

THREE VICTIMS OF SULLAN VIOLENCE

Abstract: This article examines the violence of Sulla's civil war victory and focuses on the deaths of three men who are otherwise unknown: Baebius, Venuleius, and a man who is called M. Plaetorius or P. Laetorius. Hinard has argued that all three men were proscribed, and that they were each subjected to a ritual execution similar to the well-attested torture and mutilation of M. Marius Gratidianus. My aim in this article is to show that this reading is not supported by the evidence: Baebius was torn limb from limb in a mob lynching; how the other two men died is not recorded. This article also rejects the view, put forward by Hinard, that Sullan violence emphasised the ritual and symbolic in contrast with the functional banality of violence in the triumviral period.

Keywords: Sulla, proscriptions, civil war violence, corpse abuse, torture, mutilation

The prime *exemplum* of Sullan cruelty for ancient writers was the torture and mutilation of M. Marius Gratidianus. His death was painful and protracted, and it is described in detail by authors from Sallust to Augustine.¹ His arms and legs were broken, then his limbs dismembered.² His tongue was cut out, his nose and ears were sliced off, and then his eyes were gouged out.³ Finally he was beheaded, and his severed head was paraded through the streets of Rome and presented to Sulla at the temple of Apollo Medicus in the Campus Martius.⁴ It was then sent to Praeneste and displayed outside the walls of the besieged city along with the heads of several other prominent Marians who had been executed by Sulla after his

1) The longest are: Sen. Dial. 5.18.1–2; Luc. 2.173–87; Firm. Mat. 1.7.31; cf. Sall. Hist. 1.44 M; Livy, Per. 88; Val. Max. 9.2.1; Flor. 2.9.26; Oros. 5.21.7; August. C.D. 3.28.

2) Limbs broken: Sall. Hist. 1.44 M; Livy, Per. 88; Val. Max. 9.2.1; Sen. Dial. 5.18.1; Firm. Mat. 1.7.31; Oros. 5.21.7; dismembered: Sen. Dial. 5.18.1; Luc. 2.177, 2.181; Flor. 2.9.26; Firm. Mat. 1.7.31; Oros. 5.21.7; August. C.D. 3.28.

3) Tongue: Sen. Dial. 5.18.1; Luc. 2.181–82; Firm. Mat. 1.7.31. Nose: Luc. 2.183–84. Ears: Livy, Per. 88; Luc. 2.183–84. Eyes: Sall. Hist. 1.44 M; Livy, Per. 88; Val. Max. 9.2.1; Sen. Dial. 5.18.1; Luc. 2.184–85; Flor. 2.9.26; Firm. Mat. 1.7.31; Oros. 5.21.7; August. C.D. 3.28.

4) Q. Cic. Comm. Pet. 10; Asc. 84 C, 87 C, 90 C; Plut. Sull. 32.4.

civil war victory at the Colline Gate.⁵ Praeneste capitulated, and Marius the Younger is said to have decided on suicide when he saw the head of Gratidianus and recognised the mutilated features of his cousin.⁶ Ancient writers felt that the torture and mutilation of M. Marius Gratidianus was an act of unspeakable cruelty, and Plutarch took the view that of all Sulla's atrocities it was 'thought to be most monstrous'.⁷ Modern scholars have highlighted the symbolism of the mutilation of Gratidianus, and Hinard has argued that it is a defining example of 'la male mort', or bad death, in which the victim is denied the burial honours that mark the good death: decapitation and dismemberment violated the integrity of the body and prevented the enactment of proper funerary rituals, while the mutilation of the victim's face rendered him unrecognisable and deprived his soul of status in the afterlife.⁸ Hinard uses the death of Gratidianus as a paradigm to argue that Sullan violence was symbolic and ritualistic, and he points out that nothing of this kind is attested in the triumviral proscriptions of 43.⁹ In order to strengthen his case he examines the source material for the violence of Sulla's victory to find parallels for the ritual mutilation of Gratidianus, and he proposes that it is possible to identify three individuals who suffered a similar fate: two men known only as Baebius and Venuleius, and one man who is called M. Plaetorius or P. Laetorius.¹⁰ My

5) Oros. 5.21.8: Gratidianus; Vell. Pat. 2.27.3: Pontius Telesinus; App. B. C. 1.93: C. Marcius Censorinus and C. Carrinas; Cass. Dio fr. 109.4: L. Iunius Brutus Damasippus.

6) Oros. 5.21.8, cf. App. B. C. 1.94.

7) Plut. Sull. 32.3 (ἔδοξε δὲ καινότερον γενέσθαι). Cf. Luc. 2.186–87: 'Few will believe such an atrocity, or that a single frame could be large enough for so many tortures' (*vix erit ulla fides tam saevi criminis, unum | tot poenas cepisse caput*).

8) Hinard 1984, 309; 1985a, 46; 1985b, 200; 2008, 82. Similarly, on post-mortem corpse abuse: Voisin 1984, 274; Varner 2005, 70; Allély 2014, 107. Alternatively, the violence inflicted on Gratidianus can be read in terms of discourses on identity, memory, and the citizen body. See Richlin 1999, 195–98; cf. Hope 2000, 114–15; Varner 2005, 68–71. Hinard highlights the symbolic and argues that Gratidianus' execution was not (1984, 309) or not primarily (1985a, 46; 2008, 82) about torture. This is not a view shared by other scholars.

9) Hinard 1984, 300, 310–11; 1985a, 240–41, 322–23; 2006, 259; 2008, 75; followed by Allély 2014, 100–1.

10) Hinard 1984, 310; 1985a, 46 n. 138; 2008, 82. Elsewhere he states that Gratidianus' fate was shared by Venuleius and Plaetorius / Laetorius (with no mention of Baebius). See Hinard 1985b, 199–200; 1986, 118; cf. Brizzi 2004, 160–61.

aim in this article is to show that there is no evidence for a ritual execution in any of the three cases. Baebius was lynched by a mob; how the other two men died is not recorded.

