

Devotio and human sacrifice in archaic Italy and Rome

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ABSTRACT

The Roman father and son of the same name, P. Decius Mus, became paragon heroes by deliberately giving their lives in battle that Rome might win over a fierce enemy. Both engaged in a special ritual called *devotio* (from which our word “devotion” derives) to offer themselves to the gods of the Underworld, with whom regular people have very little interaction and to whom they rarely sacrifice. While the Mus family is the most famous for this act, it turns out the willingness to sacrifice oneself for Rome frequently occurs within stories of great patriots, including the story of Horatius Cocles, Mettius Curtius, Atilius Regulus, and even the traitors Coriolanus and Tarpeia.

Romans regarded self-sacrifice as a very high, noble endeavor, whereas they loathed and persecuted practitioners of human sacrifice. It is therefore quite amazing to read that the Romans thrice engaged in state-sponsored human sacrifice, a fact they rarely mention and generally forget. The most famous enemy practitioners of human sacrifice were the Druids, whom the Romans massacred on Mona Island on Midsummer Night’s Eve, but the Carthaginians, the Germans, the Celts, and the Thracians all infamously practiced human sacrifice. To Romans, the act of human sacrifice falls just short of cannibalism in the spectrum of forbidden practices, and was an accusation occasionally thrown against an enemy to claim they are totally barbaric. On the other hand, Romans recognized their own who committed acts of self-sacrifice for the good of the society, as heroes.

There can be no better patriot than he who gives his life to save his country. Often the stories of their heroism have been exaggerated or sanitized. These acts of heroism often turn out to be acts of human sacrifice, supposedly a crime. It turns out that Romans have a strong legacy of practicing human sacrifice that lasts into the historic era, despite their alleged opposition to it. Numerous sources relate one story each. Collecting them all makes it impossible to deny the longevity of human sacrifice in Rome, although most

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Romans under the emperors were probably unaware of it. The paradox of condemning but still practicing human sacrifice demonstrates the nature of Roman religion, where *do ut des* plays a crucial role in standard sacrifice as well as in unpleasant acts like human sacrifice. *Devotio* was an inverted form of sacrifice, precisely because it was an offering to the gods of the Underworld, rather than to Jupiter or the Parcae. Romans may have forsaken *devotio*, but they continued to practice human sacrifice far longer than most of us have suspected, if one widens the current narrow definition of human sacrifice to include events where a life is taken in order to bring about a better future for the commonwealth, appease the gods, or ensure a Roman victory in battle.

KEYWORDS

Devotio, human sacrifice, Vestal Virgins, Forum Boarium, Decius Mus, Horatius Cocles, Aemilius Paulus, Tarpeia, Coriolanus

In mythological and historical times the Greco-Roman pantheon of gods very rarely demanded human sacrifice and never demanded child sacrifice, unlike the Punic gods. Greeks and Romans developed a violent aversion to human sacrifice that in the case of the Romans rapidly escalated to a policy to stamp it out, which is why the discovery that Romans were practicing human sacrifice as late as 100 BC shocked many Victorian Era scholars. Modern scholars grudgingly acknowledge three events of human sacrifice in Rome in 228, 216, and 114/13 BC but dispute the precise causes, and most of them strongly object to the premise that human sacrifice was practiced in Rome far more often than those three times. As a matter of fact, the open and repeated if reluctant practice of human sacrifice on the part of early Romans from the monarchy through the Middle Republic embarrassed Roman authors of the Late Republic and Principate, who often chose not to report those cruel acts and on the contrary cleansed their accounts of them, deliberately passing over them in silence as if by a *damnatio memoriae*. If that omission anticipated the theme of divinely ordained Roman *imperium sine fine* before the Punic Wars, it was doubly for the better.

The fruits of this revised history created for posterity a canon of republican heroes, such as Horatius Cocles, P. Decius Mus (father and son), and Regulus, who all gave their lives for the greater good of Rome. By a broad definition, many of these heroes were human sacrifices, whose stories transformed to conceal the human sacrificial element, most frequently by making their deaths voluntary, both in order to cleanse the Romans of the crime (in later eyes) of human sacrifice and to inspire others to embrace the same ancient utilitarianism that the survival of the community outweighed the survival of the one. Most Roman sources chose not to explain that the ancestors regarded human sacrifice as a sometimes necessary – if unpleasant – ritual to appease the anger of the gods, preferring to expunge and euphemize the horrible truth lest later generations realize that human sacrifice had been wide spread in archaic Rome. For example, Cicero, Sallust, Seneca, and Florus, never mention the practice of human sacrifice, even when discussing the events of 216 BC and 114/13 BC.

Livy, Valerius Maximus, Frontinus, Plutarch, Florus, Aurelius Victor, and others extolled heroes who sacrificed their lives for Rome and condemn foreign peoples for committing human sacrifice. At first these statements seem not to contain any conflict, however, several overlooked clues indicate that some Roman heroes were partially or fully human sacrifices. In a single generation after the Senate banned human sacrifice in 97 BC and began to persecute it, Roman thinking swiftly re-categorized the morality of human sacrifice from a necessary evil to save civilization to a despicable, heinous act that defined sacrilege and a barbaric people. Of course,



that reassessment obliged Romans to revise their own distant and recent past and to declare that Romans had abandoned human sacrifice far earlier than is correct.

Modern differences in the meaning of sacrifice and the horror of human sacrifice make it valuable to revisit the Roman concepts of sacrifice.¹ Early on, sacrifice meant a human parted with something of substantial value whose loss caused genuine hardship (physical, financial, emotional) to express affection, loyalty, or dutifulness to a deity, often to achieve a greater benefit, including appeasement. Individuals regularly performed a small sacrifice before important decisions or journeys either to receive a god's opinion or support in the venture. That especially included sacrificing (*mactare*) a bull immediately before a battle to obtain favorable omens.² If the sacrifice was inconclusive or worse, it provided an unfavorable omen, the general sacrificed bull after bull until a favorable outcome occurred. The Spartans would not fight back in the early moments of the Battle of Plataea, suffering many casualties, until they had received a favorable omen.³ At state festivals, priests and magistrates offered (killed and cooked) bulls, pigs, or other animals on behalf of the community to maintain the *pax deorum* (divine favor and benevolence). Although we read much more about state operated sacrifices, it goes without saying that public and private sacrifices continued to co-exist for many centuries.⁴ Stories from mythology influenced Greco-Roman ethics and repeatedly showed that the neglect of the expected sacrifice (public or private) provoked divine anger, such as the storm that scattered the Greek fleets returning from Troy, and the terrible defeat at Lake Trasimene in June 217 BC.⁵ The Greeks and Romans diligently corrected past oversights to appease divine wrath and nervously received other strange omens, such as talking cows, monstrous births, and strange forms of precipitation (hail, blood, milk, etc.).⁶

¹For a much deeper survey, see SCHULTZ, C. E.: Roman Sacrifice, Inside and Out. *JRS* 106 (2016) 58–76, esp. 75–76, the Romans had multiple terms including *sacrificare*, *mactare*, *polluctum* and *magmentum* that represent different concepts of sacrifice, which many scholars fail to appreciate fully.

²E.g. Xenophon sacrificed before setting off on the Persian Expedition, *Anab.* 3. 1. 6–8. The Battle of Himera, 480, Hdt. 7. 167. 1; the Battle of Plataea, 479, Hdt. 9. 33–40; the Battle of Vesuvius (Veseris), 340 BC, Liv. 8. 9. 1–2; Val. Max. 1. 7. 3; the Battle of Beneventum, 275, Plut. *Pyr.* 25. 3; Plut. *Alex.* 25.1 prior to capturing Tyre. See also Cic. *De Div.* 1. 25. 77, 2. 8. 21; Liv. 30. 20. 6; Front. *Strat.* 1. 12. 1–12 on dispelling adverse omens; Osand. *Strat.* 5. 1, 10. 25–28, 34. 1: sacrifice after the battle also.

³Hdt. 6. 106. 3 ff, 6. 120. 1, 9. 33–40. LEVENE, D. S.: *Religion in Livy*. Leiden 1993. Those killed were in a loose sense sacrificed to obtain victory, dying in order to ensure victory.

⁴E.g., private citizens sacrificed a few drops of oil or wine to Vesta and to the Lares on a nearly daily basis.

⁵Many disasters were attributed to religious neglect, Cic. *De Nat. Deor.* 2. 3. 8, a fleet sunk at sea in 249, Lake Trasimene (24 June 217) and Carrhae (6 May 53 BC), Dio 40. 17. 1–2. The dictator Fabius Maximus Cunctator meticulously corrected and propitiated divine anger at great expense in 217, Polyb. 3. 88. 7 (obliquely); Liv. 21. 62, 22. 9; Plut. *Fab.* 4. 3–5. 1. Cf. App. *Ital.* 8. 1. The rites in 217 included a *lectisternium*, costing exactly 333,333 $\frac{1}{3}$ *sestertii*. Mythological examples include Minos and the White Bull, the Calydonian Boar, Menelaus stranded in Egypt, etc. But oddly, when Perseus killed the sea monster Poseidon sent to ravage Ethiopia and then rescued the intended victim, Andromeda, Poseidon did not punish Ethiopia further. Later the story repeated at Troy with Hesione and Heracles. Again, Poseidon did not demand a new sacrifice or send a new monster.

⁶Julius Obsequens, a fourth century writer, wrote *Liber Obsequens*, which survives only in fragments. See ORLIN, E.: *Temples, Religion, and Politics in the Roman Republic*. Boston–Leiden 1997, 199–207 for the list of prodigies and consultations of the Sibylline Books; GILLMEISTER, A.: *The Guardians of the Sibylline Books. The Viri Sacris Faciundis College in Roman Religion*. Lugano 2019.



Cancellation of a bad omen by additional sacrifice sounds like an improper manipulation of the system, as if by burning an animal carcass, mortals can overcome the will of the gods, but Andrzej Gillmeister shows that ancient religion did not consider it a violation and permitted a restart of the sacrificial inquiry with a second slaughtered animal, or if needed, more.⁷ In Greek mythology, the human always fails to overcome the bad omen or prophecy (e.g. Acrisius, Laius, Oedipus, Althea, Ancaeus, Pelias, Priam and Hecuba, etc.), but historical figures could twist the interpretation of the omen or reset the process with a new animal. The dictator Julius, stepping ashore in Africa in 46 BC, slipped and fell to the horror of his troops, but swiftly and very cleverly turned the bad omen to good. He quickly seized two handfuls of sand and exclaimed “Africa I have you in my grasp!”⁸ Even more famously, the Athenians did not like the dire reply from the Oracle at Delphi on the eve of Xerxes’ invasion, so they requested and received a better response.⁹ The secrets to securing the *pax deorum* were beyond the comprehension of normal mortals, but intention plays a role, for Cepheus and Laomedon each *tried* to sacrifice their daughter to placate the gods.

Critical readers of Livy consider his version of events before 280 BC to be literature or history as epic, rather than real history. Cicero’s and Livy’s canon of heroes inspired Dante, Shakespeare, Corneille, and many others. The division between a hero’s self-sacrifice and forced demise *looks* clear-cut, but the sands of time have rewritten the story many times and changed one to the other. In Polybius, Horatius Cocles jumps to his death after his comrades destroy the Pons Sublicius, but Livy’s Horatius swims across the Tiber through the Etruscan missiles and escapes.¹⁰ Polybius’s M. Atilius Regulus (cos. 267, 256) was captured alive in 255. I assume he was paraded about Carthage and then shortly publicly executed. But five years later the legendary Regulus of Cicero and Livy returned to Rome and first he broke one oath to the Carthaginians when he denounced a peace plan and then kept another when he insisted on returning to Carthage to face death by torture, knowing his actions would help Rome win the

⁷GILLMEISTER (n. 6) 105–111. I thank Attilio Mastrocinque for reminding me how the emperor Julian sacrificed ten bulls to get a favorable omen from Mars, without success, and had to give up, *Amm. Marc.* 24. 6. 17.

⁸*Suet. Div. Iul.* 59; *Dio* 41. 39. 2–3, *Minuc. Fel. Oct.* 26. At the onset of the same campaign the bull escaped the altar of sacrifice, a terrible omen, but Julius simply ignored it and embarked for Africa anyway. British readers will recall that William the Conqueror also tripped and fell upon landing in Pevensey in September 1066. He recovered the morale of all by exclaiming “By the splendor of God I have seized (*sic*) of my kingdom; the earth of England is in my two hands,” *Master Wace, his Chronicle of the Norman Conquest from the Roman de Rou*. Translated with notes and illus. by E. Taylor. London 1837, 131. This story may be Robert Wace’s attempt to liken William to the Divine Julius. See PLANCHÉ, J. R.: *William the Conqueror and his Companions*. London 1874, 52–53. The authoritative STENTON, F. M. (*William the Conqueror and the Rule of the Norman*. New York: Putnam and Sons, 1908) omits it.

⁹*Hdt.* 7. 140–142. The first oracle spelled doom. The second oracle advised them to trust in the wooden walls.

¹⁰For sources, see n. 112 *infra*. On the different versions of Horatius: see VAN LOMMEL, K.: Heroes and Outcasts: Ambiguous Attitudes towards Impaired and Disfigured Roman Veterans. *Clas. World* 109.1 (2015) 91–117, esp. 99–100 and fn. 38. Others intentionally died in water, Aeneas in the river Numicus to avoid capture (by Mezentius), *Dion. Hal.* 1. 64. 4–5; *Liv.* 1. 2. 6; *Aen.* 8. 61–62; VUKOVIĆ, K.: Silvia’s Stag on the Tiber: the Setting of the Aeneid’s *Casus belli*. *Mnemosyne* 73.3 (2020) 464–482; Hamilcar Barca, giving his life so his sons and some forces could escape, the best account of Hamilcar’s death is not *Nep. Ham.* 4. 2 or *Livy* 21. 2, but *Diod. Sic.* 25. 19 = *Tzetzes* 1. 700–723; some Roman soldiers at Lake Trasimene, *Liv.* 22. 6–7; Olaf Trygvason at the Battle of Svolder, *King Olaf Trygvason’s Sage* 121. The disappearance of King Arthur over the water is related.



First Punic War.¹¹ Heroism was not all chivalry and transparency, since tradition has elevated to heroic status certain villains.

As every classics graduate student from Victorian England knew, the practice of human sacrifice was one of several litmus tests that separated the uncivilized from the civilized,¹² along with whether one wore trousers and said “bar-bar-bar” when speaking.¹³ The ancient Greeks abandoned human sacrifice in the Mycenaean Bronze Age, allegedly due to the efforts of heroes such as Perseus, Theseus, and Heracles, albeit with some special exceptions. Agamemnon was forced to sacrifice Iphigeneia in order to acquire favorable winds for the fleet to sail to Troy. Many legendary examples of sacrifice lingered in Greek and Roman consciousness.¹⁴

- Menoechus, one of the Spartoi, sacrificed himself to ensure that Thebes would survive the attack of the seven champions.¹⁵
- Codrus, the last king of Athens, fulfilled a prophecy that if the enemy killed him, the invaders would fail to conquer Athens.¹⁶
- Tarpeia tried to save or betray Rome and lost her life at Sabine hands, but the noise of killing her saved Rome.
- Both Horatius Cocles and Mucius Scaevola went on suicide missions against Lars Porsenna, expecting to give their lives.
- Coriolanus the traitor turned back the Volscian army after seeing the tears of his mother, full well knowing he would be put to death by the Volscians.
- In 480 BC, the famous Leonidas of Sparta allegedly responded to an oracle by dying for his country at Thermopylae to ensure victory.¹⁷

¹¹Polybius does not record Regulus’s heroic mission back to Rome. Frank Walbank and others understood that to mean the heroic mission was an invention, *contra* T. FRANK (Two Historical Themes in Roman Literature. *Classical Philology* 21 [1926] 311–316). The failure of the historical general to accept favorable peace terms prolonged the First Punic War at great cost to Rome, and the family additionally had to atone for their own maltreatment of POWs. To counter the negative legacy, they invented a martyr who broke one promise but kept the other, mindful of Mucius Scaevola, seemingly during the aftermath of Cannae, according to Valerius Maximus, and urged the Senate not to ransom the POWs taken in August 216 BC; cf. STERN, G.: *A Tale of Two Prisoners: Regulus and Scipio Asina, Roman POWs in the First Punic War*. In CAMWS-SS Richmond, VA November 2010, and *The Tortured Tale of Marcus Atilius Regulus, the Roman Hero that Never Was*, written for the Oxford Torture Conference, June 2016.

¹²Plin. *NH* 30. 1–2, 12–15: human sacrifice was un-Roman. Cic. *Pro Font.* 11. 21; Plin. *NH* 30. 3. 4: only barbarians commit human sacrifice. Signs of barbarism: Caes. *De Bell. Gall.* 6. 16; Cic. *De Fin.* 2. 19, *Pro Flac.* 38, *Pro Font.* 16; Tac. *Ann.* 1. 61, *Germ.* 9; Strab. 4. 1. 5. On separating civilized from uncivilized, see BOLETSI, M.: *Barbarism and Its Discontents*. Stanford University Press 2013, 57–105.

¹³On barbarian language: *Il.* 2. 867; *Od.* 8. 294; Aesch. *Ag.* 1051, *Pers.* 255; Soph. *Aj.* 1263; Hdt 1. 58, 2. 57; Eurip. *Iph. In Aul.* 1400; Thuc. 1. 3; Aristoph. *Birds.* 199–200; Plat. *Epin.* 8. 353e, *Prot.* 341c, *Stat.* 262d; Aristot. *Pol.* 1252b5, 1252b9; Plaut. *Menex.* 242a; Strabo 14. 2. 28.

¹⁴The original paper read in Lonato in 2017 had many more examples, including Erechtheus’s daughter, Phrixus and Helle, Minos’s tribute imposed on Athens, Achilles and Aeneas sacrificing POWs, Polyxena, etc.

