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# THE TEMPLE OF DIVUS IULIUS AND THE RESTORATION OF LEGISLATIVE ASSEMBLIES UNDER AUGUSTUS

DARRYL A. PHILLIPS

## 1. INTRODUCTION

AUGUSTUS' ACHIEVEMENT IN BRINGING ORDER TO THE STATE after the turbulent years of civil war is celebrated in many and diverse sources. Velleius Paterculus (2.89.3) records that "force was returned to laws, authority to the courts, and majesty to the Senate, that the power of magistrates was brought back to its old level" (*restituta vis legibus, iudiciis auctoritas, senatui maiestas, imperium magistratuum ad pristinum redactum modum*). Velleius continues on to offer the general summation that the old form of the republic had been reinstated (*prisca illa et antiqua rei publicae forma revocata*).<sup>1</sup> An aureus from 28 B.C. records the restoration of laws and rights to the Roman people (*leges et iura p.R. restituit*).<sup>2</sup> Augustus himself speaks of a return to order. The *Res Gestae* record that over a period of two years Augustus transferred power back to the Senate and people of Rome (34: *In consulatu sexto et septimo b[ella ubi civil]ia exstinxeram per consensum universorum [potitus rerum omn]ium, rem publicam ex mea potestate in senat[us populi]que Romani a[rb]itrium transtuli*). Included among the republican institutions brought back by Augustus were voting assemblies. Suetonius refers directly to the reestablishment of republican voting practices by Augustus (*Aug. 40.2: comitiorum quoque pristinum ius reduxit*). Dio too mentions the return of voting assemblies, and uses precise language in reference to both the populace and plebs (53.21.6: ὁ τε δῆμος ἐς τὰς ἀρχαιρεσίας καὶ τὸ πλῆθος αὖ συνελέγετο).

Despite this grand "restoration of the republic" the state had undoubtedly changed. Tacitus captures the fundamental paradox as he notes that although the titles of magistracies remained, few men were left who had actually seen the republic (*Ann. 1.3: eadem magistratuum vocabula; iuniores post Actiacam victoriam, etiam sense plerique inter bella civium nati: quotus quisque reliquus, qui rem publicam vidisset*). As Tacitus knew well, while Augustus was bringing back the old forms of law and order, the princeps and his family became connected with state institutions so closely that Augustus' lifetime marks the tran-

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<sup>1</sup>See Woodman 1983: 252–254 for a commentary and notes on earlier interpretations.

<sup>2</sup>Rich and Williams 1999.

sition from republic to principate. Augustus' family emerged as an imperial dynasty.<sup>3</sup>

The links between Augustus, his family, and the Roman state took many forms. Scholars have long been interested in the role that Augustus' building program played in effecting the shift from republic to principate.<sup>4</sup> Buildings celebrated Augustus' military success, demonstrated his religious piety, and showcased his vast wealth. They also provided new venues for many civic activities in Rome. Revived and revised civic institutions and religious ceremonies were hosted in new complexes associated with Augustus and his family.<sup>5</sup> The best studied of these sites has been the Forum of Augustus with the monumental temple to Mars Ultor, dedicated in 2 B.C.<sup>6</sup> Here generals would make sacrifices before leaving Rome to take up their commands, the Senate would meet to award triumphs, the triumphant general would dedicate his regalia to Mars, and statues of new *triumphatores* would be set up for public view. All would transpire under the watchful eye of Mars Ultor, whose temple not only marked the fulfillment of a personal vow by Octavian to take vengeance on the murderers of his adoptive father, but also celebrated the vengeance taken by the Roman state on the Parthians, brought about under Augustus' auspices. In the Forum of Augustus and the Temple of Mars Ultor we see the ways in which an Augustan site appropriated traditional civic functions and relocated these functions to a new venue associated with Augustus and his family. Such changes in context firmly established the family of Augustus as an imperial dynasty and helped to effect the transition from republic to principate.

While the Forum of Augustus has received considerable attention from scholars, the earlier Temple of Divus Iulius has been comparatively neglected.<sup>7</sup> Dedicated in 29 B.C., the temple to Octavian's divine adoptive father was among the first building projects undertaken by Augustus and was one of the first to be completed. The temple came to dominate the south-east end of the Forum Romanum and became an important speaker's platform. The Temple of Divus Iulius was also used to host a legislative voting assembly in 9 B.C. (Front. *Aq.* 2.129). It is the only site in Augustan Rome known to have hosted a legislative assembly.

<sup>3</sup>For an overview of the "restoration of the republic" and Augustus' emergence as undisputed head of the state, see Mackie 1986 (especially 326–329, for a discussion of loyalty to Augustus associated with loyalty to the state); and Rowe 2002 for the *domus Augusta*. For the problem of establishing a date for the beginning of the principate, see Lacey 1996: 132–153.

<sup>4</sup>See especially Gros 1976; Zanker 1988; and most recently, Haselberger 2007.

<sup>5</sup>See Favro 1996: esp. 195–206; Galinsky 1996: 197–224; and Sumi 2005: 220–262 for synthesizing accounts and bibliography.

<sup>6</sup>For the design of the complex, see especially Zanker 1968. On the use of the complex, see Bonnefond 1987. For extensive bibliography, see Kockel 1995.

<sup>7</sup>Most recently, see Stamper 2005: 109–111. Gros (1996) provides a more detailed bibliography. The temple is discussed by Weinstock (1971: 385–401). Zanker (1988: 79–82) discusses the temple and other buildings in the Forum Romanum. No complete report on the temple has been published, but see Montagna Pasquinucci 1973 for the architectural decorations.

The use of the Temple of Divus Iulius as a voting site has long been noted, but the significance of this use has not been fully appreciated.<sup>8</sup> Evidence for the plan of the Temple of Divus Iulius suggests that it was specifically designed to serve as a speaker's platform and voting venue, replacing the neighboring Temple of Castor. Other buildings dedicated in the early 20s B.C. show that Octavian was actively interested in providing new venues for civic institutions at the time when the Temple of Divus Iulius was completed. Both the historical context and topographical considerations point to an early use of the Temple of Divus Iulius for voting, and suggest that it remained an important voting site throughout the Augustan era. Legislation sanctioned by the Senate and ratified by the populace was a central feature of the "restored republic." Legislative assemblies were brought back by Augustus and these assemblies continued to function just as they had in earlier periods, but they now might meet in a venue closely associated with Augustus and his family. Like the later Forum of Augustus, the Temple of Divus Iulius is a useful focal point for examining the transition from republic to principate and the establishment of Augustus' family as an imperial dynasty.

## II. THE TEMPLE OF CASTOR AND VOTING IN THE FORUM ROMANUM IN THE LATE REPUBLIC

From the middle republic the meeting sites for Roman voting assemblies varied according to the function of the particular assembly.<sup>9</sup> The procedure in electoral assemblies required that all tribes or a large number of voting centuries vote at the same time. Thus, electoral assemblies were usually held in the Campus Martius where there was more space available for simultaneous voting. Special restrictions applied to the *comitia centuriata* which always met outside the *pomerium*, usually in the Campus Martius, because of the underlying military structure of this assembly (Gell. *NA* 15.27). In contrast to electoral assemblies, meetings of the *comitia tributa* and *concilium plebis* that were convened to pass laws were generally held in the center of the city. The procedure in non-elective assemblies called for consecutive voting of individual tribes.<sup>10</sup> Voters were separated into groups before beginning the voting process, and these groups were called upon one-by-one to cast their ballots. This procedure permitted legislative voting assemblies to be held in the comparatively restricted space of the Capitoline or the Forum Romanum.