Baebius, Venuleius, and Laetorius / Plaetorius are all included by Hinard in his prosopography of the proscribed.¹¹ In each case he offers a synthesis of their political biographies and family histories, but he is unable to cite any direct testimony that they were proscribed: no source identifies any of the three men as a *proscriptus*, nor is there any reference to the sale of their property or the appearance of their names on the proscription lists.¹² Hinard treats their proscription as certain on the grounds that they were killed in the period of Sulla's victory, and there are other scholars who think along the same lines.¹³ But nothing is known of Baebius, Venuleius, and Laetorius / Plaetorius aside from their deaths, and in my view it is too much of an assumption to think that this fact alone offers proof that they were proscribed. Rome was engulfed by anarchy in the aftermath of Sulla's victory, and the sources describe how men were killed to satisfy the private enmities and greed of Sulla's adherents, not just for political reasons.¹⁴ There was no immediate return to law and order after the publication of official death lists, and Cicero, in a speech delivered only two years later, looked back to a period in which armed men ran through the streets of Rome day and night engaging in plunder and killing.¹⁵ Men could

11) Hinard 1985a, 336–38 (no. 11: Baebius), 364–65 (no. 37: P. Laetorius), 393–94 (no. 58: M. Plaetorius), 406–7 (no. 71: Venuleius). P. Laetorius and M. Plaetorius are alternative names for the same person, but they are given separate entries.

12) Q. Sertorius, for example, is labelled a *proscriptus* (Livy, Per. 90), Lollius and Q. Aurelius read their names on the proscription lists (Oros. 5.21.4; Plut. Sull. 31.11–12), while the property of Sex. Alfenus is said to have been sold by Sulla at public auction (Cic. Quinct. 76). In examples such as these it is clear that proscription is 'certain'.

13) Vedaldi Iasbez 1981, 185; Brizzi 2004, 160–61.

14) Plut. Sull. 31.1; Cass. Dio fr. 109.9–11; Oros. 5.21.1; Flor. 2.9.25; August. C. D. 3.28; all describe a wave of violence before the publication of the first proscription lists. Hinard dismisses these sources, in particular the testimony of Orosius. See Hinard 1985a, 104–7, with a rebuttal in Thein 2017, 243–47.

15) The publication of a definitive list of names is said to have done nothing to curb the indiscriminate killing. See Cass. Dio fr. 109.13; Oros. 5.21.5. Cicero describes the violence in his *Pro Roscio* of 80 B. C. See Cic. Rosc. Am. 80–81, cf. 91, 93, with Thein 2017, 239–43.

be killed with impunity, and not all were political victims whose names had been posted on the proscriptions lists. It is a category error to assume by default that ‘victims of Sullan violence’ such as Baebius, Venuleius, or Laetorius / Plaetorius must have been proscribed. It is an error, moreover, that can result in a sanitised portrait of Sulla’s victory, for it leaves no room for any deviations from the state-sponsored violence of the proscriptions. Baebius, for example, is said to have been torn limb from limb by a mob in what is best treated as an unofficial act of crowd violence. In Hinard’s analysis, he was instead proscribed, and his death at the hands of a mob is understood as a ritual execution carried out with official sanction.¹⁶ Hinard has consistently argued that the violence of Sulla’s proscriptions was regulated and controlled because it was governed by a legal framework.¹⁷ But civil war is messy, and it is wrong to think that the violence of Sulla’s victory was exclusively political and state-sponsored.¹⁸ Not everyone who died will have been proscribed.¹⁹

The source material for the violence of Sulla’s civil war victory is limited, and in some cases all we have is a death notice and a name. It is useful to examine what is known of their careers and family history, but it is also important to recognise what cannot be known. In the case of Baebius, Venuleius, and Laetorius / Plaetorius we have three men whose deaths are cited as well-known *exempla* of Sullan cruelty, but no surviving source gives us a full narrative. It is best to accept that these stories are now lost.

16) Flor. 2.9.26; August. C. D. 3.28. See below for discussion.

17) Hinard 1984, 295–96; 1985a, 5, 71–72, 107, 111, 140–41; 1985b, 191; 2008, 72. Contra: e. g. Seager 1994, 198: “If Sulla seriously intended the institution of the proscriptions to clarify and stabilize a totally confused situation, he failed completely, but it is hard to believe that he cared.” Cf. Carcopino 1931, 135: “une orgie de crimes légaux.”

18) The absence of unofficial violence in Hinard’s narrative of Sulla’s victory is noted and criticised by Fündling 2010, 179 n. 16. See also Thein 2017, 235–36, 240–41, 245–47, 249–50.

19) My intent is not to argue that men like Baebius, Venuleius, and Laetorius / Plaetorius – recorded only as victims of Sullan violence – cannot have been proscribed, but rather to stress that a violent death is not in itself proof of proscription.

The Sources

The deaths of Baebius, Venuleius, and Laetorius / Plaetorius are noted in connection with the violence that engulfed the city of Rome after Sulla's civil war victory at the battle of the Colline Gate at the end of 82 B. C. Valerius Maximus highlights the transgressive nature of Sullan violence with the claim that Sulla killed women as well as men, and that he had the heads of his victims brought to him so he could feast on them with his eyes.²⁰ This is followed by a description of the execution of Gratidianus and the comment that M. Plaetorius was killed, on Sulla's orders, because he fainted at the sight of the torture:

*quam porro crudeliter se in M. Mario praetore gessit! quem per ora vulgi ad sepulcrum Lutatae gentis pertractum non prius vita privavit quam oculos infelicis erueret et singulas corporis partes confringeret. vix mihi veri similia narrare videor: at ille etiam M. Plaetorium, quod ad eius supplicium exanimis ceciderat, continuo ibi mactavit, novus punitor misericordiae, apud quem iniquo animo scelus intueri scelus admittere fuit.*²¹

How cruelly, moreover, he behaved in the case of the praetor M. Marius! He had him dragged before the eyes of the populace to the tomb of the Lutatian clan and did not take his life away before he gouged out the wretched man's eyes and broke his body limb by limb. I feel I am narrating the barely believable: he actually slew M. Plaetorius on the spot because he had fainted away at Marius' execution, a novel chastiser of pity, with whom to look upon a crime reluctantly was to commit one.

Valerius Maximus informs us that M. Plaetorius was killed on the same day and at the same place as Gratidianus.²² Orosius, similarly, tells us that the execution of Gratidianus was followed by the deaths of the senator P. Laetorius (clearly identical with M. Plaetorius) and a minor magistrate, the triumvir Venuleius:

20) Val. Max. 9.2.1, cf. Firm. Mat. 1.7.32.

21) Val. Max. 9.2.1. Loeb translation (D. R. Shackleton Bailey).