¹⁵The uncle and nephew Menoechus had similar deaths, Pind. *Nem.* 1. 91; Eurip. *Phoen.* 913, 930; Ov. *Met.* 3. 320; Apoll. *Bibliotheca* 3. 6. 7; Paus. 9. 25. 1; Stat. *Theb.* 10. 756; Hygin. *Fab.* 67, 75.

¹⁶Lycurgus, *Kata Leocr.* 84–87; Aristotle *Const. Ath.* 3; Cf. Socrates *Thracian History apud* Plut. *Paral. Min.* 18: the Thracians, not the Dorians attacked Athens.

¹⁷Hdt. 7. 220; Cic. *De Fin.* 5. 22. 62; Plut. *Paral. Min.* 18: a prophecy said Sparta would win if one of her kings died. Plutarch parallels Codrus and the *devotio* of Decius Mus.



- Romans remembered two parallels to Thermopylae: At the battle of Cremera on 18 July 477, the 300 men of the *gens* Fabia fell in battle against Veii. Only one Fabius survived.¹⁸ In Sicily ca. 257, Calpurnius Flamma diverted the wrath of the enemy upon his command of 300 men, who killed them all, so that the consul Atilius Calatinus could lead the rest of the Roman army to safety. The story may be invented.¹⁹
- In 390/87 after the Battle of Allia River the Gauls under Brennus entered Rome to find the old men of Rome sitting outside their houses. The elders sacrificed their lives, so that the Roman youth could fortify the Capitoline and perpetuate the city during the siege. The Gauls killed all the old men.
- In 362 BC Marcus Curtius vowed himself to the gods and charged on horseback into a chasm in the Forum.
- The legendary Regulus returned to Carthage to keep his word, knowing that if he stayed in Rome to avoid his punishment, all Rome would suffer the anger of the gods. He made a virtual *devotio*, for he expected his death to bring about Carthage's defeat.

The Romans considered self-sacrifice (not always in battle) to be exemplary acts of patriotism, and under specific circumstances they called it *devotio*. They especially honored Horatius Cocles, Mettius Curtius, and the Decius Mus family, two of whom, as consuls, sacrificed their own lives to win a Roman victory at the battles of Vesuvius (Veseris) in 340 BC and Sentinum in 295 BC.²⁰ I believe the original events for most of these stories were revised into the fantastic version before Livy's day, both to be more glorious and inspire admiration for the militant and utilitarian past, as well as to enhance the virtue of self-sacrifice, while concealing the element of human sacrifice. For public morale, it was better to have heroes who gave themselves willingly for the common weal, which under special, semi-magical or religious circumstances were labeled *devotio*, rather than to attribute Roman success to accident or the misfortune of a few. The papering over of the facts also may conceal the frequency of human sacrifice in the Early Republic. Later Romans were unaware of or denied that their ancestors practiced human sacrifice after 510 BC.

HUMAN SACRIFICE IN NON-HISTORIC ITALY

Lethal, Roman festivals, gladiatorial funerary offerings,²¹ textual evidence from Livy, Plutarch, Pliny, and others, and especially archaeology all prove that human sacrifice was widely practiced

¹⁸Liv. 2. 48–51, 6. 1; Ov. *Fast.* 2. 195–196 says 13 Feb. *contra* Tac. *Hist.* 2. 91. 1 says 18 July; Plut. *Cam.* 9.

¹⁹Liv. 22. 60. 11; Front. *Strat.* 1. 5. 15, 4. 5. 10; Zonar. 8. 12. Cf. Gell. *AN* 3. 7. Frontinus says some call the hero Laberius or Q. Caedicius.

²⁰Cic. *De Div.* 1. 24. 51, Cic. *De Fin.* 2. 19. 61, 5. 22. 64, *De Off.* 1. 18. 61, 3. 4. 16, *De Re Nat.* 3. 6. 15, *De Sen.* 13. 43, 20. 75, *Phil.* 9. 6. 13, *Tusc. Disp.* 1. 37. 89, 2. 24. 59, *Pro Rab.* 1. 2; Diod. *Sic.* 21. 6. 1–2; Liv. 5. 21. 2, 8. 6. 8, 9. 1. 1 – 11. 1; Dion. Hal. 20. 1. 1–7, 20. 29, 21. 8–10; Luc. *BC* 2. 308, 6. 785–786, 7. 358–360; Plin. *NH* 28. 3. 12; Front. *Strat.* 1. 5. 14, 1. 8. 3, 4. 5. 9, 4. 5. 15; Plut. *Pyr.* 21. 5–7; Plut. *Mor.* 308B, 310B, 499B–C; Dio 9. 5; Macr. *Sat.* 3. 9. 9–13; St. Aug. *De Civ. Dei* 5. 18. Most scholars question the historicity of the first P. Decius Mus committing *devotio* at Veseris in 340, GUITTARD, CH.: Tite-Live, Accius et le rituel de la *devotio*. CRAI (1984) 581–600, esp. 581–584. Note that if the grandson tried (which GUITTARD, 582 doubts) at Asculum, he failed to ensure victory. It appears he survived the battle. See n. 97, *infra*.

²¹E. T. SALMON (*Samnium and the Samnites*. Cambridge University Press 1967) says the Sabellians invented gladiatorial funeral offerings, not the Etruscans. Gladiatorial combat scenes on many Samnite graves in the Paestum Museum date to ~300 BC. For human sacrifice among the Samnites, see Flor. 1. 16. 7.



in Ancient Italy.²² When the gods demand the sacrifices of the lives of Misenus and Palinurus in *Aeneid* 5 as the price to found the Roman race, Vergil’s audience found this entirely credible.²³ The Roman ethic regarding sacrifice, *do ut des*, was founded upon a utilitarianism that condoned any sacrifice because the common weal outweighed the survival of the individual. The use of human sacrifice dissipated gradually, not at all as swiftly or as early as Roman sources claim, who date it to the time of Hercules and then again at the fall of the monarchy (which subtly but deliberately blamed human sacrifice on Etruscan rule). Archaeology shows it was much more protracted and wide spread.

From their foundation before 1000 BC, many Italian cities, including Falerii and Rome, used to hold an annual human sacrifice, often to their patron god.²⁴ According to several different stories Hercules came through Italy on the way home with Geryon’s cattle and taught right from wrong to the savage inhabitants of Italy, including a ban on human sacrifice.²⁵ However, that did not stop Aeneas from sacrificing eight Italians.²⁶ One tradition says Remus was sacrificed within the *pomerium* during the founding of Rome.²⁷ Numa Pompilius tricked the gods by means of his clever wits out of prescribing a human life as the required sacrifice for a certain ritual or transgression, by swiftly adding “of onions” and “of sprats” to the words “offer a head”.²⁸ The François tomb of the Etruscan Vel Saties in Vulci shows Achilles sacrificing Trojans (Fig. 1).²⁹ The ancient Romans used to hang chosen boys during the *Feriae Latinae* at the end of April, and

²²I thank Francesca Ceci for bringing to my attention a vast bibliography of scholarship on ancient Italian human sacrifice, including BRIQUEL, D.: Le sacrifice humain attribué à Octave lors du siège de Perouse. In BONAMENTE, G. (ed.): *Augusta Perusia. Studi storici e archeologici sull’epoca del bellum Perusinum*. Perugia 2012, 39–63. DI FAZIO, M.: Callimachus and the Etruscans: Human Sacrifice between Myth, History, and Historiography. *Histos* 7 (2013) 48–69; VASELLI, K.: Sacrificio umano in terra di Siena, a Chiusi: è un uso etrusco. *Siena News* 22 Feb. 2017; DOMENICO, O.: Sacrifici umani e sepolture rituali tra etruschi e romani. *Storia di Roma Antica* (Aug. 2017) 1–13; CECI, F.: Sacrifici umani in Grecia e Roma antiche. *Archart* (Mar. 2019).

²³VUKOVIĆ (n. 10), Vergil invokes the death of Palinurus when Tiber appears to Aeneas in a dream and hints that Aeneas’s death will be a similar sacrifice with the words *mihi victor honorem persolves*. 8. 61–62.

²⁴Plut. *Par. Min.* 35 = *Mor.* 314D. The archaeological record supports this. See n. 37 *infra*.

²⁵Dion. Hal. 1. 38. 1 ff; *Ov. Fast.* 5. 632; Plut. *Quae. Rom.* 32 = *Mor.* 272B, *Par. Min.* 38. *Macr. Sat.* 1. 11. 47. Cf. *Aen.* 8. 200 ff; *Liv.* 1. 7. 4–15, but Vergil and Livy do not mention the abolition of human sacrifice. See BRIQUEL, D.: *Les Pélasges en Italie*. Rome 1984; MACEY, S. L.: *Patriarchs of Time: Dualism in Saturn-Cronus, Father Time, the Watchmaker God and Father Christmas*. Athens, GA 2010.

²⁶Four Paelignians (sons of Sulmo, 9. 410–416) and four Nersaeans (sons of Uffens, 7. 744–750, 12. 460), *infra* n. 36.

²⁷WISEMAN, T. P.: *Remus: A Roman Myth*. Cambridge 1995, 117–125; FORSYTHE, G.: *A Critical History of Early Rome*. Berkeley 2005, 96; HALL, J. M.: *Artifact and Artifice: Classical Archaeology and the Ancient Historian*. Chicago–London 2014, 132–133. In a version Livy rejected, Remus must die to protect the secret weaknesses of the city of Rome, which also is why China executed the wall builders. Such forbidden knowledge, including the secret name of an ancient city exposed a city to capture. See also OTTINI, L.: Possible Human Sacrifice at the Origins of Rome: Novel Skeletal Evidences. *Medicina nei Secoli* 15.3 (Dec 2002) 459–68. Plut. *Quaest. Rom.* 27 = *Mor.* 271A fails to explore this when he discusses the sanctity of walls. I thank Charles King for his advice on Remus.

²⁸Plut. *Numa* 15. 5–6.

²⁹On Etruscans, the Spurrinna family and true human sacrifices, see COLONNA, G.: Apollon, les Étrusques et Lipara. *MÉFRA* 96 (1984) 557–578; on the François tomb: COARELLI, F.: Le pitture della tomba François a Vulci: una proposta di lettura. *Dialoghi di Archeologia* 3 (1983) 43–69.





Fig. 1. Picture of the François tomb of Vel Saties, Vulci, Achilles committing human sacrifice (photo Gaius Stern)

the Vestal Virgins used to throw children into the Tiber River from the Pons Sublicius every 14–15 May until the fall of the monarchy, when puppets replaced the human victims.³⁰ While founding the Temple of Jupiter Capitolinus, Tarquin II uncovered a disembodied head (*caput*) that signaled Rome would be the capital of the world.³¹ Surely the un-sanitized version before Livy indicates this was a human sacrifice. Dirk Steuernagel assembled a catalogue of 305 Etruscan sarcophagi and funerary urns that depict human sacrifice over three centuries.³² The sons of Junius Brutus Pera held the first gladiatorial funeral games in Rome in 264 BC in the Forum Boarium. The defeated gladiators served as his brave escort on the difficult journey to the Underworld, by definition, because they were human sacrifices to protect the magnate (of course, the winning gladiator would be the stronger, better escort!).³³ Later Romans would

³⁰Cic. *Pro Roscio Amerino* 35.100; Dion. Hal. 1. 19, 1. 38. 2; Ovid *Fasti* 5. 620–662; Lactan. *Inst. Div.* 1. 21; Euseb. *Evang. Praep.* 4. 16. 51–52; Probus and Servius commenting on *Georgic* 2. 389 *apud* Macrob. *Sat.* 1. 7. 34. Also puppets replaced children at the *Feriae Sementiva* and *Paganalia* in January. See again how L. Junius Brutus abolished the hanging of children at the Compitalia shrines, substituting woolen rag-dolls, called *Maniae* (cf. *manes*), Macrob. *Sat.* 1. 7; TAYLOR, L. R.: The Mother of the Lares. *AJA* 29.3 (1925) 299–313; PRESCENDI, F.: *Décrire et comprendre le sacrifice*. Stuttgart 2007, 171–188. On the Argei, see LE GALL, J.: *Recherches sur le culte du Tibre* [Publications de l'Institut d'Art et d'Archéologie de l'Université de Paris I–II] 1953, 82–87; GRAF, F.: The Rite of the Argei. *Museum Helveticum* 57.2 (2000) 94–103; GARNAND, B.: Phoenicians on the Edge: Geographic and Ethnographic Distribution of Human Sacrifice. *Studi Epigrafici e Linguistici* 29–30 (2012–13) 65–92. On replacing human sacrifice with animal sacrifice, see CAPDEVILLE, G.: Substitution de victimes dans les sacrifices d'animaux à Rome. *MÉFRA* 83 (1971) 283–323.

³¹Liv. 1. 55. 5–6; Dion. Hal. 4. 60. 2 – 61. 2; Plin. *NH* 28. 4. I thank Henry Walker for reminding me of this anecdote.

³²STEUERNAGEL, D.: *Menschenopfer und Mord am Altar: griechische Mythen in etruskischen Gräbern*. Wiesbaden 1998.

³³Liv. *Per.* 16; Val. Max. 2. 4. 7; Auson. *Griph. Tern.* 36–37. In 216 BC, 22 pairs of gladiators fought at the funeral of L. Aemilius Lepidus in the third set of gladiatorial games in Rome, providing many escorts to the Underworld, Liv. 23. 30. 15. But it soon transformed into a spectator sport, sometimes disguised as devout funeral offerings. Stanley Kubrick's film *Spartacus* (1960) accurately has a wealthy family pay for a gladiatorial match for devout reasons, but their *pietas* causes the gladiators to revolt at the school of Lentulus Batiatus. The Divine Julius as aedile went deep into debt to celebrate the memory of his father with lavish gladiatorial games that increased his popularity, Suet. *Div. Iul.* 10. 1–2, 18. 1, 54. 1; Plut. *Caes.* 5. 5. Germanicus and Claudius also held lavish funeral gladiatorial games in AD 6 for Drusus the Elder to preserve his memory 15 years after his death, Suet. *Div. Claud.* 2. 2; Dio 55. 27. 1. Enemies of Rome, such as Hannibal and Jugurtha also forced Roman POWs to fight as gladiators partly for entertainment but more to humiliate them.



vehemently deny gladiators were human sacrifices, but gladiatorial games obviously started out as a variation of the sacrifice of POWs,³⁴ for which, recall how Achilles slew POWs beside the bier of Patroclus, Neoptolemus sacrificed Polyxena at the tomb of Achilles, and Aeneas slew POWs at the funeral of Pallas.³⁵ In addition, Lactantius (ca. 250–325) insinuates that Romans in the second century were still conducting an annual human sacrifice to Jupiter Latialis, corroborated in part by Tatian of Adiabene (ca. 120–180), Porphyry, and others.³⁶ Some of them refer not directly to the gladiatorial games, but to the practice of throwing fresh gladiator blood onto the statue of Jupiter. Human sacrifice took many forms.

The sum of these examples paints a pretty bloody picture in ancient Italy where human sacrifice was common around 500 BC and legal until 97 BC. While Livy, Plutarch, Pliny, and Minucius Felix testify to only three government ordained episodes of human sacrifice during emergencies in 228, 216, and 114/13 BC, many earlier and subsequent emergencies may have required human sacrifice to appease the gods, but any mention of it is absent from Cicero, Caesar, Tacitus, and Polybius, even though it lasted far longer than most historians imagine.³⁷

³⁴On the evolution of gladiatorial games, see BARTON, C.: *The Sorrow of the Ancient Romans*. Princeton 1993, 13–14, 17 n. 20, 40–46; BEACHAM, R. C.: *Spectacle Entertainments of Early Imperial Rome*. New Haven 1999, 14–15; FUTRELL, A.: *The Roman Games: A Sourcebook* [Blackwell Sourcebooks in Ancient History]. Malden–Oxford 2006, esp. 1–7; KYLE, D. G.: *Sport and Spectacle in the Ancient World*. Chichester, West Sussex, UK 2015, 243–246, 268–272. A. FUTRELL (*Blood in the Arena: The Spectacle of Roman Power*. Austin 1997, 169–202) advances the thesis that gladiatorial combat long retained an element of human sacrifice. The matter is much debated in scholarship, see KYLE, D. G.: *Spectacles of Death in Ancient Rome*. London 1998, 36–40; POTTER, D. S. – MATTINGLY, J. D. (eds): *Life, Death, and Entertainment in the Roman Empire*. Ann Arbor 1999, 305–306; K. WELCH's review of Futrell, *JRA* 14 (2001) 497–498.

³⁵*Il.* 18. 336–337, 21. 27–32, 23. 174–176; On Polyxena, see Eurip. *Hec.* 105–153, 189–226, 255310, 518–552. Aeneas performs a similar human sacrifice, killing *Aen.* 10. 517–520, 11. 81–82. FARRON, S.: Aeneas' Human Sacrifice. *Acta Classica* 28 (1985) 21–33. *Hdt.* 5. 5 says the Thracians also required an escort to the Underworld for a man of standing, as did the Indians with *sati*, *Plut. Mor.* 499D; and Swedish Vikings in Rus, JONES, G.: *A History of the Vikings* (1968, revised OUP 2001), 426–430. Cf. when the Gauls suspected a wife of killing her husband, *Caes. BG* 6. 19. 4. Without doubt these are customs of human sacrifice. But see the more complicated execution of 307 Romans by the Tarquinienses in 358 BC and the Roman retaliation, *Liv.* 7. 15, 10, 7. 19. 2–3; *Diod. Sic.* 16. 45. 8.

³⁶*Justin. Martyr* 2. *Apol.* 12. 5; Tertullian, *Apol.* 9. 5; Minucius Felix 23. 6, 30. 4; Paulus Nolanus 32. 109; Prudentius, *In Symmachum* 1. 396; Firmicus Maternus, *De Err. Prof. Rel.* 26; Tatian, *Contra Graecos* 26; Lactantius, *Div. Inst.* 1. 21. 3; Theophilus, *Ad Autolyc.* 3. 8; Porphyry. *De Abst.* 2. 56. 9.