By the middle of the second century B.C., the Temple of Castor in the Forum Romanum had become the primary place for political meetings and voting inside the *pomerium* (see esp. Cic. *QFr.* 2.3.6, *Dom.* 54, 110, *Har. Resp.* 28, 49, *Mil.*

<sup>8</sup>For the use of the temple, see Taylor 1966: 41–44. Sumi (2005: 234–237) goes the furthest in acknowledging the role of the temple. Sumi's work provides a useful context for the present study.

<sup>9</sup>Taylor 1966: 40–41.

<sup>10</sup>Hall 1964: esp. 275–278.

18, 91, *Phil.* 3.27, *Pis.* 11, 23, *Sest.* 34, 79, 85, *Vatin.* 31–32).<sup>11</sup> The first temple to Castor and Pollux had been erected in the early fifth century B.C. to mark the aid given by the divine twins to the Romans in their battle against the Latins at Lake Regillus. By tradition the temple was built at the place in the forum where Castor and Pollux had appeared to bring news of the Roman victory (Dion. Hal. *Ant. Rom.* 6.13; Livy 2.20.12–13). A remodeling in the first half of the second century B.C. seems to have lowered the front of the temple in order to create a platform which could be used by speakers.<sup>12</sup> This rebuilding corresponds with the shift in voting from inside the *comitium* to the center of the forum, and may reflect refinements in the plan of the temple that allowed for the hosting of voting assemblies.<sup>13</sup> Little is known about this phase of the temple, although we do have specific evidence for its use at this time as a speaker's platform (Festus 362L).<sup>14</sup>

The location of the Temple of Castor, positioned on the south-east side of the forum, was ideal for holding assemblies. Until the second half of the first century B.C. there was a large open space in front of the temple, paved, and sloping slightly to the west. The region to the north was unoccupied as far as the Basilica Aemilia and its *tabernae*. The Tribunal Aurelium may have been an independent structure located somewhere to the northeast of the Temple of Castor in the first century B.C.,<sup>15</sup> but if this placement is correct, it seems likely that this tribunal, like other tribunals in the forum, would have been moveable to allow the forum to be emptied of obstructions whenever needed.<sup>16</sup> A street running along the south-east side of the Temple of Castor and continuing past the side of the Basilica Aemilia delineated this side of the forum.<sup>17</sup> Further to the east, at some distance, stood the Regia. To the west a vast expanse of open space was available. The Puteal Libonis, a sacred marker, whether located slightly to the east of the temple or directly to its north, would have been only a small physical obstacle to a large assembly.<sup>18</sup>

The continued use of the Temple of Castor as a voting site was assured by the monumental remodeling of the temple by L. Caecilius Metellus in the last

<sup>11</sup> Taylor 1966: 41–46; Coarelli 1985: 156–66; Nielsen and Poulsen 1992: 55–57.

<sup>12</sup> Nielsen and Poulsen 1992: 82–84; Nielsen 1990: 90.

<sup>13</sup> Nielsen and Poulsen 55; Taylor 1966: 23–25. Varro reports that in 145 B.C. C. Licinius Crassus first led Roman voters out of the *comitium* and into the center of the forum to pass legislation (*Rust.* 1.2.9: *primus populum ad leges accipiendas in septem iugera forensia e comitio eduxit*).

<sup>14</sup> Nielsen and Poulsen 1992: 55.

<sup>15</sup> See for example, Nash (1961–62: 2.478–481) and Gros (1976: 85), who connect the Tribunal Aurelium and the gradus Aurelii with the remains of an earlier structure found under the site of the temple of Divus Iulius. Richardson (1992: 400–401) doubts this identification and the association of the small Tribunal Aurelium with the gradus Aurelii. Cf. Coarelli 1985: 190–199.

<sup>16</sup> Richardson 1973: 222.

<sup>17</sup> Cecchini (1985: 67–72) discusses the republican evidence.

<sup>18</sup> Nash (1961–62: 2.259) places the Puteal Libonis near the later Arcus Augusti. Richardson (1992: 322–323) favors the identification of the Puteal Libonis as the circular structure incorporated into the plan of the Temple of Divus Iulius.

decades of the second century B.C. (Fig. 1).<sup>19</sup> Metellus incorporated the earlier modifications of the temple into an elegant and functional whole. The resulting Metellan Temple of Castor was well designed for hosting voting assemblies. The Temple of Castor had always been a *templum*. A *templum* was necessary for the taking of auspices as well as the drawing of lots which determined the order in which the tribes would vote.<sup>20</sup> Although an augural *templum* could be created specially for the purpose of holding a vote, Roman voting assemblies generally made use of existing *templa*, just as praetorian tribunals seem to have done.<sup>21</sup> The Metellan Temple of Castor had an uncovered front platform some 7 meters deep and 22 meters wide preceding the colonnade. The platform was large enough to accommodate presiding magistrates and voting officials as well as the voting urns.<sup>22</sup> The temple also included lateral rather than frontal stairs that created a sheer front for use as a speaker's platform. These side stairs provided access to the platform, while a larger central staircase led from the platform up to the temple's cella.

Like other voting venues, the Temple of Castor would have been adapted to host assemblies through the use of wooden furnishings. Wooden ramps (*pontes*) along with an extended wooden platform and temporary stairs would be erected at the front of the temple as circumstances warranted.<sup>23</sup> The voting *pontes* elevated the voter above the crowd so that he could be observed, yet kept his ballot out of the sight of any onlooker. The *pontes* also ensured that each voter was alone when he marked his ballot.<sup>24</sup> While the wooden apparatus would have occupied the space directly in front of the temple, ample room remained in the surrounding area of the forum to accommodate the assembled voters.

As the principal assembly site in the forum, the Temple of Castor played host to a number of notorious events in the first century B.C.<sup>25</sup> In 62 B.C. we hear of Cato's dramatic disruption of an assembly held at this site to vote on a law calling

<sup>19</sup> Nielsen and Poulsen 1992: 87–117. See Stamper 2005: 56–58 for a recent summary.

<sup>20</sup> On the lot, see Staveley 1972: 230–232; For the use of a *templum* for assemblies, see Stambaugh 1978: 580–582; Vaahtera 1993: 107–112.

<sup>21</sup> The Temple of Divus Iulius and the Saepta Julia (both discussed below) are other *templa* that were used for voting. For the location of praetorian tribunals, see Richardson 1973.

<sup>22</sup> The *lex Malacitana* (CIL 2.1964 = ILS 6089) 55 suggests that a large number of attendants could be present to observe the balloting.

<sup>23</sup> Taylor 1966: 39–46; Nicolet 1980: 270–271; for a specific discussion of the wooden furnishings at the Temple of Castor, see Cerutti 1998. Two sets of coin types provide illustrations of wooden voting furniture used by the Romans. The coins of P. Nerva (Crawford 1974: no. 292), dating to the end of the second century B.C., depict a voting scene taking place on a wooden voting *pontes*. On the left a man steps up on to the *pontes* as he receives a ballot from an attendant standing below him. Another man is shown at the end of the *pontes* on the right, dropping his ballot into an urn. A second coin type, that of Lollius Palicanus dating to 45 B.C. (Hill 1989: no. 192), Taylor (1966: 44–45) suggests shows the forum front of the *comitium's* rostra. Here the ships' beaks are covered with a wooden structure to provide an extended elevated platform.

<sup>24</sup> The *Lex Maria* of 119 B.C. that narrowed the size of the *pontes* seems to have been directed against aggressive campaigners who may have pursued voters on to the *pontes*; Nicolet 1980: 271.