22) Hinard claims that Baebius and Venuleius (1985a, 46 n. 138; 2008, 77) or just Venuleius (1984, 303; 1985b, 199; 1986, 118) were killed at the same place, and on the same day, as Gratidianus and Laetorius / Plaetorius. Nothing is known of where Baebius or Venuleius were killed, or when they died. Valerius Maximus (9.2.1) states only that Plaetorius was killed at the same time as Gratidianus, and no precise chronology can be inferred from Orosius' statement (5.21.8) that Venuleius and Laetorius were killed 'after' Gratidianus (*post hunc... occisi*).

*nec ipsius mortis erat via simplex aut una condicio, ut in nece civium saltem ius hostium servaretur, qui nihil a victis praeter vitam exigunt. M. Marium siquidem de caprili casa extractum vinciri Sylla iussit ductumque trans Tiberim ad Lutatiorum sepulchrum effossis oculis membrisque minutatim desectis vel etiam fractis trucidari. post hunc P. Laetorius senator et Venuleius triumvir occisi.*²³

Nor was their death an easy one or the only suffering which was inflicted on them. Nor in this murder of citizens was even the law between enemies kept – namely that the victors require nothing of the vanquished save their lives. After M. Marius had been dragged from a goat-house, Sulla ordered that he be bound, taken across the Tiber to the tomb of the Lutatii, and be butchered by having his eyes gouged out and his limbs cut off, or rather broken, piece by piece. After this the senator P. Laetorius and the triumvir Venuleius were slain.

Florus pairs Plaetorius and Venuleius and links them with Baebius and Gratidianus in a catalogue of Sullan atrocities that starts with a reference to two men executed by Pompey in Sicily at the end of 82, Cn. Papirius Carbo and Q. Valerius Soranus.²⁴ The climax is a description of the cruelties inflicted on Gratidianus:

*piget post haec referre ludibrio habita fata Carbonis, fata Sorani, Plaetorios atque Venuleios, Baebium sine ferro ritu ferarum inter manus lancinatam, Marium, ducis ipsius fratrem, apud Catuli sepulchrum oculis effossis, manibus cruribusque effractis servatum aliquandiu, ut per singula membra moretur.*²⁵

It would be tedious after this to relate the insulting end of Carbo and Soranus, the deaths of Plaetorii and Venuleii; how Baebius was torn to pieces, not by the sword, but by men's hands, like a wild beast; and how Marius, the brother of the general,²⁶ after his eyes had been gouged out at the tomb of Catulus, was kept alive for some time after his hands and legs had been broken off, so he might die limb by limb.

23) Oros. 5.21.6–8. Liverpool translation (A. T. Fear).

24) Plut. Pomp. 10.4–8. Cn. Papirius Carbo was proscribed: Oros. 5.21.3 (Hinard 1985a, 387–90, no. 54). Plutarch's Q. Valerius has been identified with Q. Valerius of Sora, a scholar (Cic. Brut. 169; Gell. N.A. 2.10.3) and tribune of the plebs who is said to have revealed Rome's secret name (Serv. ad Verg. Aen. 1.277). See Gichorius 1906, 62–63. Proscription is not attested but assumed by Hinard (1985a, 403) on the basis of Flor. 2.9.26.

25) Flor. 2.9.26. Loeb translation (E. S. Forster).

26) Gratidianus was in fact the nephew of the Elder Marius, both by birth and adoption, and a cousin of Marius the Younger, consul of 82. See, e.g., Syme 1964, 85; 2016, 137.

Augustine follows Florus and offers a similar account of the deaths of Baebius and Gratidianus, albeit without names:

*quendam enim sine ferro laniantium manus diripuērunt, inmanius homines hominem vivum, quam bestiae solent discerpere cadaver abiectum. alius oculis effossis et particulatim membris amputatis in tantis cruciatibus diu vivere vel potius diu mori coactus est.*²⁷

A man was torn apart by the naked hands of the executioners; yes, human beings tore a living human being apart more pitilessly than wild beasts are wont to tear a corpse that has been thrown out. Another had his eyes gouged out and his limbs cut off piece by piece, so that he was forced amid these cruel tortures to remain a long time living, or rather a long time dying.

The sources indicate that Venuleius and Laetorius / Plaetorius both suffered violent deaths, but it is not stated how they died, and it is far from obvious that they were the victims of a ‘spectacular execution’. In the absence of direct evidence it is best to assume that they were executed without ceremony. The death of Baebius is recorded by Florus and Augustine, and they both describe how he was torn apart by the bare hands of men.²⁸ This can be identified as a lynching, not an execution: the formula ‘torn to pieces at the hands of the crowd’ is a phrase that refers specifically to mob violence and acts of popular justice.²⁹

The Baebii

Hinard argues that the execution of Gratidianus was not exceptional, and that Baebius, Venuleius, and Laetorius / Plaetorius were also subjected to the ritual mutilation of their living bodies before they were beheaded.³⁰ The obvious starting point is Baebius, who is said to have been torn to pieces by the bare hands of a mob. Gratidia-

27) August. C.D. 3.28. Loeb translation (G. E. McCracken).

28) Augustine’s debt to Florus is examined in detail by Havas 1992, 445–48.

29) See Nippel 1995, 43–44: “The Roman way of demonstrating that a killing was to be understood as popular justice was expressed in the formula that the victim had been ‘torn to pieces at the hands of the crowd’ (*manibus discerpere*).” Baebius is identified as the victim of a lynching by Nippel 1988, 227 n. 53; cf. Gnifka 1973, 261 (citing Flor. 2.9.26 but mistakenly referring to a M. Baebius killed in 87).

30) Hinard 1984, 310; 2008, 82.

nus is likewise said to have been dismembered, following the breaking of his arms and legs, and one source states that the mutilation of his face was a collective act, with one man gouging out his eyes and others cutting off his ears and his nose.³¹ Hinard accepts this and argues that Baebius and Gratidianus were victims of a ‘collective execution’.³² The death of Baebius is nevertheless distinct from that of Gratidianus, for there is no indication in the sources that he suffered the breaking of his limbs, mutilation of his face, eye-gouging, or beheading. Hinard thinks differently, however, and he puts forward the argument that one source, the Bern scholiast on Lucan, describes how the killers of Baebius gouged out his eyes and tore off his arms and his head.³³ The problem is that the scholiast refers not to the Baebius killed after Sulla’s victory in 82, but to a different Baebius who died five years earlier after the Marian civil war of 87. Hinard’s response, examined below, is to argue that Lucan and his scholiasts confused the two men and described the fate of the Baebius of 87 using an account of the death suffered by the Baebius of 82.³⁴

Florus and Augustine describe the lynching of Baebius in 82, and both authors also refer to a Baebius who was killed along with a certain Numitorius in the civil war violence carried out by Marius and Cinna in 87.³⁵ Florus states that they were dragged through the middle of the Forum by the *uncus*, a long hook used in the disposal of corpses by the executioners known as *carnifices*.³⁶ Au-

31) Luc. 2.183–85.

