adolescentia tibicen, postquam arti suae diffisus est, instituit mercaturam, et bene re gesta decimam Herculi profanavit. postea cum navigans hoc idem ageret, a praedonibus circumventus fortissime repugnavit et victor recessit. hunc in somnis Hercules docuit sua opera servatum. cui Octavius impetrato a magistratibus loco aedem sacravit et signum, Victoremque incisis litteris appellavit.*

(4) *dedit ergo epitheton deo quo et argumentum veterum victoriarum Herculis et commemoratio novae historiae, quae recenti Romano sacro causam dedit, contineretur.*

The two accounts consist of four elements, the first three being nearly identical. First is the *aition* by Varro, explaining the name Victor as an epithet of Hercules;³⁶ second comes the information by some unknown author that in Rome there were two temples of Hercules Victor; third is the story of M. Octavius Herrenus as told by Massurius Sabinus. Servius and Macrobius differ only in the last parts of their accounts where, on the grounds of preceding arguments, they arrive at the conclusion that in *Aen.* 8.362–363 Vergil, when calling Hercules "*victor*," was not simply alluding to the god's victory over Cacus, described earlier in the same book. Macrobius is of the opinion that the poet applied this surname with regard both to

³⁶B. Cardauns, *M. Terentius Varro. Antiquitates rerum divinarum* (Mainz 1976) fr. 61.

the past triumphs of Hercules and to the recent victory of M. Octavius Herrenus. Servius links the use of this surname not only with the fight with Cacus but also with Herrenus' victory which, according to the commentator, resulted in the introduction of the cult of Hercules into Rome.

The similarity between the two accounts implies a common source,³⁷ relatively late considering that to its author both Varro (116–27 B.C.) and Massurius Sabinus (first century A.D.)³⁸ are authorities of the past. The reason for the difference mentioned above is that Macrobius tried to relate elements which in the original source, faithfully reproduced by Servius, succeeded one another mechanically, and without coherence (Lyngby 25–27). In the account of Servius, Varro's comment on the name Victor is followed by an inserted sentence about the two temples of Hercules Victor in Rome, succeeded in turn by a passage dealing once again exclusively with the name Victor (*cuius commentī causa . . .*), without any reference to the intervening sentence. The fourth and concluding part of the account, however, completely ignores Varro's *aition*. Macrobius made an attempt to set in order this rather chaotic assemblage of information; the proof of it is the adverb *aliter* in the third sentence (*huius cognomentī causam Massurius Sabinus . . . aliter exponit*), testifying that Macrobius realised that the two traditions he was quoting contradicted each other, a fact Servius apparently failed to grasp.

All this indicates that to explain Vergil's use of the epithet *victor* Servius and Macrobius made use of a common source that had mechanically combined three passages by three different writers mentioning Hercules with this surname and had inferred from them that the cult of Hercules Victor had been introduced into Rome by M. Octavius Herrenus. It does not follow, however, from the passages quoted that Massurius Sabinus himself connected the shrine founded by Herrenus with one of the Roman temples of Hercules Victor referred to by Servius and Macrobius.³⁹ If they, or rather their source, had been right, it would have meant that Herrenus built his shrine before 142, the most probable year of the dedication of Mummius' temple of Hercules Victor (and of the *aedes Aemiliana* as well). Yet since the first marble temple in Rome had almost certainly been dedicated a year

³⁷The different concluding parts of the two otherwise almost identical passages indicate that the common source of Servius and Macrobius was not Vergil's commentator; otherwise he would have surely provided his own explanation of the poet's use of the epithet, which in turn would no doubt have been copied—like the rest of his account—by both our authors. This makes his identification with Aelius Donatus (thus Lyngby 25–27; see also N. Marinone, *Elio Donato, Macrobio e Servio, commentatori di Virgilio* [Vercelli 1946] 73–80) rather unlikely. The common source of Servius and Macrobius seems to have been interested in Hercules Victor *tout court* and not in *Aen.* 8.362–363; as such, he would have been a lexicographer (like Festus) rather than Vergil's commentator (like Donatus).

³⁸On Massurius Sabinus, see Steinwenter in *RE* 1A.2 (1920) 1600–1601.

³⁹This point is stressed by Wissowa, *GesAbb* (above, n. 3) 265.

earlier, Herrenus' shrine would not, in any case, have been identical with the round temple on the Tiber which is, after all, of marble too. Servius and Macrobius are therefore wrong in attributing the Roman cult of Hercules Victor to Herrenus' initiative; this makes it unlikely that Massurius Sabinus shared their belief that Herrenus' shrine was identical with one of the two temples they mention. The adoption of Coarelli's thesis would mean in turn that in Rome there were three temples of Hercules Victor: (1) the Hercules Victor *ad Portam Trigemina* of M. Octavius Herrenus, (2) the Hercules Victor *in Foro Boario* of P. Cornelius Scipio Aemilianus, (3) the Hercules Victor of L. Mummius. This, however, necessitates rejecting the information by the unknown author that in Rome there were only two temples of Hercules Victor.