³⁷The view that Romans abhorred human sacrifice is championed by GIBBON, E.: *Decline and Fall of the Roman Empire*, Vol. II. London 1781, 134–135: “But I shall not believe upon the words of only Porphyry, Lactantius, and Prudentius, that human sacrifices were ever a part of the Roman worship.” CH. MERIVALE (*Notes to the 1864 Boyle Lecture*, quoted in THATCHER THAYER ET AL.: *Some Inquiries Concerning Human Sacrifices among the Romans*. London 1878, 89) represents the other pole “So strong is the protest of Roman civilization against it, but on a superficial view of the fact it has been often asserted that human sacrifice was actually abolished for centuries under the sway of the Roman emperors. Such was, however, far from the case. Even in the state ritual of Rome some traces of the practice still continue to linger. Even on publications and national objects, human sacrifices were from time to time offered. Still worse, the practice creeps back again for private and personal objects and is associated with magical ceremonies.” See also R. PEEL, *ibid.*, 25: “Besides this, the Romans were familiar with the notion of offering human lives as victims of atonement for the dead” and PEEL *ibid.*, 34 on the reluctance of scholars to admit the Romans practiced human sacrifice: “Mommsen, on the one hand most fully recognizes the fact of human sacrifice among the Romans in even greater frequency than other writers. But on the other . . . he yet so ennoble the action of this instinct and idea . . . to qualify the fact itself, and . . . vindicates the Romans from sacrificing any but those ‘convicted before a civil tribunal, or the innocent who choose to die.’”



THREE EPISODES OF HUMAN SACRIFICE IN ROME

Even though Romans of the historical era supposedly abhorred human sacrifice, they resorted to it repeatedly to ward off national disaster. Plutarch relates how, in 228

ἄτε δὴ καὶ τὴν πόλιν ὑπ' αὐτῶν ἀποβαλόντες, ἐξ ἐκείνου δὲ καὶ θέμενοι νόμον ἀτελεῖς εἶναι στρατείας τοὺς ἱερέας πλὴν εἰ μὴ Γαλατικὸς πάλιν ἐπέλθοι πόλεμος, ἐδήλον δὲ καὶ τὸν φόβον αὐτῶν ἢ τε παρασκευὴ (μυριάδες γὰρ ἐν ὅπλοις ἅμα τοσαῦται Ῥωμαίων οὔτε πρότερον οὔθ' ὕστερον γενέσθαι λέγονται), καὶ τὰ περὶ τὰς θυσίας καινοτομούμενα. [4] βαρβαρικὸν μὲν <γὰρ> οὐδὲν οὐδ' ἔκφυλον ἐπιτηδεύοντες, ἀλλ' ὡς ἐν μάλιστα ταῖς δόξαις Ἑλληνικῶς διακείμενοι καὶ πρῶως πρὸς τὰ θεῖα, τότε τοῦ πολέμου συμπεσόντος ἠναγκάσθησαν, εἴξαντες λογίους τισὶν ἐκ τῶν Σιβυλλείων, δύο μὲν Ἑλληνας, ἄνδρα καὶ γυναῖκα, δύο δὲ Γαλάτας ὁμοίως ἐν τῇ καλουμένῃ βῶων ἀγορᾷ κατοροῦσαι ζῶντας. <ἐφ'> οἷς ἔτι καὶ νῦν ἐν τῷ Νοεμβρίῳ μηνὶ δρᾶσιν [Ἑλλησι καὶ Γαλάταις] ἀπορρήτους καὶ ἀθεάτους ἱερουργίας.

The great preparations, also, made by the Romans for war (for it is not reported that the people of Rome ever had at one time so many legions in arms, either before or since), and their extraordinary sacrifices were plain arguments for their fear. For though they were most averse to barbarous and cruel rites, and entertained more than any nation the same pious and reverent sentiments of the gods with the Greeks, yet, when this war was coming upon them, they then, from some prophecies in the Sibyls' books, put alive underground a pair of Greeks, one male, the other female; and likewise two Gauls, one of each sex, in the market called the beast-market, continuing even to this day to offer to these Greeks and Gauls certain secret ceremonial observances in the month of November.³⁸

Dio refers to the constant Roman fear of a Gallic invasion in the early 220s BC, which led to the commission of human sacrifice in 228.

χρησμός τις τῆς Σιβύλλης τοὺς Ῥωμαίους ἐδειμάτου, φυλάσασθαι τοὺς Γαλάτας δεῖν κελεύειν ὅταν κεραυνὸς ἐς τὸ Καπιτώλιον πλησίον Ἀπολλωνίου κατασκήψη.

An oracular prediction of the Sibyl kept on frightening the Romans, it was necessary to guard against the Gauls, stating that when a thunderbolt struck the Capitol near the temple of Apollo. . .³⁹

The fourth century Christian historian Orosius recalls the state ordained human sacrifice in 228, for which he blamed the Roman priests for wickedly taking human lives in the guise of religion:

Tertio deinceps anno miseram ciuitatem sacrilegis sacrificiis male potentes funestauere pontifices; namque decemviri consuetudinem priscae superstitionis egressi Gallum uirum et Gallam feminam cum muliere simul Graeca in foro boario uiuos defoderunt. 4 sed obligamentum hoc magicum in contrarium continuo uersum est; namque diras illas quas fecerant externorum mortes foedissimis suorum caedibus expiauerunt. 5 siquidem L. Aemilio Catulo C. Atilio Regulo consulibus magna formidine consternatus est senatus defectione Cisalpiniae Galliae, cum etiam ex ulteriore Gallia ingens aduentare exercitus nuntiaretur

Two years later, the pontiffs, who had much power to do evil, desecrated the wretched city with sacrilegious rites; for the *decemviri sacris faciundis*, engaging a custom of ancient superstition,

³⁸Plut. *Marc.* 3–4. All translations are mine unless otherwise stated.

³⁹Dio 12. 50. 1.



buried humans alive, a Gallic man and woman and at the same time a Greek woman at the *Forum Boarium* in Rome. 4 But this necessary magic rite caused the opposite effect from that desired; for they paid for the dire rites which they performed on foreigners with a terrible slaughter of their own men. 5 In fact, during the consulship of L. Aemilius Catulus⁴⁰ and C. Atilius Regulus [225 BC], the Senate was thrown into panic with great fear by a rebellion of Cisalpine Gaul, since also the approach of a huge army from Further Gaul was announced. . . .⁴¹

Just 12 years later, in August 216 BC, after suffering terrific losses at Cannae, the Romans found themselves at risk of collapse. Livy, in a rare admission, given how he avoided this topic,⁴² provides details of a human sacrifice in Rome, but he insists that the sacrifice was foreign to Roman ways.⁴³ This is a case of Livy refusing to admit to the truth.

interim (216 BC) ex fatalibus libris sacrificia aliquot extraordinaria facta; inter quae Gallus et Galla, Graecus et Graeca in foro bovario sub terram vivi demissi sunt in locum saxo consaeptum, iam ante hostiis humanis, minime Romano sacro, inbutum. 7 placatis satis ut rebantur, deis . . .

(216 BC) In obedience to the Sibylline Books, some strange and unusual sacrifices were made, human sacrifices amongst them. A Gallic man and woman and a Greek man and woman were buried alive and were lowered into a stone vault, a practice most repulsive to Roman feelings, under the *Forum Boarium*, which had on a previous occasion also been polluted by human victims. When the gods had been appeased sufficiently, as these matters were performed . . .⁴⁴

Dio's description survives only through the précis of the Byzantine era epitomizer, Isaac Tzetzes:

ἐπὶ Φαβίου Μαξίμου Βεροκόσσου ἤτοι ἀκροχοδονώδου Ρωμαῖοι τοῦτο ἐποίησαν, Ἑλληνικὸν καὶ Γαλατικὸν ἀνδρόγονον κρύψαντες ἐν μέσῃ τῇ ἀγορᾷ, ἐκ χρησιμοῦ τινος δειματοθέντες, λέγοντος Ἑλληνα καὶ Γαλάτην καταλήψεσθαι τὸ ἄστυ.

In the time of Fabius Maximus Verococus⁴⁵ – namely the Wart, the Romans did it, burying (alive) a Greek and a Celtic couple in the middle of the *Forum Boarium*, having been frightened by a certain oracular message that said a Greek and Celtic [invader] would occupy the city.⁴⁶

The final, documented case of state sanctioned human sacrifice occurred in 114/13 BC, very shortly before the outbreak of the Jugurthine War. The exact cause of the human sacrifice is

⁴⁰Orosius meant L. Aemilius Papius.

⁴¹Oros. *Adv. Pag.* 4. 12. 13.

⁴²Livy *Per.* 19, 63 mentions the scandal of the Vestal Virgins but not the human sacrifice of 228 and 114/13. When narrating the human sacrifice in 216 (see next note), Livy allows the reader to assume it was a unique event.

⁴³FRASCETTI, A.: Le sepolture rituali del Foro Boario. In *Le délit religieux dans la cité antique, Table ronde, Rome 6-7 Apr. 1978*. Rome 1981, 51–115, esp. 55–56, suspected that the live burials were an accepted ritual act that fit well in the culture of Mid Republican, endorsed by VÁRHELYI, ZS.: The Specters of Roman Imperialism: The Live Burials of Gauls and Greeks at Rome. *Classical Antiquity* 26.2 (2007) 277–304, esp. 283–285.

⁴⁴Liv. 22. 57. 6–7.

⁴⁵Tzetzes was slightly imprecise. Q. Fabius Maximus Cunctator was dictator in the previous year 217, not 216.

⁴⁶Is. Tzetzes *ad Lycophr.* 603, 1056, ex Dione, u Coniect Valesius. An additional passage, Cass. Hemina fr. 32 Peter = *FRH F33* is said to refer to the human sacrifice in 216: *scriba pontificius, qui cum eabus stuprum fecerat* = a scribe of the pontifical college, who had engaged in forbidden sex with them.



uncertain, but the Romans were already heavily encumbered fighting against the Cimbri, the Helvetii, the Gauls, and the Scordisci. This event is recorded somewhat obliquely in Plut and dated to 114/13, based on Livy's date of a scandal of the three unchaste Vestal Virgins.⁴⁷ The migration from Sweden of the Cimbri and Teutones threatened Roman territory, and in 113 they defeated the consul Cn. Papius Carbo at the Battle of Noreia.⁴⁸ Plutarch also refers to the human sacrifice of 114/13 as the reason the Senate did not punish a Spanish tribe near the modern Salamanca, the Bletonesii, who were still engaging in human sacrifice, ca. 100 BC. The Romans had only recently halted the same practice.

διὰ τί τοὺς καλουμένους Βλετονησίους βαρβάρους ὄντας ἄνθρωπον τεθυκέναι θεοῖς πυθόμενοι, μετεπέψαντο τοὺς ἄρχοντας αὐτῶν ὡς κολάσοντες, ἐπεὶ δὲ νόμῳ τιμὴ τοῦτ' ἐφαίνοντο πεποιηκότες, ἐκείνους μὲν ἀπέλυσαν, ἐκώλυσαν δὲ πρὸς τὸ λουπόν; αὐτοὶ δ' οὐ πολλοῖς ἔτεσιν ἔμπροσθεν δύο μὲν ἄνδρας δύο δὲ γυναῖκας ἐν τῇ βῆσιν ἀγορᾷ λεγομένη, τοὺς μὲν Ἕλληνας, τοὺς δὲ Γαλάτας, ζῶντας κατάρωνξαν φαίνεται γὰρ ἄτοπον ταῦτα μὲν ποιεῖν αὐτούς, ἐπιτιμᾶν δὲ βαρβάρους ὡς οὐχ ὅσια ποιοῦσι. . . ἐκεῖναι μὲν οὖν ἐκολάσθησαν ἐξελεγχθεῖσαι, τῆς δὲ πράξεως δευτέρας φανείσης, ἔδοξεν ἀνερέσθαι τὰ Συβύλλεια τοὺς ἱερεῖς. εὐρεθῆναι δὲ φασὶ χρῆσθαι ταῦτά τε προδηλοῦντας ὡς ἐπὶ κακῶ γενησόμενα, καὶ προστάττοντας ἄλλοκότοις τισὶ δαίμοσι καὶ ξένοις ἀποτροπῆς ὄνεκα τοῦ ἐπιόντος προέσθαι δύο μὲν Ἕλληνας, δύο δὲ Γαλάτας ζῶντας αὐτόθι κατοργύεντας.

When the Romans, learning that a barbarian people called Bletonesii, a barbarian tribe, had sacrificed a man to the gods, why did they send for the tribal rulers with intent to punish them – but, when it was revealed that they had done thus in accordance with a certain custom, why did the Romans (merely) release them to the others, but forbid the practice for the future? Yet they themselves, not many years before (in 114/13), had buried alive two men and two women, two of them Greeks, two Gauls, in the forum called the Forum Boarium. For it seems paradoxical that they themselves do these things on one hand, but censure barbarians on the ground that they are acting contrary to divine law. [. . .] Therefore the Vestals, having been convicted, were punished; but, since the deed seemed really terrible, it seemed a good idea for the priests to consult the Sibylline Books. And they say that prophecies were found foretelling that events would come to pass against Roman interests, and proposing at least as an *apotropaic* (to avert the coming disaster), they should offer in sacrifice to certain strange and alien daemons two Greeks and two Celtic lives, buried alive on the spot.⁴⁹

Plutarch concluded that the Romans considered it profane (against divine law) to sacrifice a human to the gods above (the crime of the Bletonesii), but necessary to do so to the gods below when it would save Rome, especially if the Sibylline Books recommended it. The Romans therefore refrained from punishing the Bletonesii but merely sent orders to cease.

Many scholars assume Plin. *NH* 28. 3. 5 also refers to the sacrifice of 114/13.

Boario vero in foro Graecum Graecamque defossos aut aliarum gentium cum quibus tum res erat etiam nostra aetas vidit.

⁴⁷Liv. *Per.* 63.

⁴⁸Cic. *ad Fam.* 9. 21. 3; Liv. *Per.* 63; Vell. 2. 12. 2; App. *Celt.* 13; Jul. Obs. 38. Cf. Plin. *NH* 2. 33. 100.

⁴⁹Plut. *Quaes. Rom.* 83 = *Mor.* 283F.



Our age also has seen, however, a Greek man and woman buried alive under the *Forum Boarium*, or victims from other nations, against whom the situation (war) then stood.⁵⁰

However, Pliny's remark merits close consideration. It seems unlikely that Pliny considered an event some 175 prior to be in *nostra aetas*. That cryptic comment in Pliny is the only evidence for a human sacrifice ordered by the Senate after 113 BC.

Finally, the 3rd century Christian apologist, Minucius Felix also mentions the Roman practice of human sacrifice, although he does not specifically date the instance or tell how often it occurred. His agenda was to denounced Roman paganism of barbarism, cruelty, and sacrilege, but in this instance that does not invalidate his testimony.

Romani Graecum et Graecam, Gallum et Gallam sacrificii viventes obruere, hodieque ab ipsis Latiaris Iuppiter homicidio colitur, et quod Saturni filio dignum est, mali et noxii hominis sanguine saginatur.

The Roman priests (*sacrificii*) buried a Greek man and woman and a Gallic man and woman, and today Juppiter Latiaris is worshipped by them with an act of murder, and it is fitting for a son of Saturn, that he is feasted by the blood of an evil and criminal man.⁵¹

Minucius's reports of an annual sacrifice of a convicted criminal during the *Feriae Latinae* makes a strange addition, since the festival previously featured child sacrifice in the archaic era.⁵²

Although Pliny's testimony indicates that the Roman government banned human sacrifice after 97 BC, the French historian, François de Champagny, believed that the state continued to practice it secretly:

Rome, it is true, after having spilled so much blood in war had had her fill of blood sacrifices; she had pretended to end everywhere the sacrifices by immolation. In consequence the infamous sacrifices came to a halt in public practice, but it is certain that they continued in secret.⁵³

De Champagny very likely interpreted the data correctly, for the Senate down to 114 BC had faith that the human sacrifices in 228 and 216 had restored the *pax deorum*. Otherwise they would not repeat it. It was an unpleasant but effective solution, if performed properly.

From the era of Cicero, Romans condemned human sacrifice and began citing it as a crime that justified making war on barbaric peoples who refused to abandon it, especially the Celts (the Druids) and the Germans, possibly with concern that the enemy might use human sacrifice to obstruct Roman imperialism. Also in the 60s BC, accusations of human sacrifice entered the

⁵⁰Plin. *NH* 28. 3. 5.

⁵¹Minuc. *Fel. Oct.* 30. 4.

⁵²Cf. Tert. *Apol.* 9. 5, *Scorp.* 7; Porph. *Abst.* 2. 56. 9 The accusations are not always accepted at face value, e.g. LENNON, J.: Jupiter Latiaris and the "Taurobolium": Inversions of Cleansing in Christian Polemic. *Historia ZfAG* 59.3 (2010) 381–384.

⁵³CHAMPAGNY, F. DE: *Les Césars II. Tableau du Monde Romain sous les Premiers Empereurs*. Paris 1853, 238: "Rome, il est vrai après avoir versé tant de sang par la guerre, avait eu horreur du sang des sacrifices; elle avait prétendu faire cesser dans tout l'univers les immolations. En effet, ces infâmes sacrifices avaient cesse d'être pratiqués publiquement: mais il est trop certain qu'ils se continuaient en secret. La Gaule ne s'était pas tout à fait déshabituée des immolations druidiques."



political vernacular as a symptom of utter villainy and degeneracy.⁵⁴ Cicero's arch-enemy, Catiline, was accused of both human sacrifice and cannibalism,⁵⁵ and Cicero raised a similar accusation against Vatinius, that he sacrificed boys to the gods of the Underworld.⁵⁶ Another contemporary, hostile tradition claims that the Divine Julius punished two mutineers by having them sacrificed on the Campus Martius.⁵⁷ Even Augustus, when young, was accused of human sacrifice in the death throes of the Republic.