32) Hinard describes the lynching of Baebius as “une exécution collective” (1984, 303; 1990, 566; 2008, 77) and the execution of Gratidianus as “une mutilation collective” (1984, 306; 2008, 79). Elsewhere he describes both killings as “une violence collective” (1986, 120).

33) Comm. Bern. 2.119. Hinard 1984, 303; 1985a, 337; 2008, 76–77.

34) Hinard 1984, 303; 2008, 76–77. The reason put forward by Hinard for the confusion in the sources is that the Baebius of 87 was “le seul qu’ils connaissent” (loc. cit.). This cannot be true if they knew how the Baebius of 82 was killed.

35) The two Baebii were probably related: Hinard 1984, 302; 1990, 566; 2008, 76; perhaps father and son: Hinard 1985b, 195; Brizzi 2004, 160.

36) Flor. 2.9.14 (*Baebium atque Numitorium per medium forum unci traxere carnificum*). The *uncus* was attached under the chin (Prop. 4.1.141). References to its use in political violence date for the most part to the Julio-Claudian period. See Mayor³ 1881, 90–92. The *carnifices*, literally ‘butchers’, assisted magistrates and carried out the act of killing in criminal executions; they were of low social status and officially *infamis*. See Mommsen 1899, 915.

gustine states that the two men were ‘dragged by the hook’, and he also adds a further detail: the scattering of their disembowelled entrails.³⁷ Hinard argues that the *uncus* was used to drag, mutilate, and tear apart the living bodies of the two victims.³⁸ But this is only a conjecture, and in my view it is more probable that Florus and Augustine describe an example of corpse abuse. Support for the idea that the bodies were brought to the Forum post mortem may be found in the testimony of Appian, who lists C. Nemetorius and M. Baebius among six men arrested and killed in the streets of Rome.³⁹ The sources discussed up to this point seem to describe an act of official violence carried out on the orders of Marius and Cinna, but in Lucan the death of Baebius is described using the formulaic language of a lynching at the hands of a crowd: ‘none could find time to lament the deaths of the multitude, and hardly to tell how Baebius was torn asunder and scattered piecemeal by the countless hands of the mob that divided limb from limb’.⁴⁰ This line attracted the attention of the scholiasts, one of whom offers the following narrative: an actor called Terentius was arrested by a death squad of fugitive slaves and promised to show them where to find Baebius, a personal enemy of Marius who had often voted against him in the Senate; the slave fugitives seized Baebius and handed him over to Marius having first torn him limb from limb.⁴¹ The Bern scholiast tells a similar story, again departing from Lucan’s description of a mob lynching: a Sullan partisan called Baebius Tamphilus was betrayed by a certain Terentius, then arrested at

37) August. C. D. 3.27 (*Baebius et Numitorius unco tracti sparsis visceribus inirent*). The motif of the scattered entrails derives from Luc. 2.119; see below n. 65.

38) Hinard describes the deaths of Baebius and Numitorius as follows: “ils furent traînés au moyen d’un croc et mis en pièces” (1984, 302; 2008, 76).

39) App. B. C. 1.72. Likewise: Bennett 1923, 25.

40) Luc. 2.119–21 (*vix te sparsum per viscera, Baebi, | innumeras inter carpen- tis membra coronae | discessisse manus*). Lynching: Gnilka 1973, 261.

41) Adn. super Luc. 2.120 (*Terentius histrio circumventus a fugitivis promisit se ostensurum [se] inimicum Marii, qui multa in senatu contra Marium decrevisset. misit ergo ad hunc Baebium fugitivos, quem raptum et disceptum Mario obtulerunt*). Other sources also mention Marius’ fugitive slave killers (Oros. 5.19.19, 5.19.24; Plut. Sert. 5.7) and call them the Bardyaei (Plut. Mar. 43.4, 44.9); cf. App. B. C. 1.74, on the violence of Cinna’s freed slaves. Terentius is identified as an actor (*histrio*), but Rawson (1987, 166) suggests that this could be a mistake for the *cognomen* Hispo.

home by soldiers acting on orders from Marius and killed as he was marched through the streets. He was an old man, he was unable to keep up with his captors, and when the strength to continue failed him they subjected him to a frenzied attack in which ‘some gouged out his eyes, some tore off his arms, and others finally his head’.⁴²

The two scholiasts had access to sources, now lost, which described how Terentius was able to save his own life by denouncing Baebius as a long-standing personal enemy of Marius.⁴³ Indeed, it is on this basis that the Baebius killed in 87 has been identified with a M. Baebius who was tribune of the plebs in 103 and attempted to veto the agrarian bill proposed by Saturninus to assign land in Africa to Marius’ veterans.⁴⁴ But there is an obvious problem in the fact that Lucan and his scholiasts describe the death of the Baebius killed in 87 in almost identical terms to the fate of the Baebius who was killed five years later in 82. One theory is that Florus and Augustine are wrong and that the Baebius of 82 is a doublet of the Baebius of 87.⁴⁵ Specifically, the argument is that Florus was indebted to Lucan, and that he was confused by a reference to Sulla just before the mention of Baebius in Lucan’s catalogue of Marian violence. As a result, he mistook Lucan’s Baebius for a Sullan victim and created a duplicate of the Marian victim familiar to him from other sources.⁴⁶ The relevant section of Lucan’s text starts as follows:

42) Comm. Bern. 2.119 (*Baebius Tamphilus Syllanus a Terentio quodam proditus per milites iussu Mari de domo extractus est et discerptus. nam cum ei deessent vires ad sequendum – senex enim erat – raptō celerius traheretur potius quam quod ibat. quare consumptus inter manus, cum alii oculos effodissent alii brachia, ultimi caput avellerent, periit*). The scholiast’s statement that Baebius was a Sullanus and not just an enemy of Marius may simply be an assumption on his part: Keaveney 1984, 116.