A possible counterargument that the temple built by L. Mummius stood on the Caelian whereas Vergil's commentators were interested exclusively in the main centre of Hercules-worship in Rome, i.e., in the neighbourhood of the Forum Boarium, would not be convincing for three reasons. First, Servius and Macrobius explicitly state: *Romae Victoris Herculis aedes duae sunt*, and I do not see why we should twist the meaning of such a straightforward statement. Second, the Forum Boarium was the centre of Hercules-worship as the site of the god's victory over Cacus, whereas Servius and Macrobius strongly emphasize that this event was but one of the reasons of Vergil's calling Hercules "*victor*." Third, in the lines of the *Aeneid* on which they are commenting, the action has long since left the Forum Boarium; Evander and his guest have already seen the Lupercal, the Capitol, and the Argiletum, and are now climbing towards the Pallanteum from the north, bypassing the site of the Porta Mugonia (Vergil *Aen.* 8.337–361). The poet uses the epithet *victor* after having made Aeneas visit the principal places of future Rome; nothing indicates therefore that the commentators' attention was at that moment still drawn to the Forum Boarium.⁴⁰

It thus appears that the remark about two temples of Hercules Victor in Rome leaves no place for Herrenus' foundation; but the latter's existence is attested by as great an authority as Massurius Sabinus. To solve this problem we should in the first place try to ascertain who M. Octavius Herrenus was. Apart from the *testimonia* of Servius and Macrobius, the only unquestionable reference to him in extant ancient literature is another passage in the *Saturnalia* (3.12.7): *est praeterea Octavii Hersennii liber qui inscribitur De sacris Saliaribus Tiburtium in quo Salios Herculi institutos operari diebus*

⁴⁰It seems that the apparently trivial information about two temples of Hercules Victor sprang from the fact that the two *aedes publicae* of the god with this surname were so alike and located almost side by side—once the Servian Wall had been pulled down. This would imply that the author of this information, whoever he was, knew well the number of Roman temples of Hercules Victor and was fully aware of the difference between Hercules Victor and Invictus. I owe this suggestion to Nicholas Purcell.

certis et auspicato docet. The fact that this reference to Herrenus is inserted between others, dealing with two writers who were contemporaries, Varro (116–27) and Antonius Gniphō (ca 114–64), might suggest that Octavius was of the same age, i.e., born around 120–110.⁴¹ Before engaging in trade he had been a flute-player; it seems therefore that he started as a comparatively poor man and so must have been a merchant for quite a long time before becoming rich enough to dedicate a tenth of his profits to Hercules. We can thus place his victory over the pirates in his thirties at the earliest, i.e., in 80–70 B.C. This dating fits in very well with the general conditions at sea in that period.⁴² Until the end of the second century B.C. the Romans tolerated piracy in distant seas, thus arousing suspicions of a tacit understanding with the sea-robbers, who assured them a steady supply of slaves.⁴³ Even the first Roman expedition against eastern pirates, led by M. Antonius *pr.* 102, *cos.* 99, was launched more on behalf of client states of the Eastern Mediterranean than to safeguard the interests of Italian trade⁴⁴—it seems that the Roman merchants of the day enjoyed a *modus vivendi* with the pirates until the outbreak of the First Mithridatic War.⁴⁵ Only then did the Romans and the pirates become implacable enemies; they remained so down to the latter's crushing defeat by Pompeius. It was in that period (88–67 B.C.) that events like that of Herrenus were most likely to occur. This dating would, however, rule out Herrenus as the founder of the round temple.

We learn from Servius and Macrobius that Herrenus made money in trade, that he dedicated a tenth of his profits to Hercules, and that later on he founded for the god a temple and a statue. Unfortunately, these pieces of information are useless for a more precise evaluation of his wealth. Profits large enough to suggest offering a tithe to the gods are a matter of subjective estimation; a temple may be a great sanctuary or a modest shrine. The only possible clue to Herrenus' property standing is the *mercatura*, used by Massurius Sabinus to describe his trading activity. Since Sabinus' ultimate source was Herrenus' own writing (below, 322), the term should be taken at face value.⁴⁶ *mercatores*, as opposed to *negotiatores*, were businessmen of

⁴¹See Kroll in *RE* 17.2 (1937) 1830; H. Bardon, *Littérature latine inconnue* (Paris 1952) 307.

⁴²On piracy in general, see P. Omerod, *Piracy in the Ancient World* (Liverpool 1924).

⁴³Roman attitude towards piracy in western seas, i.e., in their home waters, was different; see M. G. Morgan, "The Roman Conquest of the Balearic Isles," *CSCA* 2 (1969) 217–231.

⁴⁴E. Maroti, "Der Sklavenmarkt auf Delos und die Piraterie," *Helikon* 9–10 (1969–70) 24–42, holds the view that the change in Rome's policy *vis à vis* the pirates was influenced by the influx of Marius' prisoners taken at Aquae Sextiae, which supposedly made the pirates less indispensable than before, but see W. F. Harris, *War and Imperialism in Republican Rome. 327–70 B.C.* (Oxford 1979) 81, n. 6.

⁴⁵See C. Nicolet *et alii*, *Rome et la conquête du monde méditerranéen, 264–27 avant J.-C.*² (Paris 1979) 163–164, 780, 808, 811–814, with bibliography.

⁴⁶Gros (above, n. 33, 40) describes Octavius as "un simple *negotiator*," which is a double mistake: first, Octavius was a *mercator*; second, *negotiatores* were never "simple" (see below and the following note).

moderate means and affluence;⁴⁷ sailing merchants belonging to this category seldom possessed more than one or two small merchantmen. Herrenus, sailing the seas in a *navis oneraria*, braving alone the danger of pirates, clearly belonged to that group.⁴⁸ Some *mercatores* of his genre could have made considerable fortunes, but building marble temples was definitely beyond their means.