In the aftermath of the Perusine War, the Young Caesar (Octavian) executed 300 political enemies from the Perusine War publicly before the altar of the Divine Julius. But Seneca tactfully avoided calling it a human sacrifice, instead citing Augustus's youthful ruthlessness and the absence of its repetition as proof he softened as he aged.⁵⁸ Suetonius and Dio qualify their reports with words like "there are those who say," and "word has it."⁵⁹ On one hand the mass execution at Perusia resembles the stoning of Messenian POWs at the tomb of Philipoemen,⁶⁰ which was obviously an act of revenge, but on the other it recalls the human sacrifice of Polyxena at

⁵⁴Cic. *In Toga Candida* frag. 2, 9, 10, 16 in PUCCIONI, I: *M. Tulli Ciceronis Orationum Deperditarum Fragmenta*. Milan 1972, 2nd edition; and in STANGL, TH.: *Ciceronis Orationum Scholiastae*. Hildesheim 1964, 65, 68, 69–70; A. C. CLARK (ed., Asconius. OCT, Oxford 1907, Asc. 83. 26–84. 1 [on fragment 2], 90. 3–5 [fragment 9], 87. 16–18 [fragment 10], and 89. 25–27 [fragment 16]) say he beheaded Marius Gratidianus. Torture: Sallust, *Hist.* 1. 44M; Liv. *Per.* 88; Val. Max. 9. 2. 1 (on Catulus's tomb); Sen. *De Ira* 3. 18. 1–2 (on Catulus's tomb); Flor. 2. 9. 26 (on Catulus's tomb). Luc. *Bell. Civ.* 2. 173–193 (on Catulus's tomb). The implication, especially in Lucan, is that it was a human sacrifice like Polyxena.

⁵⁵Plut. *Cic.* 10. 4: Catiline sacrificed an adult; Minuc. Fel. Oct. 30.5; Dio 37. 30. 3: Catiline sacrificed an adult and he ate a child. Sall. *De Bel. Cat.* 22, *Hist.* 1. 44M; Val. Max. 9. 1. 9: filicide; Flor. 2. 12/4. 1; Tert. *Apol.* 9. 9: cannibalism but no human sacrifice. SCHULTZ (n. 1) 69, shows that Romans linked human sacrifice with cannibalism.

⁵⁶Cic. *In Vat.* 6. 14. This accusation was made against some Pythagoreans. Cf. *Juv. Sat.* 6. 552.

⁵⁷Dio 43. 24. 4. COLONNA (n. 29) 574. Kresimir Vuković wrote to me "Whoever made up the story knew what he was talking about. The description is modelled on the horse sacrifice of Equus October. This closely parallels the way human sacrifice is tied to the horse sacrifice in Vedic India." See his 2015 Oxford Ph.D. thesis, *The Roman Festival of the Lupercalia: History, Myth, Ritual and its Indo-European Heritage*. Adam of Bremen, *Gesta Hamm.* 4. 27 says the ancient Swedes used to sacrifice horses to Odin.

⁵⁸Sen. *De Clem.* 1. 11. 1: *Haec Augustus senex aut iam in senectutem annis vergentibus; in adolescentia caluit, arsit ira, multa fecit, ad quae invitus oculos retorquebat. Comparare nemo mansuetudini tuae audebit divum Augustum, etiam si in certamen iuvenilium annorum deduxerit senectutem plus quam maturam; fuerit moderatus et clemens, nempe post mare Actiacum Romano cruore infectum, nempe post fractas in Sicilia classes et suas et alienas, nempe post Perusinas aras et proscriptiones.* – "Such was Augustus when he was old, or just upon the verge of old age. In youth he was hot-headed, flared up with anger, and did many things which he looked back upon with regret. To compare the mildness of the deified Augustus with yours no one will dare, even if the years of youth shall be brought into competition with an old age that was more than ripe. Granted that he was restrained and merciful – yes, to be sure, but only after Actium's waters had been stained a with Roman blood, after his own and an enemy's fleet had been wrecked off Sicily, after the massacre at the Perusian Altars, and after the proscriptions."

⁵⁹Suet. *Div. Aug.* 1. 15. 2: *Scribunt quidam trecentos ex dediticiis electos utriusque ordinis ad aram Divo Iulio exstructam Idibus Martiis hostiarum more mactatos.* – "There are those who say 300 men of both orders were chosen from the prisoners of war and sacrificed on the Ides of March like so many victims at the altar raised to the Deified Julius." Dio 48. 14. 4: *καὶ λόγος γε ἔχει ὅτι οὐδ' ἀπλῶς τούτο ἔπαθον, ἀλλ' ἐπὶ τὸν βωμὸν τὸν τῷ Καίσαρι τῷ προτέρῳ ὠσιωμένον ἀχθέντες ἰππῆς τε τριακόσιοι καὶ βουλευταὶ ἄλλοι τε καὶ ὁ Καννυτίος ὁ Τιβέριος, ὃς ποτε ἐν τῇ δημαρχίᾳ τὸ πλῆθος τῷ Καίσαρι.* – "And word has it that they did not merely suffer death in an ordinary form, but were led to the altar consecrated to the former Caesar and were there sacrificed – 300 knights and many senators, among them Tiberius Cannutius, who previously during his tribuneship had assembled the populace for Caesar."

⁶⁰Plut. *Phil.* 21. 5.



Achilles' tomb or the victims of the furor of Achilles and Aeneas. Clement of Alexandria directly addressed this issue and acquits the young Augustus, stating

A murder does not become a sacrifice because it is committed in a particular spot. You are not to call it a sacred sacrifice if one slays a man either at the altar or on the highway to Artemis or Zeus, any more than if he slew him for anger or covetousness – or other demons very like the former; but a sacrifice of this kind is murder and human butchery.⁶¹

Augustus later bragged in *Res Gestae* how he had pursued his father's assassins with a pious sense of duty.⁶² The massacre (if it really happened) was not about protecting the state so much as punishing enemies; there was no element of purification involved. And such actions also fit with the Roman tradition of demanding the return of all deserters and traitors at the conclusion of the Punic and Macedonian Wars. They were brought to the Forum and scourged to death. In both cases public revenge was the chief issue. Nevertheless, the enemies of the Young Caesar expanded and likened his actions to human sacrifice to tarnish his reputation. Later, two terrible emperors were posthumously accused of human sacrifice, Didius Julianus and Elagabalus.⁶³ In the former case, it may simply be Severan propaganda, but in the latter the charge is more likely, as Elagabalus was the sort of person who sought to experience every abnormality for the thrill of it. When word got out of his profane sacrifice, it turned Romans against him.

Starting with Augustus, several of the emperors took vigorous steps to eradicate human sacrifice everywhere, most famously Hadrian.⁶⁴ Roman authors even cited the crime of human sacrifice long after the fact to justify the destruction of Carthage.⁶⁵ But human sacrifice was slow to disappear. Apollonius of Tyana knew of its continued practice after AD 100,

⁶¹Clem. of Alex. *Exhort. ad Heath.* 3. 2; THAYER ET AL. (n. 37) 68. The translation is Thayer's.

⁶²*Res Gest.* 2. The Young Caesar supposedly he threw the head of M. Brutus before the feet of a statue of the Divine Julius, Suet. *Div. Aug.* 13. 1, *contra* Plut. *Brut.* 52. 3, finally catching and executing the last two assassins, Cassius Parmanensis and L. Turullius, in 30 BC, Vell. 2. 87. 3; Dio 51. 8. And he built the Temple of Mars Ultor (the Avenger), completed in 2 BC.

⁶³Didius Julianus: Dio 74. 16. 5; Elagabalus: Dio 80. 11. 1; SCH *Elag.* 8. 1.

⁶⁴On Augustan policy against human sacrifice, see Strab. 4. 1. 5; Suet. *Div. Claud.* 25. 5. Tiberius and Claudius tried to suppress Druidism, Plin. *NH* 30. 4. 1; Tac. *Ann.* 14. 30. 3; Suet. *Div. Claud.* 25. 5. Hadrian also tried to ban human sacrifice, Porphy. *Abst.* 2. 56. 3; Lactan. *Inst. Div.* 1. 21. See DOHRMANN, H.: *Anerkennung und Bekämpfung von Menschenopfern*. Frankfurt 1995, 159–161. Also famous is Suetonius Paulinus's massacre of the Druids on Midsummer Night's Eve on the isle of Mona (Anglesey) in AD 60, Tac. *Ann.* 14. 29–33, *Agr.* 14. 3, 18. 3; Dio 62. 7. 1, 8. 1.

⁶⁵Diod. Sic. 20. 14. 1–7; Dion. Hal. 1. 38. 2; Sil. Ital. *Pun.* 4. 765–767; Lactan. *Inst. Div.* 1. 21; Minuc. Fel. *Oct.* 30. 3; Euseb. *Evang. Praep.* 1. 10, 4. 16. 51–52. Despite attempts to refute the charges of child sacrifice, the plentiful literary and archaeological, especially skeletal, evidence is overwhelming; STAGER, L. E. – WOLFF, S.: Child Sacrifice at Carthage: Religious Rite or Population Control. *Biblical Archaeology Review* 10.1 (1984) 30–51; BROWN, S.: *Late Carthaginian Child Sacrifice and Sacrificial Monuments in Their Mediterranean Context*. Sheffield 1991; STAGER, L. E. – SMITH, P. – KAHILA, G.: DNA Analysis Reveals the Sex of Infanticide Victims. *Nature* 385 (1997. Jan. 16) 212–213; SMITH, P. – AVISHAI, G. – GREENE, J. A. – STAGER, L. E.: Aging Cremated Infants: the Problem of Sacrifice at the Tophet of Carthage. *Antiquity* 85(2011) 859–874; SMITH, P. – STAGER, L. E. – GREENE, J. A. – AVISHAI, G.: Cemetery or sacrifice? Infant Burials at the Carthage Tophet: Age Estimations Attest to Infant Sacrifice at the Carthage Tophet. *Antiquity* 87 (2013) 1191–1199; STAGER, L. E.: *The Eight Annual Byvanck Lecture: Rites of Spring in the Carthaginian Tophet*. [BABESCH Annual Papers on Mediterranean Archaeology]. Leiden 2014.



and the Christian writer Tertullian reports it in Africa as late as the late third century AD.⁶⁶ His contemporary Romans knew that the Carthaginians had practiced human sacrifice, but seemed to be unaware that their own ancestors were still practicing it after the Punic Wars.

Finally, two more reports, overlooked by others, belong in this discussion of Roman human sacrifice, although they are certainly less reliable and do not indicate how the human sacrifices were conducted or if at all they were state sanctioned. Plutarch twice reports that Caecilius Metellus sacrificed his daughter during the First Punic War in an incident parallel to Agamemnon.⁶⁷ He also repeats an unreliable story that Marius sacrificed his own daughter during the war against the Cimbri (in 102 BC):

Μάριος πρὸς Κίμβρους πόλεμον ἔχων καὶ ἡττώμενος ὄναρ εἶδεν ὅτι νικήσει, ἐὰν τὴν θυγατέρα προθύσῃ: ἦν δ' αὐτῷ Καλπουρνία: προκρίνας δὲ τῆς φύσεως τοὺς πολίτας ἔδρασε καὶ ἐνίκησε. καὶ ἔτι καὶ νῦν βωμοὶ εἰσὶ δύο ἐν Γερμανίᾳ, οἱ κατ' ἐκείνον τὸν καιρὸν ἤχον σαλπίγγων ἀποπέμπουσιν.

Marius, having a war on his hands against the Cimbrians and finding himself hard pressed, saw in a dream that he would be victorious if he would sacrifice his daughter (he had a daughter named Calpurnia). He did it, preferring the common safety before any private bond of nature, and he won a victory.⁶⁸

Plutarch's source on Marius borrowed from a mendacious, pro-Sulla writer, who invented or altered facts in order to diminish Marius's great victories against the Germans at the Battles of Aquae Sextiae (102 BC) and Vercellae (101) by accusing him of the crime of human sacrifice. He expected his audience to recoil against human sacrifice and condemn Marius. But he was either clumsy or very careless. Marius had no daughter, but if he had, she would certainly have been named Maria, not Calpurnia. This is not an error a Roman writer could make. Secondly, Plutarch's source was trying to denigrate Marius for a crime that was not yet illegal at the time of the Cimbrian War. This suggests Plutarch had non-Roman source from close to his own time, when human sacrifice was officially "heinous". As Pliny *NH* 30. 3. 1–2 explains, the Senate banned human sacrifice only in 97 BC, a few years after the Cimbrian War ended.

exstant certe et apud Italas gentes vestigia eius in XII tabulis nostris aliisque argumentis quae priore volumine exposui: DCLVII demum anno urbis, Cn. Cornelio Lentulo P. Licinio Crasso consulibus, senatus consultum factum est ne homo immolaretur, palamque fit in tempus illud ut sacra prodigiosa celebratio.

Among the Italian peoples clearly traces survive of it (magic) in our laws of the Twelve Tables and other places, which I mentioned in a preceding Book (28.4). At length, in the year of the City 657 (97

⁶⁶Philostratus, *Apollonius of Tyana* 8. 7. 9–10. A. WYPUSTEK (The Problem of the Human Sacrifices in Roman North Africa. *Eos* 81 [1993, ed. 1995] 263–280) is more skeptical, finding the sources for human sacrifice in Africa unreliable after the time of Hadrian.

⁶⁷Plut. *Par. Min.* 14 = *Mor.* 309B, *Par. Min.* 20 = *Mor.* 310D. Plut. *Mor.* 309B mentions Iphigeneia.

⁶⁸Plut. *Par. Min.* 20 = *Mor.* 310D. Clem. of Alex. 2. 3 repeats the false charge against Marius and many other proofs of human sacrifice.



BC), under the consuls Cn. Cornelius Lentulus and P. Licinius Crassus, the Senate passed a decree banning human sacrifices; in that time these unnatural religious rites happened openly.⁶⁹

Carelessness better explains the error, in my opinion, although mendacity is not excluded. Plutarch *Marius* does not record the incident, nor does any other surviving source. Plutarch later decided the libel did not deserve repetition, or he considered it unreliable and slight compared to Marius's atrocious conduct in the Civil War of the 80s. So only a few kernels of truth can be reassembled. L. Calpurnius Piso Caesoninus (cos. 112) was killed fighting under L. Cassius Longinus against an ally of the Cimbri, the Tigurini (Helvetii), in 107 at the Battle of Burdigala near Bordeaux.⁷⁰ Piso's daughter would be Calpurnia, so that might date the event to 107.⁷¹ In any case, Marius was fighting Jugurtha in Africa, so he had nothing to do with it.⁷² We do not know if any human sacrifice was conducted, conducted improperly without state sanction, or not conducted at all. But the defeat at the Battle of Burdigala told the Romans that the *pax deorum* was disturbed.

Overlooking the questionable reports of Caecilius and Marius, the most striking thing about the three verified incidents of Roman human sacrifice is the selection of non-Roman victims, *xenothusia*. Little or evidence records the archaic Greeks and Romans sacrificing foreigners in the Bronze Age, so the choice is peculiar.⁷³ Georg Wissowa suggested that Greek and Gallic victims were selected as representatives of the enemy Rome was then fighting.⁷⁴ From an anthropological point of view, such a formula sensibly protects Rome from invaders by giving a

⁶⁹Plin. *NH* 30. 3. 1–2.

⁷⁰Caes. *De Bel. Gal.* 1. 7. 3, 1. 12. 7. *Liv. Per.* 65; *Tac. Germ.* 37. 5; *App. Gall.* 1. 3; *Oros. Ad Pag.* 5. 15. 23.

⁷¹This proposed human sacrifice of a daughter borrows from the archaic Greek *topos* of sacrificing virgin daughters, cf. Iphigeneia, Andromeda, Hesione, etc., or something of great value, which is also pure or perfect, just as Homer repeatedly mentions *τελήεσσας ἐκατόμβας* – perfect hecatombs, e.g. 4. 351, 582. Cf. *Aristot. Symp. Frag.* 101 *Rose apud Athen. Deip.* 15. 676F.

⁷²*Sall. Bell. Jug.* 86. 4 – 92. 4; *Plut. Mar.* 9–11; *Flor.* 1. 36.

⁷³The Druids, the Germans, the Taurians, the Egyptian Busiris, and the Thracians all practiced *xenothusia* (the Mayans and Aztecs also qualify). On the Druids and Germans, *Diod. Sic.* 5. 31. 2–5, 5. 32. 6; *Strab.* 4. 1. 5, 4. 4. 5, *Caes. De Bell. Gall.* 1. 53. 5–7, 6. 13–14; *Luc. Bell. Civ.* 1. 443–446; *Plin. NH* 30. 4. 13; *Tac. Ann.* 14. 30, *Germ.* 13. 57; *Suet. Div. Claud.* 25. 5 (implied); *Mela* 3. 18; *Athen. Deip.* 160E citing *Sopater Celts*; *Lactan. Inst. Div.* 1. 21; *Jord. Get.* 41. For old fashioned views on the Druids' practice of human sacrifice, FRÉRET, N.: *Œuvres complètes* 18 (1796) 264–272; *Nouvelle rev. hist. du droit français et étranger* (1898) 289–300; HOLMES, T. R.: *Caesar's Conquest of Gaul*. London – New York 1899, 533; HOLMES, T. R.: *Ancient Britain and the Invasion of Julius Caesar*. Oxford 1907, 288, 293, 297–298; FRAZER, J.: *The Golden Bough*. Vol. III. London 1900, 319–323, 326. On the Taurians, Eurip. *Iphig. In Taur.* 39–40, 74–75, 244–245, 277–278, *passim*; *Cic. Rep.* III 15; *Hyg. Fab.* 120; *Luc. Bell. Civ.* 1. 445–446; *Sacr.* 13 and *Tox.* 2; *Juv.* 15. 116–119; *Athenag. Leg.* 26. 1 (?); *Sext. Emp. Pyr.* 3. 208; *Clem. of Alex. Exhort. ad Heath.* 3. 2, *Protr.* 11. 42. 3; *Or. Cels.* 5. 27; *Athan. Gent.* 25; *Serv. ad Aen.* 11. 116; *Prud. Sytm.* 1. 395; *Lactan. Inst. Div.* 1. 21; *Euseb. Evang. Praep.* 4. 16. 21, 23. On Busiris fragments of Pherecydes (*FGH Hist* 3 F 17); *Herod.* 2. 45 denying it; *Gell. AN* 2. 6; *Macrob. Sat.* 6. 7; *Hygin. Fab.* 31. Cf. *Dio* 71. 4. 1. The Thracians sacrificed foreigners to Artemis, and their king Diomedes fed foreigners to his cannibalistic horses until Heracles hoisted him on his own petard. GARNAND, B.: Phoenicians on the Edge: Geographic and Ethnographic Distribution of Human Sacrifice. In XELLA, P.: *The Tophet in the Phoenician Mediterranean*. Verona 2012–13, 65–66, 73–76; BREMMER, J.: Human Sacrifice: A Brief Introduction. In BREMMER, J. (ed.): *The Strange World of Human Sacrifice*. Leuven 2007, 1–8, esp. 4–5: the sacrifice of foreigners or the elderly lowers the cost upon society.