43) One source for much of the material in the scholia was arguably the first book of Sallust’s *Histories*. See Rawson 1987, 163–64; cf. Fantham 1987, 89–90, 96; 1992, 103.

44) M. Baebius tribune in 103: Vir. ill. 73.1. M. Baebius killed in 87: App. B. C. 1.72. Identification, albeit with caution: Keaveney 1984, 116; Rawson 1987, 166; Dreyling 1999, 61; Hinard 2008, 76. A certain M. Baebius Q. f. Tampilus was moneyer in 137 (RRC 236).

45) Westerburg 1882, 44; Rawson 1987, 166; Dreyling 1999, 61. The reliability of Florus is questioned but not rejected by Bulst 1964, 316.

46) Westerburg 1882, 44, followed by Dreyling 1999, 61.

*spes una salutis
oscula pollutae fixisse trementia dextrae.
mille licet gladii mortis nova signa sequantur,
degener o populus, vix saecula longa decorum
sic meruisse viris, nedum breve dedecus aevi
et vitam dum Sulla redit.*⁴⁷

Those alone were spared who pressed their trembling lips on that polluted hand. How degenerate a people! Though a thousand swords obey this new signal of death, it scarce would befit brave men to buy centuries of life so dear, far less the short and shameful respite – till Sulla returns.

Lucan laments that the Marian atrocities found so many willing executioners, and he makes the point that none of them would enjoy the fruits of their crimes for long by alluding to their inevitable defeat in the civil war that would follow Sulla's return to Italy after the war against Mithridates in the East.⁴⁸ The next lines introduce the new idea that no-one lamented the deaths of the masses, or even the most celebrated victims:

*cui funera volgi
flere vacet? vix te sparsum per viscera, Baebi,
innumeras inter carpentis membra coronae
discessisse manus; aut te, praesage malorum
antoni, cuius laceris pendentia canis
ora ferens miles festae rorantia mensae
inposuit. truncos laceravit Fimbria Crassos;
saeva tribunicio maduerunt robora tabo.*⁴⁹

None could find time to lament the deaths of the multitude, and hardly to tell how Baebius was torn asunder and scattered piecemeal by the countless hands of the mob that divided limb from limb; or how the head of Antonius, prophet of evil, was swung by the torn white hair and placed dripping by a soldier upon the festal board. The Crassi were mutilated and mangled by Fimbria; and the blood of tribunes wetted the cruel wood.

47) Luc. 2.113–18. Loeb translation (J. D. Duff).

48) Fantham (1992, 101) links Lucan's reference to 'a new signal' (2.115) with the reports that men were killed if Marius did not return their greeting (Plut. Mar. 43.5–6; Flor. 2.21.17).

49) Luc. 2.118–25. Loeb translation (J. D. Duff).

The train of thought is easy to follow: the reference to Sulla's return ends the lament in the first of the two passages cited above, while Baebius is the first in a catalogue of victims which then continues with M. Antonius (cos. 99), P. Licinius Crassus (cos. 97), and the latter's son.⁵⁰ It is difficult to see how any reader could think Baebius was a Sullan victim, and it is certain that Florus did not make this mistake, given that he lists the same three *exempla* of Baebius, Antonius, and the Crassi in his own catalogue of Marian violence.⁵¹ Florus knew that Lucan was referring to a Baebius who was killed after the civil war of 87, and it has to be assumed that he found references in other sources to a second Baebius killed in 82.⁵²

The doublet theory outlined above posits that there was only one Baebius, the Marian victim of 87. An alternative is to suppose that two men of the same name were killed in the civil war violence of the 80s, but that only one of them was torn limb from limb by the bare hands of a lynch mob. Again the choice is between trusting Lucan on the Baebius of 87, or Florus and Augustine on the Baebius of 82. Fantham favours the latter tradition, arguing that the death mode of the Baebius killed in 82 was transferred by Lucan to the Marian victim of 87.⁵³ One premise is that Livy was the source for Florus and Augustine for the death of the Baebius of 82.⁵⁴ But the main argument is that Lucan's death scene for the Baebius of 87 is incompatible with the narrative logic in the sources used by the scholiasts. It is said that Baebius was betrayed by Terentius, arrested at home by men acting on orders from Marius, and killed as he was marched through the streets, the reason being that he

50) On Lucan's treatment of Antonius, the Crassi, and the tribunes, see Fantham 1987, 93–95.

51) Flor. 2.9.14. One reader who certainly made no mistake was Augustine, who borrowed Lucan's motif of scattered entrails for his own description of the death of Baebius in 87. See August. C.D. 3.27, with n. 65 below.

52) Lucan was a source for Florus and Augustine, but both relied chiefly on Livy: Fantham 1987, 91, 93. It is unclear why Westerburg (1882, 44) argues for verbal links in the death narratives of the Baebius of 82 in Florus and the Baebius of 87 in Lucan. The only word used in both is *manus*, while Florus has two distinctive phrases, 'without a sword' and 'like a wild beast', which do not appear in Lucan.

53) Fantham argues that Lucan's aim was "to add drama to his Marian narrative" (1987, 93) and create a counterpart to the death of Gratidianus at Luc. 2.181–85 (1992, 103).

54) Fantham 1987, 93.

was an old man unable to keep up with his guards. The logic of the narrative is that Baebius was supposed to have been arrested and taken to Marius, and one of the scholiasts tells us that he was in fact handed over to Marius – after he was torn limb from limb.⁵⁵ This incongruous last detail gives us the clue that the scholiasts inserted Lucan's death mode into an established narrative in which Baebius did not suffer a spectacular death that left body parts scattered in the streets. It is possible that he was killed by his guards soon after his arrest, but he will certainly have been in one piece when he was brought to Marius and dragged by the *uncus* through the Forum.⁵⁶ Only one Baebius was torn limb from limb, and it was the Sullan victim of 82.