All the evidence, circumstantial yet significant, about Herrenus' date of birth and financial and social status seems thus to rule him out as the founder of any Roman temple of Hercules, still less of the round temple on the Tiber. But if that is so, then why did Vergil's commentators ascribe to him the introduction of the cult of Hercules Victor into Rome? The answer lies, it seems, in the quoted passage of Macrobius which indicates that Herrenus was also a writer of some repute. There is little doubt that he began his literary pursuits after having given up trade.⁴⁹ The only work of his on which we have some information dealt with the priestly college of Tibur, and the Hercules served by the Salii, whose rites Herrenus described, was Hercules Victor.⁵⁰ The story of Herrenus' miraculous victory and the subsequent epiphany of Hercules must have been inserted in this very book. It seems that the story was picked up very quickly by compilers of *memorabilia*. By the end of the third century A.D. it was so widely known among the educated classes of the Empire that the author of the panegyricus of Maximianus from A.D. 289, when referring to Herrenus' adventure, did not consider it necessary to mention his name: *hoc enim quondam illi deo cognomen* (sc. Victor) *adscriptis is qui, cum piratas oneraria nave vicisset, ab ipso audivit Hercule per quietem illius ope victoriam contigisse* (*Pan. Lat.* 2.13.4, ed. Belles Lettres). This posthumous fame was probably responsible for the belief of Servius' and Macrobius' common source that Herrenus introduced the cult of Hercules Victor into Rome.

The simplest solution to the question of how to reconcile the information about two temples of Hercules Victor in Rome with the fact that the sources seem to make mention of three has been offered by G. Wissowa's hypothesis

⁴⁷See C. Nicolet, *L'ordre équestre* 1 (Paris 1966) 357–363, on the Roman attitude towards *negotium* and *mercatura*, especially his comments on Cic. *Off.* 1.150 and on the use of the two terms in the material gathered by Degraffi in *ILLRP*.

⁴⁸*mercatores* of Herrenus' category are admirably described by Cicero: *homines tenues, obscuro loco nati, navigant, adeunt ad ea loca quae nunquam antea viderunt, ubi neque noti esse iis quo venerunt, neque semper cum cognitoribus esse possunt* (*in Verr.* 2.5.167).

⁴⁹Following the advice given by Cicero in *Off.* 1.150; see above, n. 47. Coarelli, *Il Foro Boario* 194, argues for Herrenus' identification with M. Octavius, quoted in *Origo gentis Romanae* 12.2, 19.5. In the light of Herrenus' known literary pursuits (see above) Coarelli's proposition is quite probable.

⁵⁰On Tibur in general, see Weinstock in *RE* 6A.1 (1936) 816–841; C. F. Giuliani, *Tibur. Pars prima, Forma Italiae* 1.7 (Rome 1970). For Tibur as the centre of Hercules' worship in Latium, see G. Bordei Giglioni, "*Pecunia fanatica. L'incidenza economica dei templi laziali*," *RivStor* 89 (1977) 33–76, also published in F. Coarelli, ed., *Studi su Praeneste* (Perugia 1978).

that Herrenus built his temple in Tibur, not in Rome.⁵¹ The arguments for his view appear self-evident: the importance of the cult of Hercules Victor in Tibur; the concern Herrenus demonstrated for the local worship of Hercules, attested by his writing on the Tiburtine Salii of Hercules; and finally, his attachment in youth to the college of *tibicines*, connected with Tibur as much as with Rome.⁵² Wissowa's proposition is, however, weakened by one point: Servius and Macrobius certainly locate the temple founded by Herrenus in Rome. Admittedly, the commentators are wrong when they attribute to Herrenus the introduction of the worship of Hercules Victor into the City, but this is an error of a different order from locating a Tiburtine temple in Rome. It is difficult to imagine how such an error could have been committed. This unequivocal location of the merchant Herrenus' shrine in Rome is, together with the inscription testifying that in the precinct of the round temple there stood a statue of Hercules Olivarius, the main argument for Coarelli's identification of the shrine built by Herrenus with the temple of Hercules Victor *ad Portam Trigeminam*.

Yet the argument that the name Olivarius indicates that the round temple was built by an oil-merchant does not carry much weight. First, it is only a conjecture that the temple bore this nickname. The *Notitia Regionum* speaks of some unspecified *Hercules Olivarius*, but since the only Hercules Olivarius we know of was the said statue, it seems that the Regionary Catalogue also mentions a statue, not a temple. It also seems that, contrary to Coarelli's view, the work of Skopas was not the cult statue but stood outside the round temple within the sacred precinct. Only a statue constantly in view could have earned a sobriquet so deeply rooted in the public imagination as to be inscribed on the base along with the official name.⁵³ The only object in the vicinity of the round temple which also bore a similar, characteristic nickname, the Apollo Caelispex, was a statue standing in the open;⁵⁴ this also corroborates the supposition that the Hercules Olivarius was a free-standing statue.⁵⁵ Nothing indicates that the name Olivarius was ever at-

⁵¹Wissowa, *RKR* (above, n. 3) 278.

⁵²Livy 9.30.5-9; Val. Max. 2.5.4; Ovid *Fasti* 6.651-692; Plut. *Quaest. rom.* 55.

⁵³The base bearing the inscription dates from the end of the second century A.D. at the very earliest.

⁵⁴Nordh (above, n. 11) 91. Coarelli (above, n. 29) 30, and (above, n. 26) 21, identifies this statue with the colossal Apollo brought from Carthage by Scipio Aemilianus and placed by him between the river and the Circus Maximus (Plut. *Flam.* 1). See now Coarelli, *Il Foro Boario* 156-164. This statue is represented against the background of the *carceres* of the Circus Maximus on one of the Vatican sarcophagi; see G. Lippold, *Die Skulpturen des Vaticanischen Museum* 3.1 (Berlin 1936) 128-129, n. 546a, pl. 48, where it is ascribed to Bacchus.