<sup>25</sup> See Nielsen and Poulsen 1992: 56–57 for a general discussion of some of the events.

for Pompey's return to Rome with his armies (Plut. *Cat. Min.* 27–29; Cic. *Att.* 1.14; Cass. Dio 37.43). In 59 B.C. Caesar was holding an assembly at the temple when Bibulus tried in vain to stop the proceedings (Cass. Dio 38.6.1–5). And the next year Clodius and his armed followers tore up the stairs of the Temple of Castor and fortified the site to prevent others from holding assemblies there (Cic. *Dom.* 54, *Pis.* 23, *Sest.* 34, *Mil.* 91). After Caesar's assassination, Antony chose the Temple of Castor as the place to address the Roman people (Cic. *Phil.* 3.27, 5.21).

### III. THE TEMPLE OF DIVUS IULIUS

Though the Temple of Castor enjoyed prominence (and a certain amount of notoriety) during the last century of the republic, at the end of this era the political functions of the site were curtailed by the construction of the Temple of Divus Iulius immediately to its north-east, obstructing the line of the speaker's platform (Fig. 2).<sup>26</sup> The temple to the deified Julius Caesar was the first major building undertaken by Octavian. The shrine was planned by the triumvirs in 42 B.C. following the official establishment of the cult (Cass. Dio 47.18.4). A coin series of Octavian from 36 B.C. provides our first glimpse of the structure and may mark the commencement of construction.<sup>27</sup> The obverse of the coins shows the head of Octavian, while the reverse features a schematic view of the temple clearly labeled *DIVO IUL.* The *sidus Iulium*, the symbol of Caesar's deification, is featured in the pediment and the cult statue stands in the cella. Construction of the temple was not completed until 29 B.C., after the end of the civil wars (Cass. Dio 51.22.2; cf. *RG* 19, where Augustus takes full credit for the temple). The temple was dedicated by Octavian himself, immediately following the celebration of his triple triumph.

The plan of the Temple of Divus Iulius shares some key characteristics with that of the Metellan Temple of Castor (Fig. 3). Like the Temple of Castor, the Temple of Divus Iulius was constructed with a speaker's platform at the front. In both buildings the platform was situated in front of the colonnade and was open to the sky. At the Temple of Divus Iulius, the platform was accessible only from ramps or stairs at the side, most likely leading down to street level to the south-east and directly away from the forum.<sup>28</sup> The platforms of both

<sup>26</sup> Ulrich (1994: 174) suggests that the Temple of Divus Iulius was not intended to usurp the place of the Temple of Castor since the Temple of Castor was rebuilt by Augustus. Against this view, see below.

<sup>27</sup> Crawford 1974: 540. For a discussion of the coin type, see Zanker 1988: 34–35 and Whittaker 1996: 87–93. Koortbojian (2008: 85–87) discusses the two cult statue types depicted on these coins, one version togate and the other in hip-mantle. The depiction of a cult statue in toga is highly unusual, and this coin type may offer early evidence of the intention to use the Temple of Divus Iulius for civic purposes. See Koortbojian for the importance of costume types.

<sup>28</sup> Traces of the stairs have been disturbed by the rebuilding of the façade of the temple following the original excavation. While earlier plans suggested frontal stairs, most now accept a plan with

temples were approximately seven meters deep, and close in width: the Temple of Castor's platform measures ca 22 meters wide, Divus Iulius' platform, 18.44 meters.<sup>29</sup> Both platforms were approximately six meters above the forum ground level.<sup>30</sup> The temple of Divus Iulius was situated at the far eastern edge of the forum with a vast stretch of open space facing the façade that would provide ample room for the temporary erection of voting furnishings. Only small shrines and dedications dotted the space between it and the rostra, located well over 100 meters away at the north-west end of the forum. Like the Temple of Castor, the Temple of Divus Iulius was flanked on both sides by streets leading away from the forum area.

The rostra of the Temple of Divus Iulius have been the center of some controversy and thus deserve special consideration.<sup>31</sup> The site of the temple is said to mark the spot where Caesar's body had been cremated. Originally the location was marked with a column of Numidian marble, but this was soon removed (for the erection of the column and an altar, see Suet. *Iul.* 85; App. *B. Civ.* 2.148; on the removal of these markers by Dolabella, see Cic. *Att.* 14.15.1, *Phil.* 1.5). When the temple was later completed on the site, a semi-circular recess was initially incorporated into the plan of the front platform, presumably to accommodate some pre-existing sacred spot. Most scholars agree that this hemicycle marked the original site of Caesar's cremation, the site that had been briefly occupied by the marble column.<sup>32</sup> This hemicycle was soon blocked in, giving the temple a more ordinary blank façade. The presence of the hemicycle has led some scholars to conclude that the rostra said to have been *ad aedem Divi Iulii* must have been detached and in front of the temple, rather than attached to the front part of the temple and, in effect, blocking this sacred site.<sup>33</sup> Others view the rostra as attached to the temple. In this view, a decision was made to block in the hemicycle after the victory at Actium when it was decided that the captured ships' beaks would adorn the temple to the deified Caesar (Cass. Dio 51.19.2).<sup>34</sup>

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side stairs descending from the platform and away from the forum. See Richardson 1992: 214; Ulrich 1994: 180–183.

<sup>29</sup> Nielsen and Poulsen 1992: 113.

<sup>30</sup> Ulrich (1994: 333–334 [Appendix]) summarizes the dimensions for these and other temples discussed in his study.

<sup>31</sup> Stamper (2005: 110) provides the most recent overview of the issue. For a more detailed account, see Gros 1996, and the summary offered by Ulrich (1994: 181–184).

<sup>32</sup> Richardson (1973: 229–230 and 1992: 214 and 323) is the leading voice against this view, as he identifies the hemicycle as containing the Puteal Libonis. Nevertheless, he views the rostra as attached directly to the front of the temple (on which, see below).

<sup>33</sup> Stamper 2005: 110; Coarelli 1985: 318–320; Torelli 1982: 97–98. Torelli identifies the rostra on the anaglypha Traiani as these detached rostra in front of the temple of Divus Iulius.

<sup>34</sup> Gros 1976: 85–87; Steinby 1987: 155. For the Augustan date of the enclosing of the exedra, see Coarelli 1985: 232. For the most recent discussion in favor of the attached rostra, and a



Several points offer strong support for reconstructing the rostra as attached to the temple. First, rostra attached to another structure and located immediately in front of the temple would have drastically obscured the view of the temple, and would thus have gone against standard Roman planning practices. Second, the similarity of the plans of the platforms of the Metellan Temple of Castor and of the Temple of Divus Iulius, suggests that the Temple of Divus Iulius, like the Temple of Castor, was specifically designed to serve as a speaker's platform. No other structure was needed. Whether the rostra were attached to the temple, as seems most likely, or detached and in front of the shrine as some maintain, both the rostra and the temple date from the same period and were closely associated with Octavian.

Furthermore, the civic functions of the Temple of Divus Iulius paralleled the uses of the Temple of Castor in the late republican period. The rostra of the Temple of Divus Iulius likely became the site of a praetor's tribunal and thus a center for legal affairs just as the Temple of Castor or its vicinity had been during the republic.<sup>35</sup> The rostra of the Temple of Divus Iulius also became an important speaker's platform for formal address to the people. In 11 B.C., Octavia's body lay in state in the Temple of Divus Iulius, and Augustus himself delivered a funeral oration for his sister from the rostra of the temple (Cass. Dio 54.35.4-5). Tiberius later delivered the funeral oration for Augustus from this same site, choosing it over other venues that were available for this most important event (Cass. Dio 56.34.4; Suet. *Aug.* 100.3). Finally the rostra of the Temple of Divus Iulius were used to host legislative assemblies of the *comitia tributa*.