Hinard's position is that Lucan and his scholiasts created an 'amalgam' in which the death of the Baebius killed in 87 was described using details which derive from a death narrative of the Baebius killed in 82.⁵⁷ Citing the testimony of the Bern scholiast, which refers to the Baebius of 87, he can thus make the case that eye-gouging and decapitation formed part of the dismemberment of the Baebius of 82.⁵⁸ Hinard's agenda is to argue that the ritual mutilation of the living body was a defining feature of Sullan executions, and he posits in addition that there was a causal relationship between the deaths of the two Baebii, one of them killed as an enemy of Marius in 87, the other in the Sullan violence of 82. Starting with the events of 87, he develops a narrative in which the ageing Baebius was arrested at his home, marched through the streets of Rome with the *uncus* at his throat, and then dismembered

55) Adn. super Luc. 2.120, noted by Fantham 1987, 93.

56) Fantham (1987, 93; 1992, 103) rejects Lucan and the scholiasts in part on the basis that the *uncus* was used to drag Baebius intact to his execution in the Forum. But Florus (2.9.14) and Augustine (C.D. 3.27) do not specify if he was alive or dead, and Appian suggests that he was killed in the streets (B.C. 1.72).

57) Hinard 1984, 303; 1985a 337; 2008, 76–77. The idea of an amalgam allows Hinard to claim that the scholiast combines the two deaths in his treatment of the Baebius of 87 (it is not the same as arguing for a doublet in which the latter's death was invented using the death scene of the Baebius of 82).

58) Hinard 1984, 303. Only the Bern scholiast attests eye-gouging and decapitation for the Baebius of 87. It cannot be known if these details derive from a lost source or if they are an invention, perhaps modelled on Lucan's description of the death of Gratidianus (2.181–85).

alive in a public execution in the Forum.⁵⁹ In 82, a different Baebius suffered a similar fate, torn limb from limb by a mob which held him responsible, Hinard argues, for the death of his namesake, possibly his father, in the civil war violence that had taken place five years earlier.⁶⁰ Hinard is right to emphasise cleavages within the family in civil war, but there is no evidence that the elder Baebius killed in 87 was betrayed by a son or relative of the same name. In fact, the scholiasts highlight the role of the informer Terentius.⁶¹ A more serious problem is that the similarity in the deaths of the two men is the product of a doublet. Only the Baebius killed in 82 was torn apart by a mob, and it was Lucan, followed by his scholiasts, who invented a similar death for the Baebius killed in 87. Hinard accepts this as the basis for arguing that the Bern scholiast describes the death of the Baebius killed in 82, not 87.⁶² Yet he also relies on the premise that the two deaths were similar in order to develop the theory that the killing of Baebius in 82 was an act of popular justice which recalled the mode of death inflicted on the Baebius of 87.⁶³ If Lucan and his scholiasts are ignored, there is nothing to indicate that the elder Baebius was torn limb from limb. It is known that he was dragged through the Forum by the *uncus*, but there is no need to think that this refers to how he was killed, for it is a standard ritual of corpse abuse to drag a body through the streets.⁶⁴ Augustine refers to the scattering of his entrails, but this detail comes from Lucan.⁶⁵ As for the Baebius killed in 82, it is said

59) Hinard 1985b, 196; 1990, 566.

60) Hinard 1985b, 196; 1990, 566; cf. 1984, 302–3; 1985a, 337; 1991, 119 n. 32; 2008, 76.

61) Terentius is never mentioned by Hinard.

62) Hinard 1985a, 46 n. 137: “contrairement à ce que laisse entendre Lucain (II, 119–121) c’est le Baebius marianiste qui fut déchiqueté par une foule en colère”. In other words dismemberment by a mob was not the fate of the Baebius of 87.

63) Emphasis on similarities: Hinard 1984, 302; 1985a, 337; 1990, 566; 1991, 119 n. 32; 2008, 76.

64) One example from this period is Pompey Strabo, whose body was pulled from its bier and trampled in the dirt by an angry mob at his funeral in 87. See Plut. Mor. 553b; Gran. Lic. 22–23 F; cf. Vell. 2.21.4; Plut. Pomp. 1.2. Dragged by the *uncus*: Obseq. 56a. Examples from the Early Empire are noted by Hope 2000, 113.

65) Compare Augustine’s *sparsis visceribus* (C.D. 3.27) with Lucan’s *sparsum per viscera* (2.119). Note the quotation of Luc. 2.142–44 at August. C.D. 3.27. It is clear that Augustine was reading Lucan.

that he was torn apart limb from limb, but there is no reference to the *uncus* or *carnifex*. There are also few points of contact with the death of Gratidianus. There is no evidence in the case of Baebius for eye-gouging or decapitation, and there is certainly no basis for Hinard's further claim that the mob tore off his fingers, tongue, ears, and genitals along with his limbs.⁶⁶

Baebius was lynched and thus he was the victim of popular justice, but what he did to provoke the anger of the mob is unknown.⁶⁷ Hinard creates a story in which the urban plebs took vengeance on Baebius for the death of his namesake in the Marian violence of 87, tearing him limb from limb in order to recall the elder man's fate, and yet he deliberately avoids the term 'lynching' to describe what in his own version of events was clearly an act of popular justice.⁶⁸ On one occasion he speaks of an "exécution populaire", but he prefers to describe the killing as an "exécution collective".⁶⁹ The use of the term 'execution' places the death of Baebius within the category of official, public violence, and Hinard also assumes that Baebius was proscribed.⁷⁰ In his view, moreover, it was the act of proscription that provided the green light and impetus for Baebius' death: the urban plebs found his name on the Sullan lists, and it was only then that they exacted vengeance.⁷¹ Hinard leaves no room for unofficial violence 'from below', and in making the case that Baebius was proscribed he adopts the tacit

66) Hinard argues that the sources conceal the full extent of the Sullan atrocities, and as an example he suggests that Gratidianus probably had his genitals mutilated (1984, 310; 2008, 83). This conjecture is then transferred to Baebius (1985b, 196).

67) On lynching as an expression of popular justice, see Nippel 1995, 42–43.

68) Hinard asserts that Baebius was killed "selon un rituel qui n'a rien à voir avec le «lynchage» d'Heluius Cinna" (1990, 566). The latter was killed by the mob in a classic example of lynch justice after Caesar's death in 44. See Plut. Brut. 20.8–11; Caes. 68.6; App. B. C. 2.147; cf. Suet. Iul. 85; Cass. Dio 44.50.4. On Baebius as a victim of popular justice, see Nippel 1988, 227 n. 53.