⁷⁴WISSOWA, G.: *Die Religion und Kultus der Römer* [Handbuch der klassischen Altertumswissenschaft 5.4]. München 1902, 354–356, 463.



sample of perceived hostile peoples to the gods and minimizes the losses for Rome.⁷⁵ The choice of Gallic victims is easy to understand; the Gallic threat dates back as far as the Battle of Allia River in 387 BC. But the Greek threat was much more recent and ephemeral. Rome had only two serious conflicts with the Greeks, starting with Pyrrhus in 280–272 BC and again very briefly 264–261, at the onset of the First Punic War.

In the 1920s, Conrad Cichorius rightly pointed out that the Romans were not fighting the Greeks in 228 or 114/13 and probably not in 216, either, while the Gauls were not the chief concern in 216 or 114/13 – although Romans may not have differentiated Gauls and Germans yet. He suggested an Etruscan origin for the practice, knowing of Etruscan-Greek conflict in the 6th century BC.⁷⁶ And observing the synchronicity of the episodes of human sacrifice with the scandals of unchaste Vestal Virgins in 216 and 114/13, Cichorius theorized that the human sacrifice was a remedy for the Vestal scandals.⁷⁷

THE BURIAL OF FOREIGNERS AND UNCHASTE VESTALS

In Roman thinking, military defeats were regarded more often as signs of the wrath of the gods, whereas the scandals of unchaste Vestal Virgins were more likely to be causes. Cichorius may be correct about the Etruscan origin of the rite, but he did not explain well the causes for the *xenothusia* in 228 BC. Anthropologically, the burial of a few of the enemy makes sense in the case of war, but how could the sacrifice of four lowly foreigners resolve a grave, domestic sacrilege? This problem troubled Arthur Eckstein, who came to a different conclusion.

Eckstein noticed the time gap between the accusation of Tuccia the Vestal in 230 and the alleged solution of human sacrifice in 228 BC.⁷⁸ He pointed out the sources never express a causal link between scandals of unchaste Vestal Virgins and the live burials of the Greeks and Gauls, whereas they do indicate that the latter was apotropaic, to protect Rome. He focused, instead, on the recurring issue of a military threat in all three cases, posed in the 228 by the Gauls, in 216 by Hannibal, and on multiple fronts in 114. Most importantly, Eckstein concluded a foreign threat was not the single reason the Romans resorted to human sacrifice, but proposed a perfect storm theory, which I embrace: A series of bad portents, including ominous lightning strikes, military defeats, and/or perceived threats to Roman security required

⁷⁵In archaic times the Romans used to send a *fetialis* to hurl a spear into enemy territory whenever Rome officially declared war on a neighbor. Offering to the gods the lives of a man and woman from whomever Rome was fighting presents a parallel with an enemy-specific act of *pietas*, even though it inverts the Roman virtue of self-sacrifice to assure victory.

⁷⁶CICHORIUS, C.: Staatliche Menschenopfer. *Römische Studien* (Leipzig 1922) 7–21, esp. 17–20.

⁷⁷His view long enjoyed acceptance, e.g. HARRIS, W.: *War and Imperialism in Republican Rome, 327–70 B.C.* Oxford 1979, 198, “but the involvement of Greeks obstructs this (Plutarch’s) interpretation, and a better alternative was found in Cichorius”.

⁷⁸ECKSTEIN, A.: Human sacrifice and fear of military disaster in Republican Rome. *American Journal of Ancient History* 7 (1982) 69–95; ECKSTEIN, A.: Polybius, the Gallic Crisis, and the Ebro Treaty. *Classical Philology* 107.3 (July 2012) 206–229.



a consultation of the Sibylline Books, and they sometimes but not always named human sacrifice as the remedy.⁷⁹

Zsuzsanna Várhelyi added religious reasons not to accept Cichorius's explanation, although she did agree about the Etruscan origin of the rite. In her opinion, the inclusion of male victims in the burials in the Forum Boarium invalidates Cichorius's solution, because the whole point was to cleanse the blemish of improper sexual activity. Vestal Virgins were required to be asexual and endangered the whole city by their in chastity. Part of the Vestal's punishment was to be buried alone to ensure no further sexual activity, whereas the live burial of four foreigners deliberately paired likely sexual partners (instead of two virgins or two males fit for military service). Mindful of the prophecy Dio 12. 50. 1 mentions, that Greeks and Celts would occupy Rome, the Romans in sacrificing two couples, were pretending the couples could propagate children who would occupy (a tiny portion of) Rome and thus harmlessly fulfill the prophecy.⁸⁰ In reality the couple will die of thirst and hunger long before any children were born.⁸¹ Such an incongruous solution could not cleanse the crime of an unchaste Vestal's Virgin.

Celia Schultz has made several important contributions to the discussion of Vestal Virgins and human sacrifice in Rome, illustrating how the English word and modern concept of sacrifice fail to appreciate the variety of the Roman concepts.⁸² Schultz emphasizes that Roman sources never used the terminology self-sacrifice, and she separates human sacrifice and ritual murders. In the latter category she groups the killing of special criminals, unchaste Vestals, hermaphrodites, and monstrous births, whose oddity or paradox required consultation of the Sibylline Books.⁸³ With

⁷⁹Did the previous five incidents of corrupted Vestals between 500 and 250 BC also require *xenothusia*? After Rhea Silvia ca. 770 BC in Alba Longa, Oppia 483, Orbinia 471, Minucia 337, Sextilia 273, Caparronia 266 (suicide), Tuccia 230*, Floronia and Opimia 216 (one committed suicide), Licinia, Aemilia, Marcia 113. The silence argues for an answer of no, which ruins Cichorius's premise, but I am less willing to accept the silence as a yes. This is exactly the sort of unpleasant fact Roman sources cleanse, for example, see the two different traditions on the fate of Tuccia in 230 BC. It stands to reason that *xenothusia* was not always required, but if it was sometimes, all traces of it have suspiciously disappeared from the record.

⁸⁰The explanation that the Romans buried four representatives of the enemy to transfer the ownership of a bit of Roman territory finds an echo when the Teutones and Cimbri demand Roman territory, to which Marius replied that he would grant them each six feet of Roman ground. Plut. *Mar.* 24. 2 tells the joke differently. The deliberate, alternate fulfillment of this prophecy exactly matches how the Romans took captive men from Praeneste and put them in the Roman treasury (where they died) and thus fulfilled a prophecy, Zon. 7. 3. This seems to be an imitation of the story in which the Brundisians buried alive the Aetolian comrades of Diomedes, when they remembered a prophecy that Aetolians would occupy their city forever. Just. 12. 2; Tzetzes ad Lycophr. *Alex.* 1056; BRIQUEL, D.: Les enterres des vivants de Brindes. In *L'Italie préromaine et la Rome républicaine: Mélanges offerts à J. Heurgon*. Rome 1976, 65–68; VÁRHELYI (n. 43) 286. I thank Dr. Arthur Eckstein for bringing the Praeneste incident to my attention.

⁸¹It is the same logic that allowed ancient people to expose an unwanted baby without committing infanticide. For a similar unintended fulfillment of the prophecy, recall the self-sacrifice of Menoecheus, one of the Spartoi, whose death freed Thebes from disaster, although the prophecy was prompting the suicide of Eteocles.

⁸²SCHULTZ, C.: The Romans and Ritual Murder. *Journal of the American Academy of Religion* 78.2 (June 2010) 516–541; SCHULTZ: Roman Sacrifice (n. 1) 75–76.

⁸³SCHULTZ, C.: On the burial of unchaste Vestal Virgins. In BRADLEY, M. – STOW, K.: *Rome, Pollution and Propriety. Dirt, Disease and Hygiene in the Eternal City from Antiquity to Modernity*. Cambridge 2012, 122–136. Most cases of ritual murder regard the Roman handling of the birth of hermaphrodites and severe birth defects (Roman sources mention fantastic babies with animal heads and animals born to humans), for whose removal and execution the Sibylline Books gave precise directions.



Eckstein and many others, Schultz acknowledges only the three cases of human sacrifices in 228, 216, and 114/13, disqualifying *devotio* and the treatment of unchaste Vestal Virgins. In her opinion, the execution of unchaste Vestal Virgins misses the mark of human sacrifice, based on the Vestals' much higher status compared to the foreign victims (possibly slaves), the jury of priests who convict the unchaste Vestal, the location of burial, and the commission of a crime harming public weal that must be punished.⁸⁴ Eckstein agrees with Schultz and, in discussion with me, argued that the burial of Vestals is a punishment, not a sacrifice although Plut. *Mor.* 286F. = *Quaest. Rom.* 96 never mentions anything about punishment, but he does say the priests continue to make sacrifices where the Vestals were buried.⁸⁵ Furthermore, the burial took place at the complete other end of the city. The victims were Roman women buried one at a time, whereas in the sacrifice foreign couples, (two men and women) were buried together.

While we agree about why the lovers were punished so severely,⁸⁶ in my view, much of the claim that the execution of an unchaste Vestal was not a sacrifice can easily be buried. Certainly a Roman *pontifex* would agree with Schultz, but more because he would be eager to split hairs at the expense of accuracy in order to avoid the taint of human sacrifice. The status of the Vestal was high only until her conviction, after which she became a prisoner and a criminal, bringing her status close to the foreign victims. Inexplicably, Minucius Felix also claimed that Romans sacrificed criminals, perhaps misunderstanding a tradition lost to us. The status of the jury of priests (probably the Pontifical College) varies only a little from their fellow priests, the college of the Decimviri Sacris Faciundis, who after searching the Sibylline Books for the solution, prescribed a human sacrifice and may have had a role in selecting the victims. The different location of the burials probably has an anthropological explanation, but in both instances the lives of creatures of the upper world ended prematurely when given to the gods of the Underworld, having been sent down below the earth's surface in an unconventional but similar manner. Normally, people were buried outside Rome along the major roads, whereas this situation apparently inverts the rule for the foreign victims, but not for the Vestal. If the foreign victims had been buried outside Rome, according to normal tradition, their deaths would not fulfill the prophecy in Dio 12. 50. 1, which is exactly why they were buried inside Rome. I note also that many features of interaction with the gods of the Underworld require contrary procedure, such as the sacrifice of black sheep instead of pure white one.

⁸⁴SCHULTZ: On the burial (n. 83) 124, (2016), 60, *contra* PARKER, H.: Why Were the Vestals Virgins? Or the Chastity of Women and the Safety of the Roman State. *AJP* 125.4 (2004) 563–601; WILDFANG, R.: *Rome's Vestal Virgins: A Study of Rome's Vestal Priestesses in the Late Republic and Early Empire*. London 2006, 58–59.

⁸⁵Note that the Loeb's translation of Dio 26. 87. 1, *ὅτι αἱ ἱέρειαι τὸ πλείστον αὐταὶ το τε ὀλέθρον καὶ τῆς αἰσχύνῃς ὄφλον*, is misleading. E. Cary translated it "the priestesses bore the chief punishment and shame themselves. . ." but the primary meaning of *ὀλεθρος* is "destruction, ruin, death", as in *Iliad* 10. 174 and *passim* and *Odyssey* 1. 11 and *passim*. A closer translation reads "That the Vestal Virgins themselves were liable for the greater part of both their destruction and of their dishonor. . .".

⁸⁶The sexual activity of a Vestal Virgin (even when it was rape, as Rhea Silvia claimed) was considered a sacrilegious act. She was not to perform any civic duties, for she contaminated all she touched, having been trusted with Rome's security and having betrayed that trust. The city required a public cleansing and the punishment of the criminals (Schultz calls it a ritual murder) for the common weal.



Burying victims alive did not employ a one-size fits all solution. Each offense had a specific, possibly *ad hoc* application, regarding the place of execution and the identity of the sacrificial victim(s).⁸⁷ The live burial of the unchaste Vestal and the execution of her lover, whom the *Pontifex Maximus* scourged to death very publicly in the Forum, served both as punishment and purification. However, in terms of visibility, their joint crime was punished by opposite means. He was put to death in public, but she was removed from the sight from the world and exposed with the vehement intent that she die soon, with greater prejudice than Oedipus, Paris, or Romulus and Remus. The convicted Vestal was conducted through the city in a living funeral, concealed in a litter so that no one could see or touch her.⁸⁸ She was then offered to the gods of the Underworld, like the victims of *devotio* and *xenothusia*, and buried alive, alone (conspicuously to prevent her from any further sexual activity), with a small quantity of food, water, and oil for light. Of course, Romans truthfully would say she was healthy and unharmed when last seen, and in theory, a god could save her if she had been wrongly convicted. The place of her burial, the *Locus Sceleratus* (Wicked Place), sums up perfectly the rationale for why she was buried outside the Colline Gate, after having put the whole of Rome at risk. Thus, their deaths made up part of the purification procedure necessary to cleanse Rome, and therefore was a component of the entire sacrifice that obviously included other mundane features.

The case of Tuccia in 230 BC presents a challenge, because the sources divide over whether she was convicted (Livy) or acquitted (maybe Dionysius, Valerius Maximus, St. Augustine).⁸⁹ Valerius Maximus says that she boasted she would prove her innocence (virginity) by carrying water in a sieve, which, to the amazement of all, she accomplished, and was at once exonerated. If she was convicted, it is strange that Cichorius's remedy was not applied until two years later. If she was acquitted, Cichorius's premise is ruined, because the burial in 228 had nothing to do with her. I leave this matter uncertain, suggesting only that this is the sort of story with an ugly truth Romans would hide, as the post-Livy sources seem to have done, especially if Tuccia was the human sacrifice as I suspect.

In my view, the Sibylline Books proscribed lesser sacrifices in 230 to cleanse the Vestal scandal, without any human sacrifice, even if Tuccia was convicted. All the same, by 228 tensions with Carthage were brewing over the expansion of Punic influence in Spain. The province of Corsica and Sardinia rose up in rebellion, reopening the Gates of Janus (by itself a portent). The Romans went to war with the Illyrians, and simultaneously with the Ligurians.⁹⁰ Even

⁸⁷FERRI, G.: La *devotio* Per un'analisi storico-religiosa della (auto)consacrazione agli dèi inferi nella religione romana. *MÉFRA* 129.2 (2017) 349–371, esp. 363, speculates that archaic Rome may have employed a regular human sacrifice by burial in the Forum. *Nota bene*, Tzez. *Ad Lyc.* 602 places the burial of Greeks and Gauls in the Forum, not the Forum Boarium.

⁸⁸Plut. *Nim.* 10. 5: ὡςπερ ἀφοσιουμένων τὸ μὴ λιμῶ διαφθεῖρειν σῶμα ταῖς μεγίσταις καθιερωμένον ἀγιστεῖαις – “as though absolving themselves of destroying with hunger one whose body was devoted to the greatest rituals.” In some ways her funeral march is a mirror opposite of that of a consul's funeral march, I suspect, because while his life is honored and deeds repeated for all to hear with the goodwill of the heavenly gods, she is removed from society at a young age for her transgression and consigned to the lower gods for whom many rituals are reversed.

⁸⁹Liv. *Per.* 20; Val. Max. 8. 1 § 5; Juv. *Sat.* 6. 64 could be interpreted as negative; August, *De Civ. Dei* 10. 16 lauds her chastity. Cf. the Unnamed Vestal of Dion. Hal. 2. 69. 2–3, which, if not Tuccia herself is the precedent from whom innocence was assigned to Tuccia.

⁹⁰Liv. *Per.* 19–20; Flor. 1. 19. 3. 1–5 mentions the Gauls, Illyrians, and Ligurians as enemies.



though the Ebro River Pact delayed war with Carthage, three other wars broke out. Collectively these dangers led to another consultation of the Sibylline Books, which ordained the human sacrifice of 228, matching Eckstein's model.

Defending Chichorius, the Belgian scholar Paul Erdkamp stated that the defeat of Cato in 114/13 against the Scordisci fell far short of disaster, and that earlier, worse defeats did not result in episodes of human sacrifice, according to the historical record.⁹¹ Erdkamp put his finger on the same problem as me, but with very different conclusions. First of all, the defeat of Cato at the hands of the Scordisci was grave, and the migration of the Cimbri into Noricum added to the many troubles the Romans already faced in 113. Concern escalated when they defeated Papirius Carbo in 113 at the Battle of Noreia.⁹² The defeats and the Cimbri in general contributed to the perfect storm along with lightning striking dead a Roman girl named Helvia.⁹³ Secondly, I suspect prior episodes of human sacrifice before 228, caused by multiple, simultaneous crises were concealed specifically to purge the stain of human sacrifice from the record. They were either dropped from the record or altered and retold euphemistically. T. P. Wiseman has suggested that the Romans performed a human sacrifice during the Third Samnite War (298–290 BC) right before the Battle of Sentinum in 295 BC, where the Romans defeated the Gauls, Etruscans, Samnites, and Umbrians.⁹⁴ Although Wiseman cannot prove his premise, it is attractive, considering the testimony of Pliny, as I shall soon explain.