The *lex Quinctia*, as recorded by Frontinus, provides clear evidence that the Temple of Divus Iulius was used as a voting site in 9 B.C. In an unusually detailed quotation, Frontinus (*Aq.* 2.129) records the text of a law concerning aqueducts that was passed in the Forum Romanum at the rostra of the Temple of Divus Iulius (*T. Quinctius Crispinus consul . . . populum iure rogavit populusque iure scivit in foro pro rostris aedis Divi Iulii pr. K. Iulias. Tribus Sergia principium fuit*). The mention of Crispinus as the presiding consul and the Sergian tribe as the *principium*, the first tribe to vote, make it clear that this assembly was a meeting of the *comitia tributa*; the consulship of T. Quinctius Crispinus dates the voting assembly to 9 B.C.

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reassertion of his earlier view, see Gros 1996. Richardson (1992: 214 and 323) also views the rostra as attached to the temple, and identifies the hemicycle as containing the Puteal Libonis, not the altar marking the original cremation site.

<sup>35</sup> See Richardson 1973: 232 for the function of the tribunal of the Temple of Divus Iulius; 228 for the suggestion that two praetorian tribunals were located on the Temple of Castor. Richardson (1992: 401) interprets the raised pavement in front of the Temple of Divus Iulius (the so-called "Tribunal Praetorium") as defining the area for a praetor's court; the praetor himself would be seated on the rostra of the Temple of Divus Iulius.

Specific evidence for the location of voting assemblies during the republican period is rare.<sup>36</sup> For the Augustan era, the evidence from Frontinus is unique; we find no other specific references to venues for legislative voting.<sup>37</sup> Although it is impossible to assign a firm date to the first use of the Temple of Divus Iulius for legislative assemblies, it seems most likely that the new temple would have begun to host voting assemblies soon after its dedication in 29 B.C. and thus would have played a central role in the "restoration of the republic." Because the new temple occupied much of the assembly space in front of the Temple of Castor, the Temple of Divus Iulius likely became the chief venue in the Forum Romanum for voting assemblies as soon as it was completed. Furthermore, other building projects that were completed in the early 20s B.C. show that Octavian was interested in providing new meeting spaces for other governmental bodies at precisely this time. Like the Temple of Divus Iulius, the Curia Iulia was completed by Octavian in 29 B.C.<sup>38</sup> The new curia was originally planned by Julius Caesar, but was not opened until after the end of the civil wars. Octavian completed the building and placed in the interior a statue of the goddess Victoria taken from Tarentum (Cass. Dio 51.22.1), making clear that the structure was to be more than just a meeting place for senators—it was to be a monument to both Rome's and Octavian's success. The Senate regularly used the Curia Iulia as its meeting site throughout the principate.<sup>39</sup>

While work on the Curia was underway in the forum, in the Campus Martius Octavian's associate Marcus Agrippa was completing a monumental reworking of the *saepta*, the principal voting site for electoral meetings of the centuriate assembly.<sup>40</sup> Like the Curia Iulia, work on the *saepta* was originally begun by Caesar (Cic. *Att.* 4.16.14). Cicero describes the ambitious project—the voting

<sup>36</sup> Cicero and Livy are our best sources for details about assemblies, and where they leave off, we are at a loss. Taylor (1966) provides a comprehensive presentation of the evidence, and shows what can be done with the limited sources for the second and first centuries B.C.

<sup>37</sup> A cryptic reference to a voting assembly is found in a passage of Seneca (*Ben.* 6.32). Seneca notes that Augustus' daughter Julia had committed her nocturnal crimes on the very rostra where the Julian laws had been passed (*forum ipsum ac rostra ex quibus pater legem de adulteriis tulerat, filiae in stupra placuisse*). Here the "rostra" might perhaps be the rostra of the Temple of Divus Iulius, as this site would certainly have been a natural voting location for Augustus to choose when putting before the people his laws concerning marriage and the family. The quotation, however, is followed by mention of daily gatherings at the Marsyas statue, pointing to the new rostra at the north-west of the forum, facing the Temple of Divus Iulius at the opposite end of the assembly space. Dio (55.9.12) also mentions the forum and rostra as the site of Julia's revelry, but does not specify the activities, nor does he note the double use of the location, suggesting that Seneca's rhetorically forceful passage ought not to be pressed too hard. For the problems in interpreting the sources for the charges against Julia, see Fantham 2006: 85–89.

<sup>38</sup> For recent discussions of the curia and bibliography, see Richardson 1992: 103–104; Tortorici 1993; Bonnefond-Coudry 1995.

<sup>39</sup> Talbert 1984: 113–116.

<sup>40</sup> Gatti 1999; Richardson 1992: 340–341.

enclosure was to be surrounded by a portico a mile in circumference, decorated with marble and covered overhead. The triumvir Lepidus completed the flanking porticoes. Agrippa continued the work, finally dedicating the structure in 26 B.C. and naming it the *Saepta Iulia* in honor of Augustus (Cass. Dio 53.23.1–2).

The shift of voting assemblies in the Forum Romanum from the Temple of Castor to the new Temple of Divus Iulius would fit well with the opening of the Curia Iulia and the *Saepta Iulia* in 29 and 26 B.C. respectively. The man who had returned the state to order provided important political institutions with monumental new meeting venues, and each venue was closely connected to both Augustus and Julius Caesar.<sup>41</sup> Given that these other building projects completed in the early 20s B.C. provided an Augustan context for republican institutions, it seems most likely that the Temple of Divus Iulius would have been used for legislative assemblies shortly after its dedication in 29 B.C.

If the Temple of Divus Iulius did not begin hosting assemblies immediately after its dedication in 29 B.C., it might have taken on this role after the Temple of Castor was seriously damaged by a fire that swept through the area, perhaps in 14 B.C.<sup>42</sup> The fire would have necessitated a shift of voting venue, and the neighboring Temple of Divus Iulius, which itself had escaped undamaged, would have been the logical substitute. In any case, the text of the *lex Quinctia* confirms the use of the Temple of Divus Iulius as a voting venue in 9 B.C.

Whether the transfer of assemblies from the Temple of Castor to the Temple of Divus Iulius was a planned move in 29 B.C. or a change brought about by a fire more than a decade later, the shift in voting venue was most likely permanent. The Temple of Castor and Pollux was slowly rebuilt by members of Augustus' family, but the temple was redesigned, perhaps to preclude its further use as an assembly site. After the destruction of the Metellan Temple of Castor, restoration was probably undertaken initially in the names of Gaius and Lucius Caesar.<sup>43</sup> After the death of Gaius and Lucius, Tiberius and his brother Drusus completed the restoration of the temple, which was finally rededicated in A.D. 6,

<sup>41</sup> On Augustus' association with Julius Caesar during this period and throughout his principate, see White 1988.

<sup>42</sup> Dio provides a confused account of damage to the forum during this period: 54.24.2–3 (14 B.C.), 55.1.1 (9 B.C.), and 55.8.6–7 (before 7 B.C.). The Temple of Castor is not specifically mentioned in these passages, but it seems likely that it was seriously damaged by fire around 14 B.C. Nielsen 1990: 92; Nielsen and Poulsen 1992: 57.

<sup>43</sup> The adopted sons of Augustus were early on associated with the divine twins Castor and Pollux. Gaius and Lucius appear on Spanish coins with the label *gemini*, and in an inscription from Cyprus (*IGRR* 3.997) as διδύμοι υιοί (Nielsen and Poulsen 1992: 51). For the coin type, see Étienne 1977: 398, p.XII.2. Gaius, in 5 B.C., and Lucius, in 2 B.C., were heralded as *principes iuventutis*, a title formerly applied to youths of the aristocracy generally, but now reserved for members of the imperial family (Poulsen 1991: 122–123). The *principes iuventutis* were outfitted to resemble Castor and Pollux, and they rode on white horses. They were awarded silver shields and spears by the Roman equites, and marched at the head of the ceremonial procession of the *transvectio equitum*. This traditional celebration, held in connection with the Temple of Castor, had fallen out of use by the late republic but was re-established by Augustus (Poulsen suggests that Augustus' visit to Sparta

after the death of Drusus.<sup>44</sup> During the extended period of rebuilding, the site would have been unsuitable for legislative assemblies. We know that the Temple of Divus Iulius was used in 9 B.C.; it was likely used as a voting site throughout this period.