69) Collective execution: Hinard 1984, 303; 1990, 566; 2008, 77. Popular execution: 1985a, 337. On one occasion Hinard does refer to lynch justice: 1985a, 46. Brizzi follows Hinard's analysis, and he is also confused as to whether Baebius was lynched (2004, 160) or the victim of a collective execution (2004, 161).

70) Proscription: Hinard 1985a, 337; 1985b, 196; 1990, 566; 1991, 119 n. 32; cf. Vedaldi Iasbez 1981, 184–85 with n. 62; Brizzi 2004, 160. Baebius labelled a Marian: Hinard 1985b, 195.

71) Hinard 1985b, 196; cf. Brizzi 2004, 160.

premise that no-one was killed after the publication of the proscription lists except for those who had been proscribed. Citing the testimony of Florus he argues that Baebius was killed after the publication of the Sullan lists and offers nothing more to support his conviction that the proscription of Baebius can be considered a certainty.⁷²

The default position for Hinard is to assume any violent death in the period of Sulla's civil war victory must have taken place within the official, state-sponsored, framework of the proscriptions. But there is no evidence that Baebius was proscribed, and the sources describe his death as an act of lynch justice. In my view, it is an example of the unofficial violence that took place outside the framework of the proscriptions.

Venuleius and Laetorius / Plaetorius

Let us now examine Venuleius and Laetorius / Plaetorius. The sources tell us nothing about how either man was killed, and Hinard does acknowledge this fact, but he nevertheless insists that the manner of their deaths finds a parallel in the symbolic mutilation of Gratidianus. In doing so, he offers only one argument: the deaths of the two men occupy a prominent place in the *exempla* of Sullan cruelty, with Florus associating their fate with that of Baebius while Orosius and Valerius Maximus link them with Gratidianus.⁷³ Florus offers a catalogue of six names divided into three pairs: first he laments the fate of Carbo and Soranus, then he highlights the names of Plaetorius and Venuleius, and as the climax to the list he describes how Baebius and Gratidianus were dismembered alive.⁷⁴ Carbo and Soranus form an obvious pair because they were both killed by Pompey in Sicily.⁷⁵ Florus comments on the fact that they suffered humiliating deaths, and in the case of Carbo it is known that Pompey was condemned for parading the three-times consul in chains and subjecting him to a mock trial before having him

72) Hinard 1985a, 336–37.

73) Hinard 1984, 303; cf. 2008, 77.

74) Flor. 2.9.26, quoted above.

75) Plut. Pomp. 10.4–8.

put to death.⁷⁶ As for Soranus, it is said that Pompey, knowing that he was an erudite scholar, invited him for a walk, asked him a few questions, and then ordered him to be led away for immediate execution. No further details of his death are recorded, but we are told by Plutarch that C. Oppius, one of Caesar's partisans, treated this anecdote as an *exemplum* of Pompey's cruelty.⁷⁷ The deaths of Plaetorius and Venuleius must have been well-known *exempla* for Florus to have included them in his list of Sullan atrocities, and Hinard assumes it was because of how they died, but it could equally have been because of why they were killed, for the commentary offered by Valerius Maximus on Plaetorius highlights the theme of injustice, not sadism.⁷⁸ Certainly, there are no references to torture and mutilation. Baebius and Gratidianus were both subjected to acts of barbaric violence, and they stand apart from the other pairs in the catalogue because only their deaths are described. In my view this means they suffered an exceptional fate not shared by the other four men listed by Florus. To conclude, no source describes the death modes of Venuleius or Laetorius / Plaetorius, and it is highly tenuous for Hinard to claim that Venuleius was killed with Laetorius / Plaetorius and Gratidianus, and that all three therefore suffered a similar death.⁷⁹

The location at which both Gratidianus and Laetorius / Plaetorius were killed was the tomb of the Lutatii on the Janiculum.⁸⁰

76) Plut. Pomp. 10.4–5. It is said, moreover, that Carbo 'cried like a woman' (Livy, Per. 89) and that he was beheaded while hiding in a latrine, having begged for a moment in private to relieve his bowels before his execution (Val. Max. 9.13.2, cf. Plut. Pomp. 10.6). Plutarch criticises Pompey for not having had Carbo killed on sight (Pomp. 10.4).

77) Plut. Pomp. 10.7–8. Plutarch is inclined not to trust his source's bias (Pomp. 10.9) but clearly there was a tradition which condemned the treatment of Carbo and Soranus and allowed Florus to lament their humiliating deaths.

78) Val. Max. 9.2.1; killed for showing pity.

79) Hinard 1984, 303; 1985b, 199; 1986, 118; 2008, 77; followed by Brizzi 2004, 161. The testimonies of Orosius (5.21.8) and Valerius Maximus (9.2.1) attest a temporal link between the deaths of Venuleius and Gratidianus, but the evidence is too vague to posit that they met their deaths on the same day, and it is pure speculation to argue that they were killed in the same place, and in exactly the same way.

80) Tomb of the Lutatii: Val. Max. 9.2.1; Oros. 5.21.7. Tomb of Catulus: Sen. Dial. 5.18.2; Flor. 2.9.26; Comm. Bern. 2.173. Tomb: Q. Cic. Comm. pet. 10. Location, *trans Tiberim*: Oros. 5.21.7; Comm. Bern. 2.173; on the Janiculum: Asc. 90 C.

It was a significant site because it was the grave of Q. Lutatius Catulus, who had committed suicide when indicted by Gratidianus on a capital charge after the civil war victory of Marius and Cinna in 87.⁸¹ At one level, Gratidianus was killed because he was a leading Marian: he was a nephew of the elder Marius, he had been praetor twice, and he was thus the most high-profile prisoner captured after the battle of the Colline Gate.⁸² At a more personal level, the place of execution signalled that it was a revenge killing for the death of Catulus. Sallust alludes to ‘human sacrifices and graves spattered with citizen blood’, while Lucan poses the question: ‘Why should I mention the dead spirit of Catulus, assuaged with blood?’⁸³ One tradition attributes the killing to Catiline, and Plutarch narrates how he murdered his brother during the civil war and executed Gratidianus on Sulla’s request in return for his brother’s posthumous proscription.⁸⁴ But the Bern scholiast states that it was a Sullan partisan, Catulus the Younger, who took the leading role and secured Sulla’s permission to avenge his father’s death.⁸⁵ Either way, the death of Gratidianus illustrates the fact that civil war is both personal and political. Catulus’ desire to avenge his father was a personal grievance rooted in the political strife of the previous decade, while the story of Catiline’s involvement is set against a background of murder in the family.⁸⁶ Hinard downplays the personal and pro-

81) Capital crime: Diod. Sic. 38/39.4.2–3; App. B. C. 1.74; probably *perduellio*, according to Gruen 1968, 233.