⁵⁵For a proposal to identify Skopas' statue of Hercules Olivarius with the original of the Hercules from the port scene on the Arch of Trajan in Beneventum, see esp. G. Becatti, "Una statua di Erocle con cornucopia. Problemi iconografici e stilistici," *BdA* 53 (1968) 1-11, at 9-10.

tached to the temple: everything we know points to the statue of the god by Skopas the Younger, which was not even Hercules' cult image but stood outside the temple. If this is so, then we cannot deduce the profession of the temple's founder from this surname. As for the meaning of the term *Olivarius*, this popular sobriquet probably derived from some characteristic trait of the statue featuring the olive.⁵⁶

The last argument for Coarelli's identification of Herrenus' shrine with the round temple on the Tiber is the latter's location in the *Portus Tiberinus*, suggesting, in Coarelli's view, that its founder was a merchant. At this point there arises the fundamental question as to whether it was at all possible for a merchant to dedicate a public temple in Republican Rome.⁵⁷ But since Wissova's proposal to relegate Herrenus' shrine to Tibur seems a bit too drastic, the question should be posed differently: what status might a temple founded by a common *mercator* have had? Marcianus says: *sacrae res sunt hae, quae publice consecratae sunt, non private; si quis ergo privatim sibi sacrum constituerit, sacrum non est, sed profanum* (*Dig.* 1.8.6.3).⁵⁸ Servius and Macrobius relate that Herrenus' temple was built on public land but that the act of dedication was performed by Herrenus alone (*impetrato a magistratibus loco aedem sacravit*). Location on public land does not settle the question since we know of a private shrine in Imperial Rome located by its founder on the land given by the magistrates.⁵⁹ The temple of Hercules Victor *ad Portam Trigemina* obviously belonged to the category of *res sacrae*, as

⁵⁶Petersen took notice of this possibility in *NScAnt* 1895.459, but eventually opted for another interpretation, according to which the name *Olivarius* was derived from the merchants of oil doing their trade in the neighbourhood. This view is further elaborated in Palmer (above, n. 33) 150–151, who argues that the statue received its name from the otherwise unknown street-name *inter Olivarios*. This street supposedly ran parallel to the Servian Wall at the back of the round temple; see the plan on p. 145 of his article. His hypothesis has, however, two weak points. First, there is a *circulus vitiosus* in his reasoning: the street *inter Olivarios* is supposed to have given the name to the statue by Skopas (and to the round temple as well), but the existence of this street is deduced from the name of the statue. Second, we know nothing about the oil trade having been pursued in the vicinity of the round temple. In the first half of the second century B.C. oil was sold in the *Velabrum* (Plaut. *Capt.* 489); recently Panciera (above, n. 33) 238–241, has shown that it was still so in the Imperial period: the *portus olearius* lay on the *vicus Victoriae*, probably to be identified with the lowest slope of the *clivus Victoriae* which led from the *Velabrum* up the slope of the Palatine. See F. Coarelli, *Il Foro Romano. Periodo arcaico* (Rome 1983) 231–237 and ill. 75; P. Pensabene, "Area sud-occidentale del Palatino," in *Roma. Archeologia nel Centro*, *LSA* 6.1 (1985) 179–212.

⁵⁷On the question of founding temples, see Th. Mommsen, *Römisches Staatsrecht*³ (Leipzig 1887–88) 2.618–624, 3.1050–1051. Recent articles by D. E. Strong, "The Administration of Public Buildings in Rome during the Late Republic and Early Empire," *BICS* 15 (1968) 97–109, and J. E. Stambaugh, "The Functions of Roman Temples," *ANRW* 2.16.1 (Berlin and New York 1978) 554–808, do not contribute anything new, while that by H. Bardon, "La naissance d'un temple," *REL* 33 (1955) 166–182, is simply misleading.

⁵⁸See also Ulp. *ebd.* 1.8.9; Gaius 2.5; Festus 424 L.

⁵⁹*CIL* 6.31128. See also below, n. 64.

attested by the inclusion of its *dies natalis* in the Roman calendar. What does, however, *res publice consecrata* mean?

At *Dom.* 127 Cicero quotes a *vetus lex Papiria tribunicia, quae vetet iniussu plebis aedis, terram, aram consecrari*.⁶⁰ Livy says in turn that in 304 B.C., during the aedileship of Cn. Flavius, the *pontifex maximus* Cornelius Barbatus unsuccessfully tried to thwart the dedication of a temple of Concordia by that parvenu detested by the nobles; in Livy's words Cornelius *more maiorum negaret nisi consulem aut imperatorem posse templum dedicare* (9.46.5–6). According to Livy, the recalcitrance of the *pontifex maximus* was overcome only by the vote of the people and that in its wake a law was passed *ne quis templum aramve iniussu senatus aut tribunorum plebei partis maioris dedicaret* (9.46.7). In the form handed down by Livy this law is obviously spurious.⁶¹ The one certain thing is that all the Republican temples in Rome the circumstances of whose founding are known were vowed, built, and dedicated by magistrates: *imperium*-holders, aediles, and censors.⁶² The principle of vowing temples by magistrates alone extended even to temples built in obedience to the instructions of the Sibylline Books in times of exceptional crisis. When, after the disaster of the Trasimene Lake, it was decided to build temples to Venus Erycina and Mens in compliance with Sibylline recommendation, one temple was vowed by the dictator Q. Fabius Maximus Verrucosus and the other by the praetor T. Otacilius Crassus (Livy 22.9.13, 10.10). If the magistrate could not fulfil the vow he had made or, after having completed the temple, was not holding any office, the people elected a pair of officials, *duoviri aedibus locandis dedicandis*.⁶³ The purpose of the *lex Papiria*, as far as temples were concerned, must have been exactly to create these officials; dedications by magistrates, especially *imperium*-holders, were by their very nature made *publice* and so did not need any special sanction.