The new Augustan-era Temple of Castor, though larger in overall size than its predecessor, had a smaller platform at the front.<sup>45</sup> The late-Augustan reconstruction of the platform measured only about 4 meters deep by 22 meters wide, half the size of the Metellan platform. With the loss of assembly space in front of the Temple of Castor that had been brought about by the construction of the Temple of Divus Iulius, there would have been no need to maintain a large platform. Some years later, but certainly before the Severan period, the change in function of the Temple of Castor became even more starkly apparent when the front platform with side access steps was replaced altogether by a wide frontal staircase.<sup>46</sup> While the Temple of Castor ceased to function as a speaker's platform and place of assembly, the Temple of Divus Iulius retained its prominence as an important site for civic activities well beyond the Augustan era. Hadrian is depicted speaking from the rostra of the Temple of Divus Iulius on a series of sestertii from his reign.<sup>47</sup> A similar scene of the emperor addressing an assembled crowd is depicted on the *Anaglypha Traiani* (Fig. 4).<sup>48</sup> Here the relationship between the Temple of Divus Iulius and the Temple of Castor is most clearly represented. The emperor stands on the platform of the Temple of Divus Iulius. Facing him is a crowd gathered in the forum. Directly to the emperor's left is seen the front of the Temple of Castor, obscured by the rostra of the Temple of Divus Iulius.

As we have seen, elements of the plan of the Temple of Divus Iulius seem to have been drawn directly from the plan of the Metellan Temple of Castor, suggesting that the new temple was intended to take over many of the civic functions of its republican-era neighbor. Other elements of the plan and decoration

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in 21 B.C. may have been the inspiration for the reestablishment of the *transvectio equitum* in Rome; on this visit and the revitalization of the cult of the Dioscuri in Sparta at this time, see Cartledge and Spawforth 1989: 98–99). The imperial princes Gaius and Lucius, marked out as successors to Augustus, thus served as symbols of the future security of Rome through the maintenance of her military position, a fitting parallel with the Dioscuri who were the symbols of military security throughout the republic.

<sup>44</sup> Like Gaius and Lucius before them, Tiberius and Drusus were compared to the divine twins. Ovid (*Fast.* 1.707–708) records the rebuilding of the temple of the divine twins by the brothers of divine lineage: *fratribus illa deis fratres de gente deorum / circa Iuturnae composuere lacus*. The imperial brothers are similarly compared to Castor and Pollux at *Consulatio ad Liviam* 285–288. In fact, throughout the Julio-Claudian period, we repeatedly find imperial princes grouped in twos and marked out as heirs to the throne and connected with the divine twins Castor and Pollux (Poulsen 1991: 126–137).

<sup>45</sup> Nielsen and Poulsen 1992: 113.

<sup>46</sup> Nielsen and Poulsen 1992: 113–114; Coarelli 1985: 309.

<sup>47</sup> Mattingly and Sydenham 1968: 424, no. 639–641.

<sup>48</sup> Torelli 1982: 98.

connected the new Temple of Divus Iulius with the military achievements of Julius Caesar, the cult of Venus Genetrix, and the recent victories of Octavian. The republican civic practices carried out at the new site were to be given an Augustan context.

The Temple of Divus Iulius was characterized by close-set columns. This pycnostyle arrangement was unusual in Rome; Vitruvius (3.3.2) names only the Temple of Divus Iulius and Caesar's temple to Venus Genetrix as examples of this style in the city.<sup>49</sup> Furthermore, just as Caesar had dedicated the Temple of Venus Genetrix in connection with the celebration of his triumph in 46 B.C., in similar fashion Octavian dedicated the Temple of Divus Iulius on August 18, 29 B.C., immediately following the celebration of his own triple triumph (Cass. Dio 51.22.2; *Inscr. It.* 13.2.497).<sup>50</sup> The motif of victory and triumph was further emphasized by the sculptural reliefs on the temple. A frieze of winged female figures linked by vegetal scrolls formed a striking element of the architectural decoration on the Temple of Divus Iulius (Fig. 5).<sup>51</sup> These unusual Victory figures would call to mind both Caesar's many triumphs as well as the more recent successes of Octavian, the *divi filius*.<sup>52</sup> The placement at the front of the temple of the enemy rostra captured at Actium made clear that the Temple of Divus Iulius was also to serve as a monument to Octavian's victories (Cass. Dio 51.19.2). Other spoils from Octavian's eastern campaigns were placed inside the temple (Cass. Dio 51.22.2-3; *RG* 21.2). Prominent among the dedications was a famous painting by Apelles depicting Venus/Aphrodite emerging from the sea (Pliny *HN* 35.91). The painting was much celebrated at the time; both Propertius and Ovid assume that their audiences knew the work well (Prop. 4.8.1; Ov. *Ars. Am.* 3.401-403, *Pont.* 4.1.29, *Am.* 1.14.31-34). Venus, the mother of the Julian line, was given a home in the temple of her divine descendant. Through elements of its plan and decoration the Temple of Divus Iulius develops connections between Octavian and Julius Caesar, associating the victories of the son with those of his adoptive and divine father, and linking the Temple of Divus Iulius with the Temple of Venus Genetrix—the very same connections that we find developed in the paintings and statuary that adorned the new Curia Iulia that was dedicated by Octavian in the same year.<sup>53</sup>

The construction of the Temple of Divus Iulius and the reworking of the Temple of Castor were complemented by other Augustan projects that further defined the south-east end of the Roman Forum.<sup>54</sup> A triple arch, erected in 19 B.C. to honor Augustus for returning the standards captured by the Parthi-

<sup>49</sup>Ulrich 1993: 65-66.

<sup>50</sup>Weinstock 1971: 399-400.

<sup>51</sup>Montagna Pasquinucci 1973: 14-18.

<sup>52</sup>On the connection between Caesar and Victory, see Weinstock 1971: 91-111.

<sup>53</sup>Bonnefond-Coudry 1995.

<sup>54</sup>Gros (1976: 84-91) provides a useful survey of Augustus' building in the forum.

ans at Carrhae, stood immediately to the south-west of the Temple of Divus Iulius. This arch bridged the roadway between the Temples of Divus Iulius and Castor.<sup>55</sup> Some time later, probably shortly after the death of Lucius Caesar, the Porticus Gaii et Lucii was built to fill the area between the Temple of Divus Iulius and the Basilica Aemilia to its north-east.<sup>56</sup> The plan of this structure seems to have been a double archway, spanning the *sacra via* and functioning as an entrance to the Basilica Aemilia.<sup>57</sup> Together, the Parthian Arch and the Porticus of Gaius and Lucius framed the Temple of Divus Iulius and regularized this side of the forum. The rededication of the new Augustan Temple of Castor completed the work. Although Augustus' construction projects in this end of the forum should not be viewed as a grand overall plan,<sup>58</sup> the building in this region from the 30s B.C. into the first decade A.D. ultimately redefined the south-east end of the forum. The Metellan Temple of Castor, which had served as the architectural and political focus of this region during the republic, was replaced by the Temple of Divus Iulius. Auxiliary buildings constructed throughout the Augustan era added further emphasis to this new focal point of the forum.<sup>59</sup>

Moreover, the work on the Temple of Divus Iulius and the south-east end of the forum was matched by a reworking of the north-west section during the same period. The result was the establishment of a new dominant axis within the forum. During the republic an axis running from north to south from the Curia, *comitium*, and its rostra to the Temple of Castor defined the major areas for political activity. The people often assembled in front of either the *comitium's* rostra or the platform of the Temple of Castor to listen to speeches and vote in assembly. In Augustan Rome the focus shifted to the new Temple of Divus Iulius and the new rostra which had been relocated at the north-west end of the forum by Julius Caesar (Fig. 2). As part of his plan for the Forum Iulium, Caesar had dismantled the *comitium* and moved the rostra from their traditional location in front of the Curia to the north-west side of the forum in front of the Temple of Concord.<sup>60</sup> The forum area was then paved.<sup>61</sup> At some point between 44 and either 14 or 9 B.C., the rostra were expanded by Augustus. After the construction at both ends of the forum was complete, the entire forum

<sup>55</sup> Coarelli 1985: 269–308; Kleiner 1989: 198–200; Richardson 1992: 23.