Várhelyi also agrees that the sacrifice of foreign couples was unrelated to the scandal of unchaste Vestals, but instead was an apotropaic recipe, engaging past rather than potential, future enemies.⁹⁵ This would make it a fixed ritual. An Etruscan sarcophagus depicting a Gallic couple about to be buried alive suggests an Etruscan origin for this procedure.⁹⁶ And a linguistic point from Livy unexpectedly supports the apotropaic premise. Várhelyi translates Livy's adverb *minime* in the line *iam ante hostiis humanis, minime Romano sacro, imbutum* to modify the Forum Boarium, hardly ever soaked with (gladiatorial) blood rather than as "a hardly Roman type of sacrifice". Her translation recalls two important features of Roman sacrifice, firstly, the axe blow and cutting the animal's throat animal sent blood spurting and spraying always, as textual sources and works of art show, including the Boscoreale cup and a panel from the monument thought to be the Ara Pietatis (Fig. 2). But no blood flowed in cases of inhumation. Secondly, the ground of the Forum Boarium got wet from blood only during gladiatorial funeral contests (first in 264 BC and two more times, down to 216), which Livy and others thought came from the Etruscans.

⁹¹ERDKAMP, P.: Polybius, the Ebro Treaty, and the Gallic Invasion of 225 B.C.E. *Classical Philology* 104.4 (Oct. 2009) 495–510, esp. 498.

⁹²Liv. *Per.* 63; Vell. 2. 12. 2; App. *Celt.* 13; Jul. Obs. 38 Cf. Plin. *NH* 2. 33. 100. On Carbo's suicide after conviction, Cic. *ad Fam.* 9. 21. 3.

⁹³Plut. *Rom. Quaes.* 83 = *Mor.* 283A-B; Jul. Obs. Frag. 37; Oros. 5. 15. 20–22.

⁹⁴See n. 21 *supra* for the sources.

⁹⁵VÁRHELYI (n. 43) 293 also repeats the hypothesis of STEUERNAGEL (n. 32) that Etruscans had their own version of *devotio*, in which POWs were executed before the battle as offerings to the gods of the Underworld.

⁹⁶HERBIG, R.: *Die jüngeretruskischen Steinsarkophage*. Berlin 1952. BRUNN, H. – KÖRTE, G.: *I rilievi delle urne etrusche*. Vol. II. Roma 1896, 183, pl. 78.8, has a drawing of a second now lost urn from Chiusi with a similar motif.





Fig. 2. Ara Pietatis (photo Gaius Stern)

Archaic Rome mostly practiced bloodless human sacrifice, such as hanging or drowning, unlike bloody animal sacrifice. Perhaps archaic Roman sacral law mandated that human sacrifice be bloodless, which distinguished them from both animal sacrifice and the Etruscan procedure. As we see from the mural of the François tomb of Vel Saties, Etruscan human sacrifice often required blood-letting.⁹⁷ So far no one has improved upon Wissowa and Cichorius that the nationality of the victims was chosen based on the two rival peoples to the Etruscans ca. 650 BC. An alliance between Celts of North Italy and Greek colonists against the Etruscans would explain how the Etruscans first chose these specific victims, but it is hard to understand why the Romans would repeatedly use the same formula. Opinion divides over whether human sacrifice was engaged in 228 as a foreign rite or an archaic Roman one. Jules Toutain said Romans would claim it was foreign (see Livy 22. 57. 6, *supra*), but the exact repetition of the same ritual invalidated that pretense.⁹⁸ Toutain hit the mark, in my opinion, for the rule “if the Romans did something enough times, it became Roman” applies to both the sacred and the profane.

Yet the repetition argues for the problematic explanation that by 114 the Romans considered it a ritual formula, even though this is unsatisfactory from an anthropological and political point of view. Sacrificing a third, neutral people should not have served as an effective apotropaic (and it had the potential to anger them if the victims were important people). This problem is

⁹⁷See also the male victim of human sacrifice certainly killed by an axe blow in Tarquinia under a building foundation from the 8th century and the necessity of blood-letting, BONFANTE, L.: Human Sacrifices and Taboos in Antiquity: Notes on an Etruscan Funerary Urn. *Notes in the History of Art* 35.1-2 (Fall 2015/Winter 2016) 156-170, see 164-66.

⁹⁸DAREMBERG, CH. V. – SAGLIO, E.: *Dictionnaire des Antiquités Grecques et Romaines* 4.2 (1911) 977-978, s.v. sacrificium (J. Toutain).



unsolvable if we trust the evidence available, since we hear of only the three identical choices of victims. However, the logic, procedures, and language of Roman religion in 650 BC had an archaic mentality and vocabulary. It is not a guarantee that priests in 114/13 BC still fully understood it all.

PLINY'S TESTIMONY

Pliny may provide the key to the problem. Pliny *NH* 28. 3, *aut aliarum gentium cum quibus tum res erat*, provokes three questions: why were Greeks and Gauls targeted for sacrifice in the Sibylline Books, were any other peoples ever sacrificed instead, and when did other human sacrifices occur? Wissowa and Cichorius proposed that Greeks and Gauls were the main enemies of the Etruscans, and thus formulaic victims. But Pliny implied that at least on one occasion, victims of other ethnicities were chosen for human sacrifice from the enemy against whom Rome was then fighting, but he gave no further details, nor did any other source. And the lack of evidence has arisen precisely because the sources deliberately cleansed episodes of Roman human sacrifice from the record, because of its barbaric associations for Roman audiences after 97 BC.

The Sentinum campaign of 295 is not the only candidate for earlier events of human sacrifice. I propose that the Romans might have sacrificed a pair of Greeks (possibly with someone else) early in the Tarentine War (280–275), probably after losing the Battle of Asculum to Pyrrhus, creating a precedent of sacrificing Greeks, which could also have served as precedent 50 years later, in 228. Otherwise, one must depend upon Wissowa and Cichorius.

Turning to 216 BC, when Hannibal looked to be the obvious threat, the burial of Greeks again seems out of place. Hannibal had many Gallic mercenaries but too few Greeks for them to be seen as a major opponent.⁹⁹ It may have been the long-standing ritual, but another explanation that does not have to exclude the premise of a pre-standing ritual to bury Greeks would be a Roman awareness that Philip V of Macedon was considering joining Hannibal against Rome. However, this logical premise runs contrary to the sources. In order to demonize Philip, Romans tend to portray his alliance with Hannibal as a bolt from the blue, unexpected and unjustified. It may have been less unexpected that our sources indicate.

Even more likely is much later date within Pliny's lifetime or close to it, because Pliny admits *nostra aetas* saw a human sacrifice take place. Up to now, scholars have assumed that Pliny's testimony refers to the latest sacrifice in 114/13 BC. Instead, the latest sacrifice more likely occurred in the Post-Augustan Age, perhaps in Pliny's lifetime (AD 61–113). It is hard to believe Pliny considered an event 175 years earlier to be *nostra aetas*, Romans measured three

⁹⁹Cf. Plin. *NH* 30. 1–2, 12–15. H. DIELS (*Sibyllinische Blätter*. Berlin 1890, 86) proposed that Gelo II of Syracuse defected from Rome ca. 217/16, prompting the Romans to sacrifice Greeks along with the Gauls, followed by FOWLER, W. W.: *The Religious Experience of the Roman People*. New York 1911, lecture 14, p. 2. J. S. REID (Human Sacrifices at Rome and Other Notes on Roman Religion. *JRS* 2 [1912] 34–52) rightly dismisses Diels, citing B. NIESE (*Geschichte der griechischen und makedonischen Staaten seit der Schlacht bei Chaeronea*. Gotha 1893) and WISSOWA [n. 74]), that Gelo II lacked the authority to transfer Syracuse to Carthage without Hiero II's cooperation and himself died first. Furthermore, Diels refutes the testimony in Livy and Polybius of Syracusan loyalty to Rome until after Cannae, especially if one remembers that Gelo II was co-ruler with his father Hiero II (r. 270–215), and he died before Hiero II. Most of all, I add in nowise does it explain the sacrifice of Greeks in 228.



ages in that frame of time, an Era of Civil Strife down to 63 BC, the “Augustan Age” (63 BC–AD 14), and the Post-Augustan Age.¹⁰⁰ Clearly, Pliny was aware of a much more recent human sacrifice(s), and his lifespan alone saw several disasters that required a consultation of the Sibylline Books, any one of which could have recommended an incident of human sacrifice.¹⁰¹ This suggests that Toutain was correct Romans continued to perform human sacrifice, if out of the public eye.

While I think the burial of Vestals and *xenothusia* both amount to scapegoating forms of human sacrifice, I assert an important difference in their functions. The exposure (underground) of the Vestal Virgin was part of a cleansing function to correct a crime, as was the scourging of her lover. But *xenothusia* had a defensive rationale, whereby the Roman people piously sacrificing a few of the “other” to the gods of the Underworld to ward off danger from the community. Both of these are very real but diverse methods of sacrifice. In *devotio* too, the Romans offered the lives of the enemy army to the gods of the Underworld to ensure Roman victory, a third common form of sacrifice (usually conducted with bulls right before a battle), but the Roman commander also offered his own life as well.

DEVOTIO AS A SACRIFICE

Romans regarded the heroes who died for Rome, such as Horatius Cocles, Mettius Curtius, the Decii, Regulus, and Aemilius Paulus, just as highly as the great victorious generals Scipio Africanus and Titus Flamininus. For Polybius it was proof of Roman exceptionalism, and for Cicero it was a boasting point.¹⁰² The Decius Mus family stood out because two members supposedly died in battle, vowing their lives to ensure Roman victory, although scholars are rightly skeptical that the first of those incidents was a fabrication, and reports of a third attempt at the Battle of Asculum are fantasy. Nevertheless, the Decii occupy a special place in the pantheon of heroes, as if *devotio* was a family trait that distinguished them. *Devotio* had a near magical element, contact with the gods of the Underworld, and ends with the Roman commander buried under enemy weapons. Other heroes, who brought great ruin upon themselves to save or help the nation, but

¹⁰⁰The time between the human sacrifice of 114/13 BC and Pliny spans three Etruscan great centuries (110 years), separated by the *Ludi Saeculares*. *Ludi* were held in 249 and 139 BC, but the *Ludi* for the 20s BC were held finally in 17 BC and next in AD 88, disregarding those Claudius held for the 800th anniversary of Rome in AD 47.

¹⁰¹Three civil wars in AD 42, 68, and 69 stand out. In 68, both sides may have resorted to black magic, including human sacrifice, Pliny *NH* 30. 5–6 testifies that Nero tried every magic art to command the gods, but his lack of success (he had too many freckles) proved the falsity of magic. Vindex began the rebellion against Nero in Gaul, where the local elders still remembered the prophecies of the Druids, as Tac. *Hist.* 4. 54 confirms. Vitellius allegedly sacrificed to Nero’s ghost, Suet. *Vit.* 11, but extant pro-Flavian sources do not mention what or whom he sacrificed. Other candidates are the revolt of Boudicca, Vesuvius, and the Great Fires in Rome in July 64 AD and Dec. 69. The Church has argued that the persecution of Christians in AD 64 amounted to human sacrifice.

¹⁰²Polyb. 6. 54. 3–4; Cic. *De Fin.* 5. 22. 64: *Talibus exemplis non fictae solum fabulae, verum etiam historiae refertae sunt, et quidem maxime nostrae. . . . regibus, nostri imperatores pro salute patriae sua capita voverunt, nostri consules regem inimicissimum moenibus iam adpropinquantem monuerunt a veneno ut caveret* – “With such examples not only are tales of fiction told but even historical truths, and in fact especially our history . . . it is our commanders who vowed their own lives (*capita*) on behalf of the country, our consuls who warned an enemy king (Pyrrhus) who was already approaching our walls to beware of poison . . .” Translation by Gaius Stern and Patricia Johnston.



not always on the battlefield, won an exalted status for what I call “virtual devotion”, which often had an association with burial – whether genuine or metaphorical.¹⁰³

In the rarely seen but well known ritual *devotio*, the Roman commander beseeches a series of gods who are not associated with the Underworld to strengthen the Roman army, then vows the army of the enemy to the gods of the Underworld, along with his own life. According to Livy, the first Decius Mus had to perform the act of *devotio* in his purple edged toga.

pontifex eum togam praetextam sumere iussit et uelato capite, manu subter togam ad mentum exserta, super telum subiectum pedibus stantem sic dicere: [6] “Iane, Iuppiter, Mars pater, Quirine, Bellona, Lares, Diui Nouensiles, Di Indigetes, Diui, quorum est potestas nostrorum hostiumque, 7 Dique Manes, uos precor ueneror, ueniam peto feroque, uti populo Romano Quiritium uim uictoriam prosperetis hostesque populi Romani Quiritium terrore formidine morteque adficiatis. 8 sicut uerbis nuncupauit, ita pro re publica <populi Romani> Quiritium, exercitu, legionibus, auxiliis populi Romani Quiritium, legiones auxiliaque hostium mecum Deis Manibus Tellurique deuoueo.”

The *pontifex* instructed him [Decius Mus] to don the *toga praetexta*, to veil his head, and with one hand held out from under his toga touching his chin to stand on a spear laid under his feet and speak as follows: “Janus, Jupiter, Mars Pater, Quirinus, Bellona, Lares, divine Novensiles, divine Indigetes, gods whose power extends over us and over our enemies, 7 divine Manes, I pray to you, I revere you, I beg your favour and beseech you that you advance the strength and success of the Roman people . . . 8 As I have pronounced in these words . . . I devote the legions and auxiliaries of the enemy along with myself, to the divine Manes and to Earth.”¹⁰⁴

Livy’s testimony partly differs from the fourth century writer, Macrobius, who says the Romans also engaged the ritual of *devotio* to capture enemy cities, although in his version the Roman commander invokes Dis Pater, Veiovis, and the *Manes* to weaken the enemy and summons Mother Tellus and Jup[er]iter to be witnesses.

In eadem verba hostias fieri oportet auctoritatemque uideri extorum, ut ea promittant futura. Urbes uero exercitusque sic deuoentur iam numinibus evocatis, sed dictatores imperatoresque soli possunt deuovere his uerbis: 10 Dis Pater Veiovis manes, sive quo alio nomine fas est nominare, ut omnes illam urbem carthaginem exercitumque quem ego me sentio dicere fuga formidine terrore conpleatis quique aduersum legiones exercitumque nostrum arma telaque ferent, uti uos eum exercitum eos hostes eosque homines urbes agrosque eorum et qui in his locis regionibusque agris urbibusue habitant abducatis lumine supero priuatis exercitumque hostium urbes agrosque eorum quos me, sentio dicere, uti uos eas urbes agrosque capita aetatesque eorum devotas consecratasque habeatis ollis legibus quibus quandoque sunt maxime hostes devoti. 11 eosque ego . . . do deuoueo. . . Tellus mater teque Iuppiter obtestor 12 Cum Tellurem dicit, manibus terram tangit: cum Iovem dicit, manus ad caelum tollit: cum votum recipere dicit, manibus pectus tangit. 13 In antiquitatibus autem haec oppida inueni devota: † Stonios † Fregellas Gavius Veios Fidenas, haec intra Italiam, praeterea Carthaginem et Corinthum; sed et multos exercitus oppidaque hostium Gallorum Hispanorum Afrorum Maurorum aliarumque gentium quas prisca locuntur annales.

With these words one may make them sacrificial victims and their self-determination is lost, so that the animal innards may reveal the future. Thusly it is true cities and armies have been devoted now that their tutelary gods have been named, but dictators and commanding officers are the only

¹⁰³If cremation was then the norm at this time, the use of burial and burial alive adds to the mysticism.

¹⁰⁴Liv. 8. 9. 5–8. Translation by Gaius Stern and Patricia Johnston.



ones who can conduct a *devotio* with these words: “Dis Pater, Veiovis, manes, or if it is permitted to call upon you by any other name, may you all fill with terror and fear and flight that city Carthage and that army which I indicate and those who bear arms against our legions and armies, that you remove from the upper light that army and those enemies and those men, their cities, and their fields and any who live in these places, regions, and fields or cities, that you deprive the enemy army and their cities and fields whom I make myself declare, that you regard these cities, fields, their very heads, and their people of all ages devoted and consecrated (to you), that you regard them by these lawful terms with which at any time enemies are most securely devoted. And I hereby give and devote them . . . I call upon you Mother Tellus and Juppiter as witnesses.” While he utters “Tellus”, he touches the earth with his hands: when he says “Jove” he raises his hands towards heaven: when he speaks to take the vow he touches his chest with his hands. Moreover in ancient times these towns inside Italy were taken through *devotio*: Stonii, Fragellae, Gabii, Veii, Fidenae, also Carthage and Corinth, but the annals speak of many armies and towns of our enemies – Gauls, Celto-Iberians, Africans and Mauretians and other peoples of old.”¹⁰⁵

One can quickly see a number of discrepancies within Livy and between Livy and Macrobius.¹⁰⁶ This is why the Dutch scholar Hendrik Versnel concluded that Livy and Macrobius describe two different forms of *devotio*, which he labelled *devotio ducis* (against an army such as with Decius Mus) and *devotio hostium* (against a city).¹⁰⁷ When the second Decius Mus committed *devotio* in 295, he did not have time to don his toga praetexta before rushing to his death in the thick of battle. The Romans won the battle, so apparently, the toga was not necessary, as long as the Roman commander died, riddled with enemy missiles, under a heap of corpses.

In Georg Wissowa’s view, *devotio* against enemy cities amounted to acts of *consecration* of enemy territory, whereby the Roman commander consecrated the enemy army or city to the gods of the Underworld, along with three black sheep as a bonus, much as an augur would consecrate a space with the regular gods as witnesses to build a temple.¹⁰⁸ Versnel determined

¹⁰⁵Macr. Sat. 3. 9. 9–13. Translation by Gaius Stern and Patricia Johnston. The city Stonii is unknown.

¹⁰⁶These discrepancies led G. GUSTAFSON (Verbs, Nouns, Temporality and Typology. In OTTO, B.-CHR. – RAU, S. – RÜPKE, J. [eds]: *History and Religion: Narrating a Religious Past*. Berlin 2015 [Religionsgeschichtliche Versuche und Vorarbeiten 68], 357–365, esp. 358–359), to doubt the ritual had a fixed-practice.