The *lex Papiria* did not give the right to dedicate public temples to anyone who had secured the approval of the people. M. Octavius Herrenus was a private person, not a magistrate; it is worth noticing that Massurius Sabinus, while not neglecting to emphasize that Herrenus' shrine was located on public land, nevertheless does not, speaking of the dedication, utter a word about any person save Herrenus himself. *impetrato a magistratibus loco* shows beyond a shadow of doubt that Herrenus was then a *privatus*; his officiating as *duumvir aedi locandae*, indispensable if the temple were to be

⁶⁰On this law and its relationship with the law of 304 (see below), see P. Willems, *Le Sénat de la République Romaine et ses attributions* (Louvain 1878–83) 306–309; G. Rotondi, *Leges publicae populi Romani* (Milan 1912) 234–235; G. Niccolini, *I fasti dei tribuni della plebe* (Milan 1934) 76, 403–404.

⁶¹Wissowa in *RE* 4.1 (1900) 898.

⁶²See Mommsen (above, n. 57) 2.619–624.

⁶³See Mommsen (above, n. 57) 2.622–624.

considered *publice consecrata*, can thus be safely ruled out. The temple founded by Herrenus was therefore dedicated privately, *quod autem privati suae religionis causa aliquid earum rerum deo dedicantes, id pontifices Romanos non existimare sacrum* (Festus 424 L.). The temple of Hercules Victor *ad Portam Trigemina* was an *aedes publica* and as such cannot be identified with Herrenus' shrine which, if really built in Rome, must have belonged to the category of private foundations,⁶⁴ infinitely more modest than the marble round temple on the Tiber.

Last but not least, the temple of Hercules Victor *ad Portam Trigemina* was the only marble building in Republican Rome apart from the temples of Iuppiter Stator (see above, 315) and of Mars in *Circo Flaminio*, dedicated ca 132 by D. Iunius Brutus Callaicus *cos.* 138.⁶⁵ One of the reasons why subsequent generations ceased using marble until the advent of the Luna variety to Rome, was undoubtedly the exorbitant cost of marble itself, which had to be brought all the way from Attica.⁶⁶ In Republican Rome the cost of erecting a temple like that of Hercules Victor *ad Portam Trigemina* must have exceeded many times that of any temple built of local stone.⁶⁷ The cost factor speaks against identifying the round temple with Herrenus' foundation for reasons more socio-political than purely economic. In a society as hierarchical as Rome, which attached so much importance to the external

⁶⁴Festus 424 L.: *at si qua sacra privata suscepta sunt, quae ex instituto pontificum statim die aut certo loco facienda sint, ea sacra appellari, tamquam sacrificium; ille locus, ubi ea sacra privata facienda sunt, vix videtur sacer esse.* Herrenus' shrine must have belonged to this category of private dedications, in the popular usage—and exclusively so—spoken of as the *sacra*.

⁶⁵For the identification of this temple with the remains of a marble structure found in the seventeenth century under the church of S. Salvatore in Campo, see F. Zevi, "L'identificazione del tempio di Marte 'in circo' e altre osservazioni," *Mélanges Heurgon* (above, n. 28) 1047–1060.

⁶⁶On the cost of transport of the building material as the main factor in the total cost of a building, see R. S. Stanier, "The Cost of the Parthenon," *JHS* 73 (1953) 68–76. Coarelli's estimate of the cost of marble columns in the Late Republic as HS 10000 at the highest ("Il commercio delle opere d'arte in età tardo-repubblicana," *DialArch*, 3rd ser., 1 [1983] 45–53, at 50–52) seems to me many times too low. According to Cicero (*in Verr.* 2.1.147), the replacement of a column in a private house cost in his day HS 20000 or 40000, depending on *mss*—and he was playing the cost down.

⁶⁷It does not mean, of course, that the cost of marble was the main reason for the abandonment of building marble temples in Late Republican Rome. P. Gros has shown (above, n. 33, at 39–40, and above, n. 28, *passim*) how the zeal of the Roman nobility in adopting Greek material culture cooled after the Gracchan crisis, leading to the revival of Italian-style sacred architecture. On the other hand, the classic example of this style, Temple B of the Largo Argentina, had some marble elements; it is also known that precisely in that period marble comes into use in Roman private houses. All this indicates that after 121 B.C. Roman nobles had no objections against marble as such; it rather seems that spending huge amounts of money on public building ceased paying off in political struggles for power and prestige. Sheer bribery and private spending consumed resources spent by previous generations on more and more magnificent temples.

manifestations of rank and status, no merchant would have dared to rival the ostentation of a Metellus.

L. Mummius as the founder of the round temple

Whereas the identification of the round temple on the Tiber with Herenus' shrine runs into insurmountable difficulties, the alternative view, identifying the temple in question with Mummius' foundation to Hercules Victor, seems to be corroborated by many other arguments. As previously mentioned, the round temple on the Tiber was one of the three marble temples of Republican Rome. All three temples shared many fundamental features: they were all built of the same material—the Pentelic marble—and in pure Greek style.⁶⁸ The earliest of them—that of Iuppiter Stator—was constructed by 143 B.C. by the architect Hermodoros of Salamis (Vitr. 3.2.5), who also built the temple of Mars in *Circo*, dedicated around 132 (Nepos *ad. Prisc.* 17). Consequently, the round temple should also have been built by Hermodoros,⁶⁹ at the same time as the other two. Mummius' temple was most probably dedicated in 142, thus fitting perfectly as far as the dating is concerned.