<sup>56</sup> Coarelli 1985: 297; *CIL* 6.36908, honoring Lucius Caesar, was found in the region between the temple and the basilica.

<sup>57</sup> Richardson 1992: 313–314.

<sup>58</sup> Gros (1976: 88) cautions strongly against adopting such a view.

<sup>59</sup> Cressedi (1989) suggests that Julius Caesar was originally responsible for planning this reworking of focus of the forum. The Augustan buildings, however, served a different function from those that Cressedi hypothesizes for Julius Caesar's plan, and it is clear that the plan as developed is an innovation of the Augustan period.

<sup>60</sup> On the building program, see Ulrich 1993. For the rostra of Caesar, see Coarelli 1985: 237–257, especially 254–255 for a chronology of the construction of the rostra.

<sup>61</sup> See Coarelli 1985: 211–233 for a discussion of the pavement of the forum.

area was repaved, perhaps around 7 B.C.<sup>62</sup> The new rostra of Augustus were known to have been used for official addresses (e.g., Cass. Dio 54.45.4–5, where these rostra are paired with the platform of the Temple of Divus Iulius). This site may also have been used to host voting assemblies, although we have no specific mention of votes taking place there.<sup>63</sup> The matching facades of the two forum rostra and the new paving between them provided the setting for political assemblies inside the *pomerium* throughout the principate.

Filipo Coarelli has noted that the two rostra functioned as a pair, suggesting that the rostra expanded by Augustus at the north-west end of the forum were used for official state purposes, and that the rostra of the Temple of Divus Iulius and the south-east end of the forum were reserved for functions of the imperial family.<sup>64</sup> A reconsideration of the function and decoration of the Temple of Divus Iulius suggests that a rigid distinction between state and imperial family did not exist in Augustan Rome. Rather, it seems that the plan, decoration, and function of many buildings of the Forum Romanum in the Augustan age reflect a deliberate attempt to unite state and family. The Temple of Divus Iulius commemorated Augustus' divine father and the rostra of this temple were used for funeral orations for members of the imperial family. But the cult of Divus Iulius was an official Roman state cult, not a family shrine. Furthermore, the Temple of Divus Iulius became a new voting site for legislative assemblies in the Forum Romanum, probably as early as 29 B.C. Though the republican institution of voting had been brought back by Augustus, the institution was changed by its new association with Augustus and his family.

#### IV. CONCLUSION

While providing a brief history of the development of laws in Rome, Tacitus (*Ann.* 3.26–28) notes that following the death of Pompey there had been twenty years of discord until at last, in his sixth consulship (28 B.C.), Augustus “cancelled the measures which he had carried in his triumvirate, and gave the laws which we use in peace and under the princeps” (3.28.2: *quae triumvirate iusserat abolevit deditque iura quis pace et principe uteremur*).<sup>65</sup> As Tacitus points out, the settlement of affairs at the end of the civil wars required not only an end to the irregular acts of the triumvirs, but also new measures, approved by the Senate and passed by the people, which established the new order.<sup>66</sup> We are relatively well informed about a number of laws that were passed in the

<sup>62</sup> Coarelli 1985: 226–227.

<sup>63</sup> See above, 379, n. 37, for one possible case.

<sup>64</sup> Coarelli 1985: 320–324.

<sup>65</sup> The date corresponds with Augustus' own statement (*RG* 34), and is confirmed by the new aureus (above, 371, n. 2) which also records the reestablishment of laws in 28 B.C.

<sup>66</sup> On the passage of laws, see Rich and Williams 1999: esp. 201–202, and Turpin 1994: 430–435; for the role of the Senate, Brunt 1984.

Augustan period.<sup>67</sup> We know that Augustus himself put many measures before the people. Julian laws addressed extravagant consumption, adultery and chastity, electoral bribery, and marriage (Suet. *Aug.* 34, *RG* 8.5). Other magistrates proposed legislation as well. The consuls of 2 B.C. saw to the passage of the *lex Fufia Caninia* on manumission (Gaius *Inst.* 1.42), followed six years later by the *lex Aelia Sentia* on the same topic (Gaius *Inst.* 1.13). Some proposed laws to honor Augustus and members of his family. The *lex Pacuvia* of 8 B.C. ratified the Senate's decision to rename the eighth month of the year for Augustus (Macrob. *Sat.* 1.12.35). The *lex Valeria Cornelia* of A.D. 5 honored the deceased princes Gaius and Lucius Caesar by creating new voting centuries in their names.<sup>68</sup> Many other measures, like the *lex Quinctia* of 9 B.C., which prohibited tampering with aqueducts (Frontin. *Aq.* 2.129), must have been passed to address mundane matters, but most of these have been lost from the record. Although Frontinus alone provides specific evidence for the venue used to host the voting assembly, it is likely that the Temple of Divus Iulius was used for many legislative assemblies during the Augustan age. We should envision an Augustan context for all of these votes.

The principate of Augustus marked a return to order, and the passage of laws played a central part. Augustus understood this well and played his part in the legislative process. There is perhaps no better testimony to the importance of legislation in the Augustan principate than the remarkable honor proposed for Augustus after his death. During the debate in the Senate about the funeral arrangements, Lucius Arruntius suggested that a display listing all the laws that Augustus had proposed during his lifetime should be carried at the front of the funeral procession (Tac. *Ann.* 1.8.3). As they considered Arruntius' motion, the senators were meeting in the *Curia Iulia*, a venue that had been dedicated by Augustus himself back in 29 B.C. Many of the laws that Augustus had proposed would likely have been passed in assemblies held at the Temple of Divus Iulius, a site that had been dedicated in the same year. Augustus had restored republican institutions and constructed monumental new sites to house them, and by doing so, he established a new order.

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<sup>67</sup> Williamson (2005: 427) counts twenty-four bills put before the people during the reign of Augustus. Though focused on the late republic, Williamson's work provides a valuable context for understanding the importance of public legislation as a source of authority for maintaining cohesion in the state in the Augustan period. For an overview of the Julian laws and other legislation, see Treggiari 1996: 886–897; Galinsky 1996: 128–140.

<sup>68</sup> The *Lex Valeria Cornelia* is known through references to it on the *Tabula Hebana* which records a bill from A.D. 19. For a text and discussion of early work, see Oliver and Palmer 1954.