¹⁰⁷VERSNEL, H.: Two Types of Roman *devotio*. *Mnemosyne* 29 (1976) 365–410; VERSNEL, H.: Destruction, *Devotio* and Despair in a Situation of Anomy. The Mourning for Germanicus in Triple Perspective. In *Perennitas. Studi in onore di Angelo Brelich*. Promossi dalla Cattedra di religioni del mondo classico dell’Università degli studi di Roma. 1980, 541–618; VERSNEL, H.: Self-Sacrifice, Compensation and the Anonymous Gods. In VERNANT, J.-P. ET AL.: *Le Sacrifice dans L’Antiquité*. Vandoeuvres Fondation Hardt 1981 [Entretiens sur l’antiquité classique 27], 135–194. RAMOS Y LOSCERTALES, J. M.: La ‘*devotio ibérica*’. *Anuario de historia del derecho español* 1 (1924) 7–26, proposed yet another type of *devotio*, *devotio Ibérica*, later advanced by R. Étienne and Duncan Fishwick whereby the honor guard fights to the last man around their leader, perhaps allowing his escape, a measure of loyalty expected of Celto-Iberians bodyguards, Caes. *De Bell. Gal.* 3. 23. 3; Strab. 3. 4; Val. Max. 2. 6. 11, 14; Plut. *Sert.* 14. 5; Dio 53. 20. 3. Ramos y Loscertales did not realize that this is also expected of the Viking jarl’s bodyguards; Tac. *Germ.* 14. 2; *King Olaf’s Saga*, *King Harald’s Saga*; and the Anglo-Saxon house carls at the Battle of Hastings. See also SACCO, L.: *Devotio: aspetti storico-religiosi di un rito militare romano*. Roma 2011.

¹⁰⁸WISSOWA, G.: *Devotio*, in *RE* 4 (1901) 901 ff., accepted by all, e.g. WAGENVOORT, H.: *Roman Dynamism: Studies in Ancient Roman Thought, Language and Custom*. Oxford 1947, 32 ff. “every *devotio* is a *consecratio*” as per Flor. 1. 13. 9; St. Aug. *Civ. Dei* 5. 18.



that the *consecratio* applied only when the Roman commander offered his own life, the rest was a *votum*. Otherwise, the Romans would not have created a separate term for *devotio*. For him the crucial distinction manifested when the Roman commander promised the enemy army (or city) to the gods before he has control of them, assuming a power he does not yet have over them. To me it seems the *do ut des* mentality of *consecratio* is reversed in *devotio* to *das ut dem*, for the burden falls upon the god to act.¹⁰⁹ What Versnel really did was distinguish greater and lesser forms of *devotio*, depending upon whether the Roman commander added his own life into the equation. He has become the authority on *devotio*, but he does not resolve a number of questions. No other source mentions *devotio* in the sieges of Gabii, Veii, Corinth, and Carthage, and the Roman commanders at those sieges certainly survived. Livy testifies that many commanders had devoted themselves, but he names only the Decii.¹¹⁰ Cicero asked why the gods were so unjustly angry at Rome that *devotio* was necessary.¹¹¹ Did foreign peoples employed *devotio* against Rome? Did the Romans consider it human sacrifice? Livy provides answers to only some of these inquiries.

Livy says that if a Roman general offered himself and the enemy army to the gods of the Underworld in an act of *devotio* but survived the battle, he could fulfill his vow by burying a likeness of himself.¹¹² This could account for the surviving Roman commanders who laid siege to Gabii, Veii, Corinth, and Carthage. The common theme of burial with the Vestal Virgin and *xenothusia* arises from the offering to the gods of the Underworld. Among Romans who fell in battle, several potential practitioners of *devotio* or something close to it include the original Brutus, Horatius Cocles, maybe Mucius Scavola, the Regulus brothers, and Aemilius Paulus. But

¹⁰⁹Versnel also noted similarities between *devotio* and *defixio*, the main topic of the counterpart to our 2018 Lonato conference. Most striking is how the individual making the *defixio* also invokes the gods of the Underworld to injure the object of their hatred or envy. In *defixio* often a hated woman was offered to Proserpina. Another common element is the recurring theme of substitution, owing to what Versnel says was “a wide spread belief that in order to avert evil a substitute must be indicated, to whom the evil can be transferred”, VERSNEL: Two Types (n. 107) 395. He also noticed the use of magic, especially in the Norse version of *devotio*.

¹¹⁰Cic. *De Nat. Deor.* 2. 3. 10 also suggests there were many more instances.

¹¹¹Cic. *De Nat. Deor.* 3. 6. 15: *Tu autem etiam Deciorum devotionibus placatos deos esse censes. quae fuit eorum tanta iniquitas, ut placari populo Romano non possent nisi viri tales occidissent? consilium illud imperatorium fuit, quod Graeci στρατήγημα appellant, sed eorum imperatorum qui patriae consulerent vitae non parcerent.* – “You, however, believe the gods were placated only by the *devotiones* of the Decii, what was so great the injustice that they could be reconciled to the Roman people except if such great heroes perished? That (*devotio*) was the strategy of those commanders, that which the Greeks call *strategema*, but those who thought the lives of the commanders should not be saved but the country.”

¹¹²Liv. 8. 10. 12. Cf. the myths of Protosilaus and Alcestis and maybe Pygmalion. The burial of a statue offers a proxy to the gods of the Underworld to fulfill the vow. The common thread with unchaste Vestal Virgins is the burial. Curiously, the Altar of Dis on the Campus Martius had no connection to the ritual of *devotio*, even in cases of statue burial. The existence of this altar may surprise many scholars, for the Greeks considered it impolite at best to mention Hades, much less conduct a festival in his honor or build a temple for his worship or that of any deity associated with the Underworld, whereas Romans sacrificed to the Dis Manibus at the Ludi Saeculares, *CIL* VI 32323–32337. The altar was discovered in 1886–87 behind Palazzo Cesarini, five meters below the street level of Corso Vittorio Emanuele. It is no longer visible today, but is reported in the story in which Valesius pledges to exchange his own life if his children may survive, for which he is instructed to sacrifice at an altar to Dis; Val. Max. 2. 4. 5; Fest. 329, 350; Zosim. 2. 3. 2. On the archaeology, see *HJ* 477–478; *Röm. Mitt.* (1891) 127–129; *Mon. L.* I 540–548; *NS* (1890) 285; *BC* (1887) 276–277, (1894) 325, (1896) 191–230; *EE* VIII 225–309; *PT* 135–137; Cohen, *Aug.* 188 = *BM Aug.* 431; WISSOWA, G.: *Gesammelte Abhandlungen zur römischen Religions- und Stadtgeschichte.* München 1904, 189–209.



of those who did not die in battle one may consider also Marcus Curtius, Regulus, and the special cases of the traitors Tarpeia and Coriolanus.¹¹³

Cicero and many others describe L. Brutus's heroic death in single combat (perhaps inspired by the duel of Eteocles and Polyneices) against Aruns Tarquin, using language that hints at *devotio*.¹¹⁴ Dionysius says Brutus was "hastening towards the death assigned to him by fate". Florus says he was pursuing the adulterer (*sic*) to the gods below. While Brutus's demise *pro patria* was not a real *devotio*, it served as a template for later acts of *devotio*. Brutus cuts a tragic figure, surviving the murders of his father and older brother at the hands of Tarquin II by playing the fool. As consul after the revolution, he wields power and abolishes many child sacrifices, only to learn his own sons have betrayed the nation. The execution of his sons orphan him in reverse, and like Romulus, who loses Remus, it is self-inflicted. It also serves as a precedent for Aemilius Paulus (*infra* 38–39). When Tarquin attacks Rome, Brutus rushes to kill him, neglecting his own survival. One wonders if very early Roman theologians considered his betrayal and death as divine retribution for the cancellation of the child sacrifices.

Polybius and Cicero mention Horatius Cocles as a paragon hero who inspired many future individual feats of heroism, even though he perished in the attempt.¹¹⁵ Cicero says "how often have not just our leaders but even the entire army charged to a certain death! Why if they were really afraid, Brutus would not have fallen . . . or the three Decii, or Aemilius Paulus and Servilius Geminus at Cannae, or Claudius Marcellus, . . . or Albinus, . . . or Gracchus."¹¹⁶ In Livy's improved version (widely mistaken for history), Horatius Cocles leapt off the bridge and survived what originally was a human sacrifice or *devotio*. Apparently, a Roman commander could choose any citizen to devote to the gods of the Underworld to ensure a Roman victory.¹¹⁷ The

¹¹³Aeneas also plans to commit *devotio* during the sack of Troy, *Aen.* 2. 310 ff; but Venus persuades Aeneas to abandon a meaningless death that will not save Troy or his family. See the plan of Turnus when the war council turns against him, 11. 439–445, but Turnus simply fails. See n. 81 *supra*. When Turnus dies note the word choice of *condit* 12. 950.

¹¹⁴Cic. *De Sen.* 20. 75, *Tusc. Disp.* 1. 37. 89, 4. 22. 50; Dion. Hal. 5. 15. 1–3: *κάκεινος οὐκοῦκ ἀξιῶν τοὺς ὀνειδισμοὺς ὑπομένειν ἤλαυνε τὸν Ἰππὸν ἐκ τῆς τάξεως, ὑπεριδὼν καὶ τῶν ἀποτρεπόντων φίλων ἐπὶ τὸν κατεψηφισμένον ὑπὸ τῆς μοίρας θάνατον ἐπειγόμενος.* – "And he – Brutus, considering it unbecoming to abide patiently these insults, despising the dissuasions of his friends to turn away and hastening towards the death assigned to him by fate, drove on his horse from the ranks. Liv. 2. 6. 7–9; Plut. *Publ.* 9. 1–2, 16. 1; Flor. 1. 4. 10. 8: *Tarquinius tamen tam diu dimicaverunt, donec Arruntem filium regis manu sua Brutus occidit superque ipsum mutuo vulnere expiravit, plane quasi adulterum ad inferos usque sequeretur.* – "Nevertheless the Tarquinius family persisted for a very long time until Brutus killed Arruns the king's son with his own hand and breathed his last on top of him from a evenly dealt wound, almost as if he was pursuing the adulterer (*sic* for Sextus Tarquin) to the gods below."

¹¹⁵Polyb. 6. 55. 1–3; Cic. *De Off.* 1. 18. 61, *De Leg.* 2. 10; Dion. Hal. 5. 22–25; Liv. 2. 10; Prop. 3. 11. 59–70; Plut. *Publ.* 16. 45, *Mor.* 307D–E, 317E, 820E; Tac. *Hist.* 3. 72; Plin. *NH* 34. 5, 36. 100; Flor. 1. 10. ROLLER, M.: Exemplarity in Roman culture: the cases of Horatius Cocles and Cloelia. *Classical Philology* 99.1 (2004) 1–56.

¹¹⁶Cic. *Tusc. Disp.* 1. 37. 89: *quotiens non modo ductores nostri, sed universi etiam exercitus ad non dubiam mortem concurrerunt! quae quidem si timeretur, non Lucius Brutus arcens eum reditu tyrannum, quem ipse expulerat, in proelio concidisset; non cum Latinis decertans pater Decius, cum Etruscis filius, cum Pyrrho nepos se hostium telis obiecissent; non uno bello pro patria cadentis Scipiones Hispania vidisset, Paulum et Geminum Cannae, Venusia Marcellum, Litana Albinum, Lucani Gracchum.*

¹¹⁷Livy 8. 10. 11: *licere consuli dictatorique et praetori, cum legiones hostium devoveat, non utique se, sed quem velit ex legione Romana scripta civem devovere.* – "A consul, dictator, or praetor may designate for *devotio*, when he is devoting the legions of the enemy, not only himself but any citizen he wishes from the levied Roman legion."



choice fell upon Horatius Cocles.¹¹⁸ Horatius Cocles died in the Tiber amid enemy missiles, but Rome was saved. The story later had to be sanitized, perhaps more than once before Livy. An intermediate version in Polybius has Horatius jump into the Tiber to avoid capture, never to be seen again. That leap into the depths (here the river) takes him from our world into the next and magically thwarts the Etruscan restoration.

The story of the senators sitting outside their homes, stiff as statues, when Brennus and the Sennones Gauls burst into Rome repeats the utilitarian sacrifice of some Romans so that the rest may survive. But another Roman hero gave his life in a pact with the gods of the Underworld, even closer to the *devotio* of the Decii, Marcus Curtius.¹¹⁹ In 362 BC, a huge chasm opened in the Forum,¹²⁰ and a divine voice predicted that it would close only when Rome threw her most valuable asset into it. Gold, treasures, and munitions made no difference, but a patriotic nobleman realized the true solution to the prophecy: Roman valor and patriotic youth. Extending his hands towards heaven and calling upon first the gods above and then those below, he devoted himself, and mounting his horse, rode into the chasm, which immediately closed behind him and thus shut the passage between this world and the next. According to Livy,

Eodem anno, seu motu terrae seu qua vi alia, forum medium ferme specu vasto conlapsum in immensam altitudinem dicitur; 2 neque eam voraginem coniectu terrae, cum pro se quisque gereret, expleri potuisse, priusquam deum monitu quaeri coeptum, quo plurimum populus Romanus posset: 3 id enim illi loco dicandum vates canebant, si rem publicam Romanam perpetuam esse vellent. tum M. Curtium, iuvenem bello egregium, castigasse ferunt dubitantes, an ullum magis Romanum bonum quam arma virtusque esset, et silentio facto templa deorum immortalium, 4 quae foro inminent, Capitoliumque intuentem et manus nunc in caelum, nunc in patentes terrae hiatus ad deos manes porrigentem se devovisse; 5 equoque deinde quam poterat maxime exornato insidentem armatum se in specum inmisisse, donaque ac fruges super eum a multitudine virorum ac mulierum congestas, lacumque Curtium non ab antiquo illo T. Tati milite Curtio Mettio, sed ab hoc appellatum. 6 cura non deesset, si qua ad verum via inquirentem ferret; nunc fama rerum standum est, ubi certam derogat vetustas fidem; et lacus nomen ab hac recentiore insignitius fabula est.

In the same year, whether by earthquake or by some other force, it is said there was a collapse by means of a vast chasm to a great depth in almost the middle of the Forum; nor could this abyss be filled by throwing to the earth whatever each person brought before by the warning of the gods people started to ask in what way the Roman people could most (close it): for seers were chanting in that place it must be dedicated, if they wanted the Roman state to be eternal. Then, they say, Marcus

¹¹⁸Bridges can have more than one function. They link river banks and separate the worlds of the living from the dead, and the sacred from the profane. That explains the inclusion of Janus (bridges and changes) in the *devotio* prayer. Horatius Cocles crossed at least two bridges when he was given to the gods, even if he was an unwilling sacrifice. Like Achilles, his reward was *kleos*. The Horatius story contains many anachronisms: the role of the Etruscans, it places the revolution in 509, and the likelihood that *devotio* may be a younger institution than the republic, although Livy's source might not have known its true origin. Horatius may have been a simple human sacrifice, not a glorified one.

¹¹⁹Liv. 7. 6. 1–6; Dion. Hal. 14. 11. 1–5; Val. Max. 9. 5. 2 § 2; Plin. *NH* 15. 18; Plut. *Parallela Minora* 5; Zon. 7. 25; Tzes. *Schol ad Exig. Iliad* 136. 17. Cf. the confused Critolaus, *History of the Epirots* 3 *apud* Plut. *Para. Min.* 6.

¹²⁰Mettius Curtius allegedly had a metaphorical death 400 years earlier on the same spot, while fighting Romulus ca. 750 BC. Driven in retreat into a lake associated with death, he somehow survived the experience. His experience recalls Alcestis and the heroes who go (die) but return from the Underworld. Unlike the younger Marcus Curtius, Mettius returns from death. Liv. 1. 13; Dion. Hal. 2. 42. 5–6; Varro *De Ling. Lat.* 5. 148–150; Plut. *Rom.* 18. 3–5.



Curtius a young man excelling in warfare rebuked those who were uncertain if there might be any Roman good better than arms and courage, and after a silence fell over all, gazing at the temples of the immortal gods and the Capitoline Hill, which loomed over the Forum, now raising his hands towards the heavens, now to the chasm of open earth and the gods of the Underworld laid open, he devoted himself [*se devovisse*]; Then after his horse had been adorned as much as it possibly could be, [they say] he immersed his fully armed self into the void, and offerings and fruits were thrown on top of him by a crowd of men and women, and the Curtian Lake is named after him, not after Mettius Curtius, that ancient famous soldier of king Titus Tatius. Attention would not be lacking if in any way a path bears a scholar searching for the truth; now this is the story of deeds that must be maintained, where antiquity demands of us a certain faith; and the name of the lake is better known from this more recent story.¹²¹

Livy actually uses the words *Curtium . . . se devovisse*, even though this sacrifice was not made during a battle. In all other ways, the parallel is complete, including the gods and gestures Curtius made prior to his sacred suicide.

Also similar to *devotio* are the self-sacrifices of the legendary Regulus, the vow of Aemilius Paulus in 167 that led to his line's extinction, and the death of Antinous Regulus invaded Africa but was captured at the Battle of Bagradas River, a terrible disgrace for a Roman commander with *imperium*. A Roman would expect him either to devote himself or kill himself, but the sources do not say. In real life, the Carthaginians paraded him in chains, tortured him, and put him to death. But a legend that restored his honor was crafted, in which, after five years of captivity in an underground jail, he was sent to Rome to persuade the Senate to accept a prisoner exchange and possible peace terms around the time of Claudius Pulcher's defeat at Drepanum. Despite having promised to support the POW exchange and also to return to Carthage if Rome rejected it, Regulus nevertheless advised the Senate against the POW exchange, which he said would help Carthage more. He then returned to Africa to face death by torture, brushing aside the efforts of those who tried to restrain him. He first broke his sacred word to the Carthaginians by condemning the POW exchange he had vowed to support, but then insisted on keeping his second promise to return to Carthage in an act of self-sacrifice. Regulus says that he must keep his second promise or all Rome will suffer for his duplicity, but that he willingly broke his first promise for the good of the country. This is *devotio* without the purple toga. The legendary Regulus gives himself to the gods of the Underworld; Rome wins the war.