This is not the end of the coincidences. All three temples were founded by victorious generals who commemorated their victories by adopting surnames derived from the names of the peoples they had conquered (Metellus Macedonicus, Mummius Achaicus, Brutus Callaicus). By doing so, they copied their arch-rival, P. Cornelius Scipio Aemilianus, who after a lapse of fifty years reintroduced into Rome the ancient custom of adopting this kind of *cognomen*. The career of the younger Africanus was a challenge to the whole of the Roman establishment,⁷⁰ but these three men competed with him for military renown; this is why they, and only they, answered this challenge of his by also adopting conquerors' *cognomina*. They all built temples *ex manubiis*; we know that the temples of Metellus and Brutus were of marble—this was also to emphasize the magnitude of their military achievements, eclipsed by Scipio's final victory over the greatest enemy of Rome. The founder of the third marble temple should be sought in the third and, if possible, greatest rival of Scipio, L. Mummius, all the more so as we know that he dedicated a temple whose name and date of construction closely correspond with those of the round temple of the Tiber.⁷¹

⁶⁸It has been maintained by many scholars that the original temple of Iuppiter Stator was built *sine postico*, as shown on the Pianta Marmorea (e.g., F. Castagnoli, "*Peripteros sine postico*," *RömMitt* 62 [1955] 139–143). This view, which requires an emendation of Vitr. 3.2.5, has been refuted by P. Gros, "Hermodoros et Vitruve," *MélRome* 85 (1973) 137–161.

⁶⁹Thus Coarelli (above, n. 33) 255–263; Gros (above, n. 68) 157–158; Cressedi 271.

⁷⁰Astin (above, n. 16) *passim*.

⁷¹Mummius' taste for splendour is amply demonstrated by his gilding as censor of the ceiling of the Capitoline temple of Iuppiter Optimus Maximus (Plin. *HN* 33.57).

The building material of the round temple speaks in favour of the foregoing identification in yet another way. As said above, the temple which set a precedent for marble buildings in Rome was that of Iuppiter Stator, erected *ex manubiis* by Q. Caecilius Metellus Macedonicus. The booty in question was not only of Macedonian, but also of Achaean origin. Metellus, who as praetor had crushed the uprising of Andriskos and turned Macedonia into a Roman province, was still there in 146, when the Achaean War broke out.⁷² Before the consular army under L. Mummius, sent to deal with the new enemy, arrived in Greece, Metellus defeated the Achaeans at Skarpheia, drove them out of Central Greece, and would have finished the war by himself if Mummius had not caught up with him at the last moment, when Metellus was already on the Isthmos. Orders from the superior magistrate forced Metellus to withdraw at once to his province; upon his departure Mummius decisively defeated the Achaeans at Leukopetra, sacked Corinth, and quickly finished the war. We thus have a story of a lower-ranking general who nearly stole the victory from his superior, to whose lot the waging of the war had fallen. Both men commemorated their victories by founding temples, of which Metellus' foundation to Iuppiter Stator was the first marble building in Rome. There is every reason to believe that Mummius built a marble temple, too: like Metellus he took an enormous amount of booty; like Metellus he exercised his *imperium* in the immediate neighbourhood of Attica, where Pentelic marble came from;⁷³ but most of all, considering his rivalry with Metellus during the Achaean War, he had the strongest personal motivation to build a temple equal to, if not surpassing in splendour, the marble glory of Macedonicus.

The rivalry between Mummius and Metellus makes it appropriate that the former should be recognized as the founder of one of two marble temples in Republican Rome other than that of Iuppiter Stator; in the same manner, Mummius' incessant quarrels with Scipio Aemilianus, his colleague as censor, seem to be reflected in the location of the round temple in the Portus Tiberinus.⁷⁴ Livy says that M. Fulvius Nobilior, one of the censors of 179/8, *plura et maioris locavit usus* (than his colleague, M. Aemilius Lepidus): *portum et pilos pontis in Tiberim quibus pilis fornices post aliquot annos P. Scipio Africanus et L. Mummius censores locaverunt inponendos* (40.51.4); this was the Pons Aemilius, the first stone bridge in Rome.⁷⁵ The great

⁷²On the war with Andriskos and the *bellum Achaicum*, see G. De Sanctis, *Storia dei Romani*² 4.3 (Florence 1969) 119–161.

⁷³See also P. Gros, *Aurea Templi. Recherches sur l'architecture religieuse de Rome à l'époque d'Auguste* (Rome 1976, BEFAR 231) 71.

⁷⁴On the Portus Tiberinus, see J. Le Gall, *Le Tibre, fleuve de Rome dans l'antiquité* (Paris 1954); F. Castagnoli, "Installazioni portuali a Roma," *Seaborne Commerce* (above, n. 33) 35–42; A. M. Colini, "Il porto fluviale del Foro Boario," *Seaborne Commerce* 43–51.

⁷⁵Livy explicitly states that the censors of 179/8 pursued their building activity independently (40.51.2). The name of the bridge cannot therefore be derived from the name of M. Aemilius

works in the port, continued by subsequent pairs of censors, were achieved in 142/1 by Scipio and Mummius. Besides setting up the arches of the Pons Aemilius, they should most probably be credited with the construction of the embankment strengthened with a massive wall lined with *opus quadratum* just to the south of the Pons Aemilius, with the outlet of the Cloaca Maxima in its middle⁷⁶ (see map). It is also probable that Scipio, and not his father L. Aemilius Paullus, was the founder of the *Aemiliana* on the riverbank close to the bridge.⁷⁷

The building activity of Mummius and his colleague in the zone of the Portus Tiberinus seems therefore to have been very extensive. The well-known enmity between the censors, embittered by intentional open insults towards Mummius by his more illustrious colleague,⁷⁸ suggests that they fought their battles on building sites as well, especially on the most prestigious of all—the Portus Tiberinus. In such a competition Scipio clearly held the upper hand—a member of his *gens* had been the founder of the original Pons Aemilius—but even he made a point of erecting on the embankment the huge statue of Apollo (Apollo Caelispex, see above, n. 54), the war spoil from Carthage.⁷⁹ Mummius, a *novus homo*, had to emphasize his share in the great work in the port in a much more spectacular way. Nothing could have served his purpose of defying Scipio better than the construction of a magnificent temple between Rome's most imposing bridge which, although completed by both censors, bore the generic name of his rival, and that rival's most spectacular war trophy.⁸⁰

One final remark. The common source of Servius and Macrobius had no idea of the connection between the Roman cult of Hercules Victor and the person of L. Mummius. This ignorance would seem to speak against the identification of the temple built by a personality as famous as the conqueror

Lepidus, censor in 179. The original Pons Aemilius must have been constructed before the Second Punic War by the otherwise unknown *Aemilius quaestor* (Plut. Numa 9). See now Coarelli, *Il Foro Boario* 139–147.