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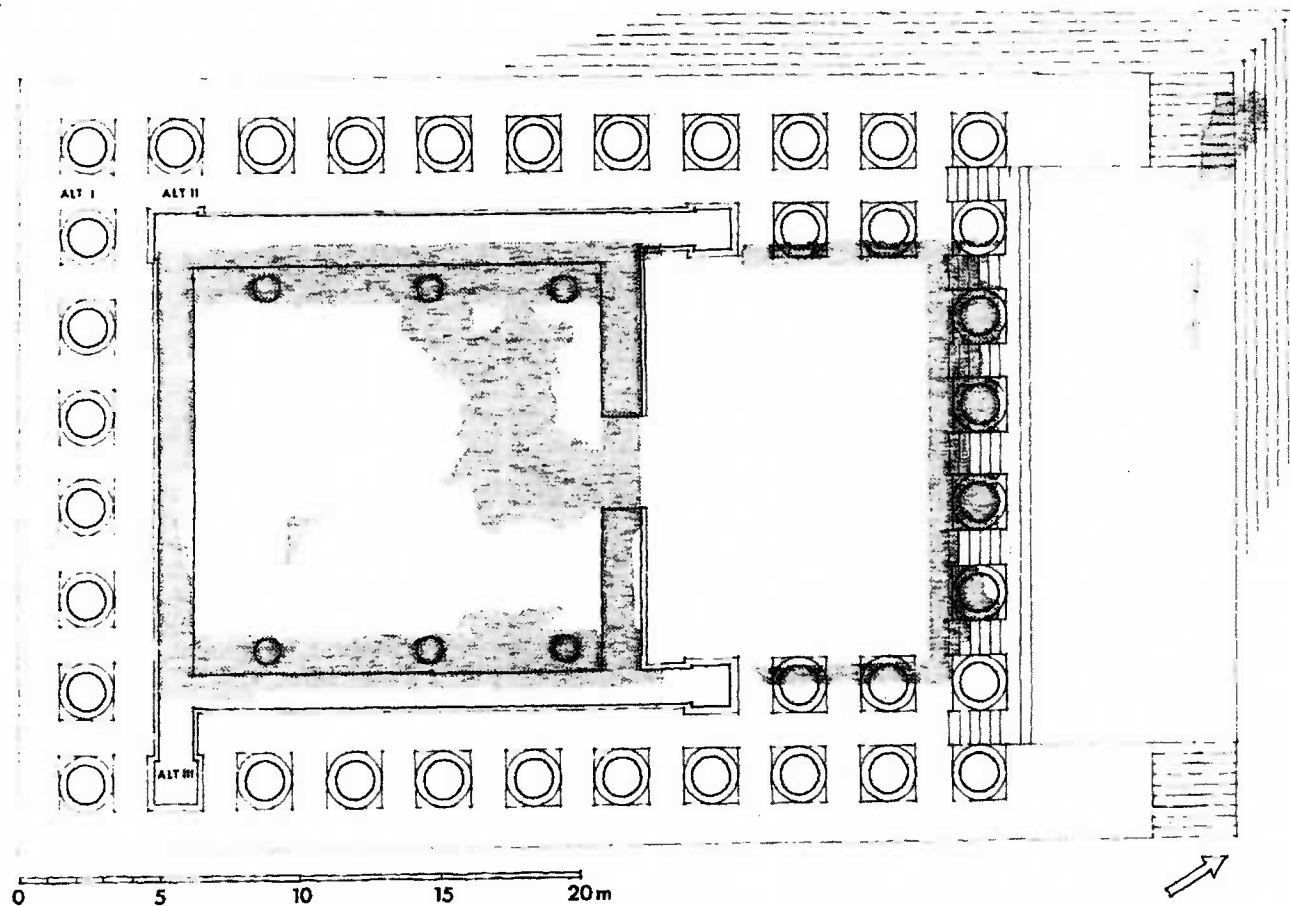


Figure 1. Metellan Temple of Castor, plan with extant structures (Nielsen and Poulsen 1992: 108, fig. 100).  
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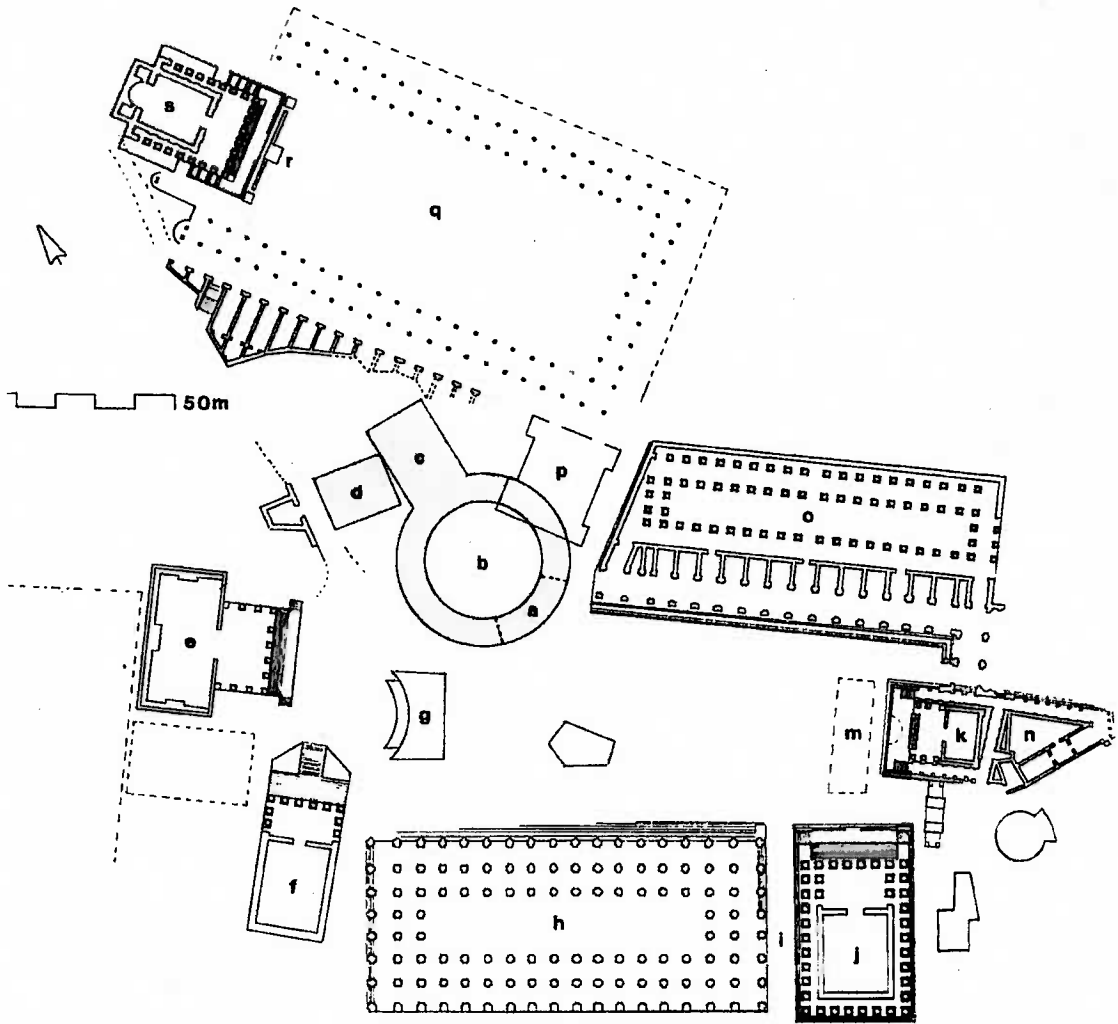


Figure 2. The Forum Romanum and Forum Iulium (Ulrich 1993: 52, fig. 1).

a) Republican Rostra; b) Republican Comitium; c) Curia Hostilia; e) Temple of Concord; g) Imperial Rostra; h) Basilica Julia; i) Vicus Tuscus; j) Temple of Castor; k) Temple of Divus Iulius; o) Basilica Aemilia; p) Curia Julia. Reproduced with the permission of R. B. Ulrich and the *American Journal of Archaeology*.