One or both of Regulus's sons fell in battle. The older brother, M. Atilius Regulus (cos. 227, *suf.* 217), may have been killed in battle at Cannae;¹²² the younger brother C. Atilius Regulus (cos. 225), was killed at the Battle of Telamon, before the Romans won the victory. The Battle of Telamon would be a perfect instance for a mythologizer to claim the younger Regulus performed a *devotio*, and both Matthew Leigh and John Marincola have suggested that the literary (rather than the historical) Aemilius Paulus virtually devoted himself at Cannae against Hannibal but to

¹²¹Livy 7. 6. 1-6.

¹²²Polyb. 3. 116. 11, *contra* Val. Max. 2. 9. 8. Cic. *Disp. Tusc.* 1. 37. 89 lists Aemilius Paulus and Servilius Geminus as casualties at Cannae, but not M. Regulus. See also next note on Paulus at Cannae.





Fig. 3. Denarius, Paulus Aemilius Lepidus, 62 BC. Obv.: Concordia, rev.: Perseus and sons as POWs (images courtesy of wildwinds.com, David Freeman)

no avail.¹²³ Livy deliberately likened Paulus to Leonidas, but the Romans still lost at Cannae. Even stronger is the case for virtual *devotio* of Paulus's son, when he asked the gods to divert from Rome upon himself any impending calamity, right before triumphing over Perseus and Macedon for the Battle of Pydna.¹²⁴ Aemilius Paulus had four sons, of whom he gave two away in adoption to the Fabius Maximus and Servilius Caepio. Less than two weeks after he made this vow and celebrated his triumph, his two remaining sons died, leaving his *gens* bereft and him orphaned in reverse. The result of Aemilius Paulus's request amounts to a virtual *devotio*, partly following the legacy of his father at Cannae, and reminiscent of L. Brutus. Romans saw such quirks of fate as family traits. Numismatists will recall how Paulus Aemilius Lepidus (cos. 50), the brother of the future *triumvir*, appropriated the legacy of Aemilius Paulus, even though he was not a descendant of Aemilius Paulus, when he issued a *denarius* in 62 BC near the 100th anniversary of the victory (Fig. 3).

The deaths of the traitors Tarpeia and Coriolanus also amount to virtual *devotio*, because their deaths saved Rome, even though different versions of the stories vary some of the details. According to the best known version, Tarpeia tried to betray Rome to the Sabine army of Titus Tatius. As payment she demanded what the soldiers wore (*gerebant*) on their left arms. Instead of giving her their gold bracelets, as she intended, they bury her under a hail of their shields, because they despised her willingness to betray her people.¹²⁵ But the noise their shields make killing her woke up the Romans and foiled the Sabine attempt to seize Rome. Thus her death saved the

¹²³Paulus's last words in Livy 22. 49. 10 echo those of Leonidas at Thermopylae, Hdt. 7. 228. 2: *abi, nuntia . . . Privatim Q. Fabio L. Aemilium praeceptorum eius memorem et vixisse adhuc et mori.* – “Go tell Q. Fabius in private that L. Aemilius both lived and died mindful of his advice.” LEIGH, M. G.: Hopelessly Devoted to You: Traces of the Decii in Vergil's Aeneid. *PVS* 21 (1993) 89–110; MARINCOLA, J.: The *Persian Wars* in Fourth-Century Oratory and Historiography. In BRIDGES, E. – HALL, E. – RHODES, P. J.: *Cultural Responses to the Persian Wars: Antiquity to the Third Millennium*. Oxford 2007, 105–26; COWAN, R.: Hopefully Surviving: Despair and the Limits of *Devotio* in Virgil and Others. *Proceedings of Vergilian Society* 27 (2011) 56–98.

¹²⁴Polyb. 32. 8; Liv. 44. 35. 13–14, 45. 40. 6–9, 45. 41.11–12, 42. 1, and see 44. 44. 1–3; Vell. 1. 10. 3–5; Val. Max. 5. 10. 2; Plut. *Aem.* 5. 3–5, 35. 1 – 36. 6. In Cicero *Dream of Scipio*, Scipio Aemilianus meets his adoptive grandfather Scipio Africanus and his biological father, Aemilius Paulus.

¹²⁵Livy 1. 11. 7: *accepti obrutam armis necavere seu ut vi capta potius arx videretur, seu prodendi exempli causa, ne quid usquam fidum proditori esset.* – “Having been admitted, they killed her buried under their shields, either so that it would seem the citadel was captured by power or for the sake of making an example of a traitor.”





Fig. 4. Denarius, Titurius Sabinus, 89 BC, obv.: Head of Titus Tattius, rev.: Tarpeia buried by Sabines (image courtesy of wildwinds.com, David Freeman)



Fig. 5. Denarius, Turpilianus, 19 BC, obv: Augustus, rev.: Tarpeia buried by Sabine shields (image courtesy of wildwinds.com, David Freeman)

country. In an older version, Tarpeia may have been a Vestal Virgin, deliberately gave her life to save Rome in no way committing treason.¹²⁶ In that case, her burial under Sabine shields is even more consequential, suggesting she was first raped and then killed for her lost chastity, like Rhea Silvia and also partially Lucretia, whose rape and death stimulate Roman action. Lucretia's death rids the state of the corrupt monarchy; Tarpeia's of an invader (Figs 4-5).

Antinous, the beloved of the emperor Hadrian died mysteriously in Egypt.¹²⁷ One version is that Hadrian's enemies killed him. Another is that upon hearing Hadrian must die, unless

¹²⁶Varro *LL* 5. 41; Prop. 4. 4; Plut. *Numa* 10. 1 identify her as a Vestal Virgin. Calpurnius Piso *apud* Dion. Hal. 2. 41. 3 and the poet Propertius 1. 16. 2 knew the different story in which Tarpeia tried to save Rome and disarm the Sabines of their shields so Romulus could catch them defenseless. GRIMAL, P.: Études sur Properce, II: César et la légende de Tarpeia. *REL* 29 (1951) 201-214; GUITTARD, CH.: Tite-Live, Accius et le rituel de la *deuotio*. *CRAI* 128 (1984) 581-599; CAIRNS, F.: Tarpeia Pudicitia in Propertius 1.16.2 - and the Early Roman Historians. *RhM* 154 (2011) 176-184. WELCH, T. S.: *Tarpeia: Workings of a Roman Myth*. Columbus 2015; NEEL, J.: Tarpeia's Devotion to Rome: A Reinterpretation of Livy 1. 11-12. CAMWS 2018 conference; NEEL, J.: Tarpeia the Vestal. *JRS* 109 (2019) 103-130. The Tarpeia story has earlier precedents of a maiden betraying her people for money, Arne among the Teleboans, Ov. 7. 465 and many stories of a princess falling in love with the enemy king besieging her city, such as Antiope besieged by Theseus, Paus. 1. 2. 1; Scylla of Megara (then called Nysa) besieged by Minos, Apol. 3. 15. 8, Ov. *Met.* 8. 1-151; and others.

¹²⁷Dio 69. 11 SHA *Had.* 14. 5-7.



another agreed to die in his place, much like Alcestis for Admetus, he sacrificed his life for him. Aelius Spartianus, the author of Hadrian's biography, says *aliis eum devotum pro Hadriano adserentibus*, "for some were asserting that Antinous was devoted on behalf of Hadrian". The use of *devotum* clearly likens Antinous's death to that of the Decii. To remember his favorite, Hadrian found Atinoopolis and built a shrine there, making him a demi-god. Coriolanus, the Roman Benedict Arnold, was exiled for his contempt of the tribunes and Roman law, despite his heroism in war. When he was leading the Volscians against Rome after several victories, the sight of his own mother (synecdoche for Rome) in tears turned him away. He realized the Volscians would put him to death, but Rome was saved (Shakespeare followed this version, Livy was more equivocal). Both stories contain an element of self-sacrifice that is normally restricted to true heroes, almost never to enemies of Rome. However, Tarpeia has somehow transformed from heroine to villain. This is mysterious, but perhaps her story lost luster compared to the rape and death of Lucretia, which had a better finale in the fall of the monarchy, or Tarpeia's story had too many uncomfortable similarities to Rhea Silvia. Coriolanus is the worst sort of enemy, because he was Roman hero who turned his skills against Rome. His virtual *devotio* actually redeems him, because in the end he could not oppose his mother (motherland).¹²⁸

Coriolanus is the only clear example we have of an enemy of Rome committing virtual *devotio*, and it is not in the expected sense of rushing into battle. It seems extremely likely that the Celts would have attempted to thwart the Roman conquest of Spain or Gaul by committing their version of *devotio*, likewise rebels against Rome, such as Spartacus or Boudicca. However, scant evidence survives to verify the hypothesis. Pyrrhus hoped to capture third Decius Mus to prevent him from committing *devotio* at Asculum,¹²⁹ so we can expect the Romans to have taken the same precautions. Surprisingly, there is no mention that Ariovestus or Vercingetorix used dark arts or black magic against the Romans and certainly no description of *devotio*.¹³⁰ Surprisingly, no source mentions either *devotio* or human sacrifice against Scipio Aemilianus during the final siege of Carthage, although the Carthaginians used human sacrifice against Agathocles 150 years earlier. Instead of looking at the end of Punic history, Anne-Marie Tupet has looked at its very start, arguing that Dido's death curse against Aeneas was an act of *devotio*.¹³¹ Vergil twice says that a lock of Dido's hair is devoted to Proserpina and/or Dis, before her untimely death, as if she too was bequeathed to the gods of the Underworld.¹³² The practical Roman commander would regard the enemy's use of *devotio* in the same light as human sacrifice. The solution was to thwart the enemy's attempt by capturing the practitioner and then stamping out the knowledge of the ritual, lest anyone try it again.

¹²⁸Coriolanus is the bad exile; Camillus the good. We should think the redeemed Coriolanus, if he later saw an opportunity, would have come to Rome's rescue in a subsequent war, just as the ostracized Cimon tried to come help Athens. Plutarch pairs Camillus to Themistocles (who died in exile in Persia rather than attack Athens) and Lucullus (who renounced politics and devoted himself to pleasure) to Cimon. Plutarch may have mismatched them.

¹²⁹Dio 10. 40. 43; Zon. 8. 5. Absent from Dion. Hal. 20. 1. 1–7, 20. 29, 21. 8–10; Plut. *Pyr.* 21. 5–7.

¹³⁰Ariovestus was warned by women skilled in divination not to fight before the new moon, but the Romans attacked him, *Caes. BC* 1. 50. 3; Dio 38. 48. 1–2. Critognatus advised Vercingetorix in council to fight on and cannibalize the weak if necessary to resist the Romans at Alesia, *Caes. BC* 7. 77. 3–16. Magic or *devotio* are not mentioned.

¹³¹TUPET, A.-M.: Didon Magicienne. *Révue des Études Latines* 48 (1970) 229–258.

¹³²Verg. *Aen.* 4. 698, 702; *Macr. Sat.* 5. 19. 1–6, citing Eurip. *Alc.* 73.



Romans strove to eliminate human sacrifice not because they regarded it as sacrilegious and futile, rather, they regarded it as profane but effective. The same would be the case for foreign rites of *devotio*, although no record of anyone resorting to *devotio* after the Battle of Asculum in 279 BC appears, not even Quinctilius Varus at Teutoburger Wald. Several commanders gave up their lives to save their armies, in particular, Crassus, Vercingetorix, and the emperor Otho.¹³³ Vercingetorix surrendered himself to the Romans *after* losing the Battle of Alesia, in the hopes that the Romans would remember his former friendship and spare him and his men for halting the hostilities.¹³⁴ He marched in chains in the triumph delayed until six years later and then was strangled. There is however one final consideration who matches the older Aemilius Paulus at Cannae: C. Scribonius Curio (tr. 49) saw his forces slowly being overwhelmed by Juba and Atius Varus. One of his officers, Cn. Domitius offered him a horse to escape, just like Cornelius Lentulus offered Paulus at Cannae, but Curio refused, saying he could not face Julius after having lost an army, so just like Paulus, Curio stayed and fought until he was killed with his men.¹³⁵ In the Summer 251 AD, Trajanus Decius and his heir Herrenius Etruscus were killed fighting at the Battle of Abritus. Their *nomen* inspires comparison to the *devotio* of the ancient Decii Mures, but the Battle of Abritus was a severe defeat for the Romans. Instead, Aurelius Victor likens the death of Claudius II Gothicus to the Decii (though not in battle), a virtual *devotio* by my standards.¹³⁶

CONCLUSION

For some reason, with the quasi exception of Scribonius Curio, *devotio* disappears as if an archaic relic before the late Republic, whose memory could inspire courage but not repetition.¹³⁷ And its practice by enemies of Rome would not only constitute human sacrifice and therefore be profane, but also an attempt to thwart destiny by halting Roman expansion. Such an

¹³³The surrender of Crassus in May 53 BC at Carrhae and the suicide of Otho in April 69 at Bedriacum fall far short of virtual *devotio*, because neither had a plan to destroy the enemy. Both were concerned with saving their men. Varus falls loosely in the same category at Teutoburger Wald, but he had no plan at all to save his army.

¹³⁴In this measure, Vercingetorix partially succeeded: his men were spared, but he was taken POW for the triumph. On his surrender: Caes. *BC* 7. 89. 2–5; Liv. *Per* 108; Plut. *Caes.* 27. 8–10; Flor. 1. 45. 26; Dio 40. 41. 1–3. On the triumph Liv. *Per* 108; App. 2. 15. 101, Vercingetorix strangled after the triumph: Dio 40. 41. 3, 43. 19. 4.

¹³⁵Curio's death at the second Battle of Bagradas River, Caes. *BC* 2. 42. 3–4; Liv. *Per.* 110; Luc. *BC* 4. 793–98, 5. 40; App. *BC* 2. 7. 45–46; Dio 41. 42. 2–7; I thank Korneel Van Lommel for reminding me of the case of Correus, a chief of the Bellovaci, Hirt. *BG* 8. 19. who refused to surrender and died fighting, much like Curio. But neither Correus nor Curio offered their lives to the gods of the Underworld to ensure the enemy's defeat.

¹³⁶Aurel. Vict. *Caes.* 29. 4–5; Lact. *De mort. Pers* 4; Zos. 1. 23. 3; Zon. 12. 20. Since Trajan Decius was deified on 24 June 251 by decree, the Battle of Abritus was in either May or June. I thank Attilio Mastrocinque and Mehran Nickbakht for bringing Trajan Decius and Claudius II to my attention.

¹³⁷Korneel Van Lommel raises a plausible objection: “Although the suicide of a Roman soldier was considered a crime most of the time, *devotio* may have been an extenuating circumstance to allow the validity of the testament of a Roman soldier killed fighting to a certain death. If indeed my argument is right, *devotio* by regular soldiers was still practiced in the imperial time because jurists based their decisions on real cases. See VAN LOMMEL, K.: The Recognition of Roman Soldiers' Mental Impairment. *Acta Classica JCASA* 56 (2013) 155–184, esp. 161–62 with further reference to the study of Feldherr on *devotio* in Livy. However, such cases of suicidal bravery, while they may have preserved the integrity of the testament, did not also attempt to ensure Roman victory and especially did not offer a pact with the gods to inflict upon the enemy divinely assisted defeat, as did the *devotio* of Decius Mus.



abomination had to be prevented. And yet no matter how much the Romans might protest, such old practices still inspire imitation, if not in the best way, in the worst way. As Tacitus explains, tyranny in the form of absolute monarchy corrupts everyone it touches. In AD 37 a paradoxical incident occurred that sums up especially well how Romans regarded human sacrifice, as a practice they officially disdained but seem to engage all the same. The emperor Caligula suffered a severe illness, possibly prolonged for dramatic effect. Hoping to curry favor with him, two Romans made unusual vows of human sacrifice: an *eques* named Atanius Secundus vowed to fight as a gladiator in the arena, if only the emperor would recover from his illness, and a plebeian, P. Afranius Potitus vowed to die in place of Caligula (the Alcestis myth) if it pleased the gods.¹³⁸ Caligula survived, thanked them for their devotion to him and forced them to keep their word, having his slaves throw Afranius Potitus to his death when the latter showed too much hesitation, because they should not both be alive.

Plutarch explored the credibility of the Romans who denounced human sacrifice after recently committing it. The official Roman answer condemns human sacrifice unless the Sibylline Books require it, a defense unavailable to foreign peoples. Even if they claimed otherwise (see the self-congratulation of Plin. *NH* 30. 3. 4), the Romans felt a limited obligation to save thousands of barbarians from the evils of human sacrifice, because they did not want to acknowledge the real reason human sacrifice was profane. Schultz tells it more honestly, when she writes “Of the various forms of ritual killing that were part of their religious experience, the Romans only reacted with disgust to that form they identified as human sacrifice”¹³⁹ The fact is that Romans would deny many other activities they performed – ritual killing to Schultz; human sacrifice in my view – had only a hair’s difference between them.

The *Manes* and the *Dii Inferi* inhabit a world where many institutions operate backwards from our own. Human sacrifice, unlike *devotio*, presents a tangible offer to the gods below to interfere with the proper course of events in this world, which the *Di consentes* would never permit, whether or not they had the ability. The last thing Rome would want is for the enemy to perfect human sacrifice against Roman arms and to thwart Roman imperialism. That would violate the natural order of this world and promote chaos by mixing the two, while preventing stability, security, and the expanse of benefits of Greco-Roman civilization as they knew it.

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¹³⁸Suet. *Gai.* 27; Dio 59. 8. 3. According to Suetonius, Atanius Secundus survived his combat; Dio says not.

¹³⁹SCHULTZ: On the burial (n. 83) 71, compare to SCHULTZ: The Romans (n. 82) 520–522.