⁷⁶Colini (above, n. 74) 45–46.

⁷⁷Coarelli (above, n. 26) 5–6.

⁷⁸On the censorship of Scipio Aemilianus and Mummius, see Astin (above, n. 16) 113–124; on Scipio's character, his arrogance and venomous tongue, *ibid.* 18–23. See also *dicta Scipionis*, *ibid.* 248–268, esp. *dictum* 17, aimed at Mummius. It is quite probable that from Scipio's evil tongue sprang up the singularly malicious anecdote reported by Velleius (1.13.4), that while organizing the transport to Italy of the works of art captured in Achaëa, Mummius stipulated that the owners of cargo-boats would have to procure new paintings for every work of old masters destroyed during the passage.

⁷⁹The erection of this statue may have also been a form of expiation for the sacrilegious plundering of the temple of Apollo, committed by Scipio's soldiers in Carthage; see App. *Lib.* (127) 609.

⁸⁰Mummius' interest in the neighbourhood of the Forum Boarium is further attested by his gifts to the temples of Ceres (Plin. *HN* 34.24) and Luna (Vitr. 5.5.8).

of the Achaeans with the magnificent structure located in one of the most frequented places in the City. This, and the fact that Mummius' foundation to Hercules Victor is known only from one inscription, would seem to suggest that it was an inconspicuous, quickly-forgotten shrine, lost somewhere on the Caelian. Yet, if we bear in mind how scarce and fortuitous our extant sources are, these arguments *ex nihilo* carry little weight. Moreover, I think that one might still make a case arguing that in the last decades of the first century B.C. the Romans were still conscious of the fact that the cult of Hercules Victor had been introduced into the City by Mummius. In the sixth book of the *Aeneid*, when Anchises presents future generations of great Romans to his son in the underworld, Mummius is described in the following words: *ille triumphata Capitolia ad alta Corintho / victor aget currum caesis insignis Achivis* (836–837). For what it is worth, Mummius is actually the only Roman general endowed by the poet with the epithet *victor*. This could be a coincidence, but one might see in this as well a fact of greater importance than the ignorance of Vergil's commentators of the Later Empire. This association of Mummius' person with the epithet *victor* might suggest that the temple built by the destroyer of Corinth sank deeper into the consciousness of the last generations of Republican Rome than indicated by our sources relating to the temples of Hercules Victor in the City. If it were really so, then Mummius' temple would have been no mean building. It thus looks as if the *Aeneid*, too, might provide us with a clue, even if a very indirect one, towards identifying the round temple on the Tiber with the foundation of L. Mummius Achaicus to Hercules Victor.

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ENDNOTE

In *Il Foro Boario* (186, n. 21) there is a rebuttal of my proposal, known to Prof. Coarelli from the manuscript of my paper I had made available to him. His arguments are as follows: (1) stylistic particulars of the round temple point to the period slightly later, "anche se di pochi decenni," than the forties of the second century B.C.; (2) if founded by Mummius, the round temple would have been the earliest marble building at Rome, thus contradicting Velleius' remark about Metellus' marble temple of Iuppiter Stator as the first of its kind in the City; (3) the Caelian inscription, incised on a tablet of inferior stone, would hardly fit as the dedicatory inscription of the sumptuous round temple on the Tiber; (4) most of all, the finding place of the inscription almost certainly indicates the location of Mummius' foundation: on the Caelian, where another inscription dedicated to Hercules (*CIL* 6.30888), no doubt to be related to the same temple, has also been found.

These points are discussed above and thus need not be repeated here; suffice the following remarks.

ad (3) and (4): The form and material of Mummius' inscription indicate that this is not the dedicatory inscription of the temple; as for *CIL* 6.30888: *Mag. He[...] suffragio pag(anorum?) prim[...] ludos fecer(unt)*, it is a commemoration of a feast held by the *pagus*, most probably after the restitution of the *ludi compitalicii* by the *lex Clodia* of 58 B.C. (see *CIL* 6.30888 *ad loc.*). As such, it is hardly relevant to the question of public temples of Hercules in Rome.⁸¹

ad (2): Coarelli bases his objection on Morgan's dubious dating of the temple of Iuppiter Stator after Metellus' consulate in 143 (see above, n. 24); actually, what we know for sure is that Metellus returned to Rome well before Mummius (the former triumphed in 146 and the latter in 145)⁸² and thus had more time to complete his foundation first.

ad (1): Considering the criteria of dating the relevant ornamental elements, this is hardly a serious argument, as, by the way, Coarelli admits himself elsewhere in his book. Thus on p. 98 he dates the round temple to the last third of the second century B.C.: "le caratteristiche di stile" which in his view speak against my proposal would make my dating fall short of the mark not even "by a few decades" but exactly by one decade; finally, on p. 185 it is admitted in fact that "non è del tutto escluso . . . che questa [the round temple] possa essere stata compresa tra il 146 e il 142 a.C."