## THE TEMPLE OF DIVUS IULIUS

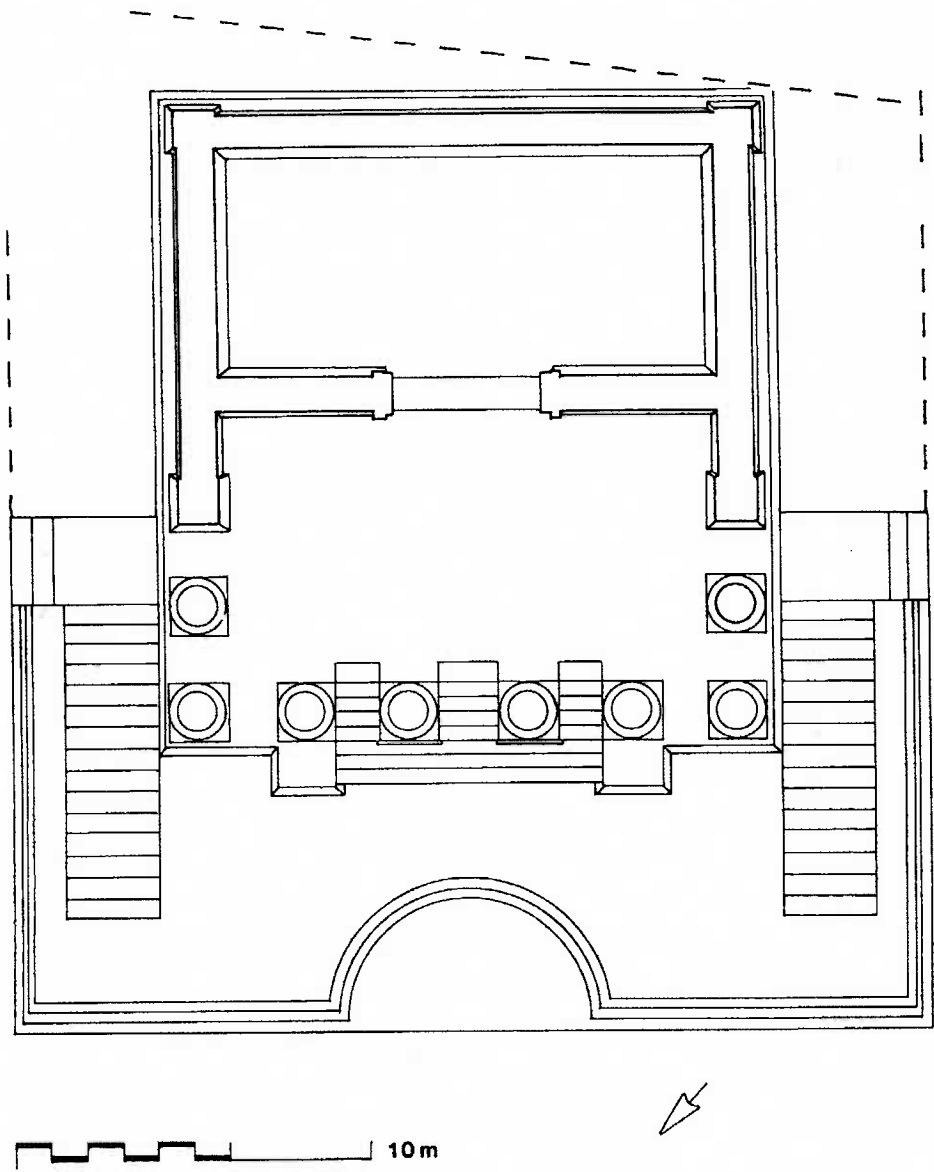


Figure 3. Temple of Divus Iulius, Plan (Ulrich 1993: 65, fig. 8).  
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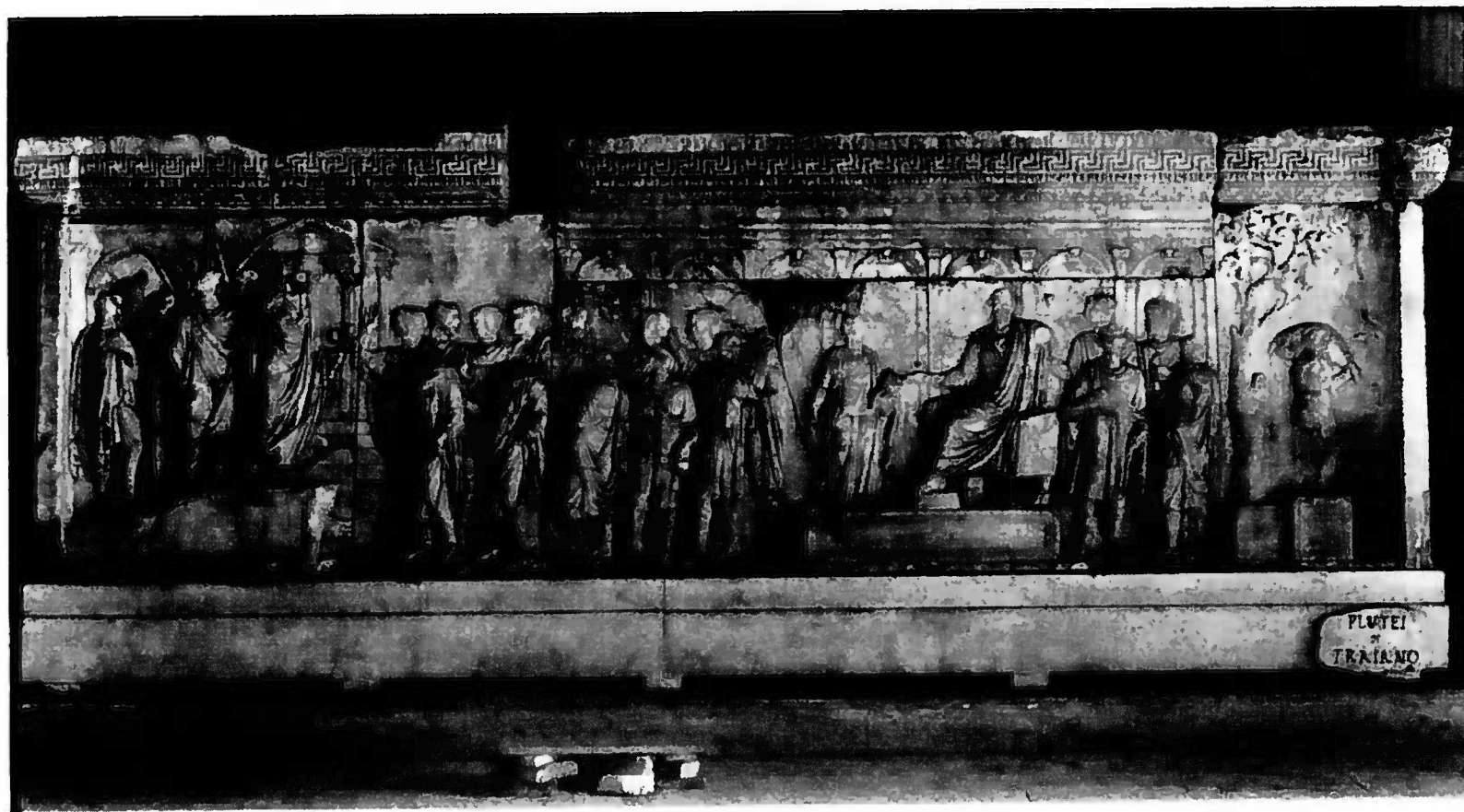


Figure 4. Anaglypha Traiani (Felbermeyer, Neg. D-DAI-Rom 68.2783). At the left, the emperor addresses a crowd in the Forum Romanum from the rostra of the Temple of Divus Iulius (identified by the prows attached to the podium). The front of the Temple of Castor is seen to the emperor's left, obscured by the rostra of the Temple of Divus Iulius.



Figure 5. Frieze from the Temple of Divus Iulius (Koppermann, Neg. D-DAl-Rom 63.1230)