As for more significant arguments set forth by Coarelli in support of his proposal which have not been discussed in my paper, two, in my opinion equally untenable, need to be addressed. The first is an attempt to identify M. Octavius Herrenus with M. Octavius *tr. pl.* 133, Ti. Gracchus' well-known friend turned enemy, or with the homonymous tribune of plebs who passed the law abolishing the *lex Sempronia frumentaria* (pp. 195–197). The second is the identification of the temple of Hercules Victor in *Foro Boario* from the accounts of Servius and Macrobius with that of Hercules Invictus *ad Circum Maximum* and not with the *aedes Aemiliana*, otherwise referred to as the temple of Hercules in *Foro Boario* (pp. 187–192): Coarelli is not in a position to accept this, the only logical identification, for the same chronological reason as that exposed above (319 f.), i.e., the practical impossibility of

⁸¹Colini (above, nn. 1 and 2) finds evidence for the existence of a Caelian temple of Hercules Victor in Frontinus. *Aq.* 1.19: [Aqua] *Marcia autem partem sui post hortos Pallantianos in rivum qui vocatur Herculeus deicit. is per Caelium ductus, ipsius montis usibus nihil ut inferior sumministrans, finitur supra Portam Capenam*. Unfortunately, he does not consider the other two passages on the *rivus Herculeus* in the extant ancient literature, Frontinus *Aq.* 1.15 (*iungitur ei [Anieni Novo] rivus Herculeus oriens eadem via [Sublaciensi] ad miliarium tricesimum octavum e regione fontium Claudia trans flumen viamque*) and Plin. *HN* 31.42 (*idem et Virginem adduxit [Aqua Marcia] ab octavi lapidis diverticulo duo milia pass. Praenestina via. iuxta est Herculeus rivus, quem refugiens Virginis nomen optinuit*), which render speculating on the canal's etymology a futile work. The foregoing pseudo-argument and *CIL* 6.30888 are all the evidence on the presumed Caelian temple of Hercules (other than Mummius' inscription) alluded to above, n. 2.

⁸²Degrassi in *InsIt* 13.1.557–558.

squeezing Herrenus' shrine (if identified with the round temple on the Tiber) between the founding of the temple of Iuppiter Stator (dedicated almost certainly in 143) and the *aedes Aemiliana* (dedicated in 142); see *Il Foro Boario* 186–187. Hence he arrives at negating the discriminating value of both the temples' location terms and the god's surnames.

The untenability of the former hypothesis (or hypotheses) is obvious, and Coarelli himself presents them rather tentatively.⁸³ As for the latter, he arrives at it through a series of steps, scattered throughout the first two hundred pages of the book, which include tracing out the boundaries of the Forum Boarium and the course of the street *circa foros publicos*, identifying the Salinae with the Forum Boarium, locating the Porta Trigemina, the Ara Maxima, the temple of Ceres and, last but not least, the temple of Hercules Invictus, i.e., practically the whole topography of the southern part of the zone comprised between the Aventine, the Palatine, the Capitol, and the Tiber. The present paper is not the most suitable place for treating all these questions which merit a separate discussion,⁸⁴ especially since the two proposals bear on the problem of the round temple's founder in a somewhat roundabout way: the first strives to make the merchant Herrenus more "presentable" in this role, and the second aims at diminishing the import, if not reducing *ad absurdum*, the information handed down by Servius and Macrobius about two temples of Hercules Victor in Rome. Here, one only needs to repeat the argument set forth above (324–326), which Coarelli does not consider at all and which definitely falsifies, in the Popperian sense of the word, his identification of the round temple with Herrenus' shrine. We learn from Massurius Sabinus that Herrenus *impetrato a magistratibus loco*

⁸³Coarelli, *Il Foro Boario* 197: "ci basta . . . aver mostrato, almeno in via teorica, la possibilità di una conferma della tradizione relativa al tempio della *porta Trigemina*." This "theoretical possibility of corroboration" consists in multiplying speculations about Herrenus' standing; apart from the latter's alleged tribunate of plebs we find there a suggestion that his career may have been similar to that of C. Marius (this includes, very characteristically, equating publicans with merchants!) and a hint that he came from the noble family of Herennii—all that about a flute-player turned merchant. What is completely neglected in Coarelli's demonstration is the juridical aspect of the case (in what capacity Herrenus made his dedication?), fundamental for an alleged public temple foundation by a *mercator*. This is why I find it difficult to agree with the contention quoted at the beginning of this note.

⁸⁴One point, however, could and should be made here concerning the second of Coarelli's arguments. He is able to identify the temple of Hercules Victor in *Foro Boario* with that of Hercules Invictus *ad Circum Maximum* by means of an assertion that the information about two temples of Hercules Victor in Rome comes from a fourth-century source, i.e., from the time when, says Coarelli, the surname Invictus—when applied to Hercules—became absorbed by Victor. This assumption, without which his whole reasoning falls to pieces, is refuted by a passage in Macrobius which, by the way, Coarelli quotes in the chapter on the round temple's founder (p. 199): *et sane ita Menippea Varronis adfirmat . . . in qua, cum de Invicto Hercule loqueretur, eundem esse ac Martem probavit* (Sat. 3.12.5). Considering that Macrobius' text is a comment on the cult of the Ara Maxima, his alleged ignorance of the epithet of Hercules worshipped at that altar (and in the temple *ad Circum Maximum* as well) is untenable.

aedem sacravit et signum; ergo, he did it as a *privatus*; *ergo*, his foundation was not an *aedes publica*; *ergo*, it cannot be identified with the public temple of Hercules Victor *ad Portam Trigeminam*. I am afraid that no amount of analogies and suggestions, no matter how sensible in their own right, can circumvent this objection.