82) Hinard 1984, 307; 1985a, 378; 1985b, 197; 1986, 118; 2008, 80. Hinard notes that the consul Carbo had already fled from Italy to Africa (e.g. Plut. Sull. 28.17; App. B. C. 1.92) while his colleague, Marius the Younger, was besieged at Praeneste (e.g. Plut. Sull. 28.13; App. B. C. 1.87). Praetor twice: Asc. 84 C.

83) Sall. Hist. 1.55.14 M (*humanas hostias ... et sepulcra infecta sanguine civili*); Luc. 2.173–74 (*quid sanguine manes | placatos Catuli referam?*).

84) Plut. Sull. 32.3–4, Cic. 10.3; cf. Asc. 84 C, 87 C, 90 C; Sen. Dial. 5.18.2. Alternatively, Catiline killed his sister’s husband, Q. Caucilius (Q. Cic. Comm. Pet. 9). It is probable that the two traditions refer to one murder, and that the error lies with Plutarch. See Syme 1964, 85; Marshall 1985, 128; Keaveney ²2005, 129.

85) Comm. Bern. 2.173, with Marshall 1985, 132–33.

86) The Bern scholiast on Lucan states that Gratidianus was the brother of Catiline’s wife (Comm. Bern. 2.173) and it is assumed that Gratidianus and Catiline are the subject of a fragment of Sallust (Hist. 1.45 M) which notes that ‘he was maternal uncle to the man’s children’ (*et liberis eius avunculus erat*). Acceptance: Syme 1964, 85–86; 2016, 238, 154; Wiseman 1971, 31, 55, 240.

poses that the tomb of the Lutatii was a site of special importance for all enemies of the Marian faction, not just Catulus' son, and that it served as the setting for the ritual sacrifice of a series of individuals deemed to be enemies of the Republic, not just Gratidianus.⁸⁷ Hinard offers the examples of Venuleius and Laetorius / Plaetorius, but only the latter is known to have been killed at the tomb of the Lutatii, and there is no evidence that this was a planned execution: the brief death notice in Valerius Maximus indicates that he was killed in a spontaneous act of arbitrary violence after he was seen to faint at the torture of Gratidianus.⁸⁸ The tomb of the Lutatii was a symbolic place of execution only for Gratidianus, the man whose lawsuit led the elder Catulus to commit suicide.⁸⁹

Valerius Maximus states that the man he calls M. Plaetorius was killed because he was unable to witness an act of sadistic torture, but Hinard is unwilling to accept that this is the full story, and so he assumes that this victim of arbitrary violence must have been proscribed and killed because he was a Marian. In doing so, he offers a sanitised portrait in which Sullan violence is exclusively political.⁹⁰ Nothing is known of Venuleius beyond what is stated by Florus and Orosius in their references to his death, and no Marian links are revealed by the prosopography of the other known Venuleii of the Late Republic.⁹¹ Orosius informs us that Venuleius was a *triumvir*, and as no coins attest him as a moneyer it is best to assume that he was a *triumvir capitalis*, a minor magistrate responsible inter alia for city policing and criminal executions. It could be, therefore, that Orosius or his sources were interested in the para-

87) Hinard 1984, 307; 2008, 80–81; 1985b, 199; cf. Brizzi 2004, 161.

88) Val. Max. 9.2.1. Plaetorius' death is described as a punishment of the basic human emotion of 'pity' (*misericordia*), but for Hinard it was a political act to punish a demonstration of mourning (1985a, 50 n. 157).

89) It is for the same reason that Cicero makes the rhetorical claim that he might have been killed at the tomb of Catiline (Pis. 16). Further examples of vengeance killings at tombs are listed by Thomas 1984, 67.

90) Hinard 1985a, 393. Cf. Vedaldi Iasbez 1981, 185, who assumes proscription merely on the basis that the victim was a senator.

91) Hinard 1985a, 406–7. The family's wealth is indicated by the marriage of a Venuleia to P. Crassus (cos. 97). See Badian 1957, 332, with Cic. Att. 12.24.2; cf. Bulst 1964, 316–17 for the idea that Venuleius was targeted for his property, not his politics.

dox of an executioner who was himself the victim of an execution.⁹² Hinard is convinced that Venuleius was proscribed, but his only proof text is Florus, and as with Baebius he does no more than offer his opinion that Venuleius was killed following the publication of the proscription lists. In other words, he assumes that anyone killed after this date was proscribed.⁹³ This is not a valid premise. Men were killed for both private and political reasons in the aftermath of Sulla's victory, and indiscriminate killings are known to have continued after the publication of the lists.⁹⁴ It is not known how or why Venuleius was killed, so it is wrong to assume that his death must have been an act of official, political violence.

As a final point, one may note that P. Laetorius and M. Plaetorius are clearly one and the same person. The consensus view is that P. Laetorius is a mistake and that M. Plaetorius is correct.⁹⁵ Hinard assumes that he was proscribed, and he lists him in his catalogue of the proscribed as M. Plaetorius.⁹⁶ But he also includes an entry for P. Laetorius: this person, he argues, was the son of a supporter of C. Gracchus and a relative of the M. Laetorius who was one of the twelve men declared *hostes* by Sulla in 88. But the only proof offered by Hinard for the existence of this individual is Orosius' reference to the person otherwise known as M. Plaetorius, who was killed for fainting at the torture of Gratidianus.⁹⁷ In the sources this one person is given two names. In Hinard's catalogue of the proscribed he becomes two people.⁹⁸

92) Oros. 5.21.8, with MRR 2.73, cf. Fear 2010, 251 n. 259. On the functions of the *triumviri capitales*, see Nippel 1995, 22–26; Lintott 1999, 102–6.

93) Hinard 1985a, 406, with Flor. 2.9.26. Cf. Vedaldi Lasbez 1981, 185, who assumes proscription on the grounds that Venuleius was a minor magistrate. Proscriptions assumed on basis of death: Badian 1957, 332; Wiseman 1971, 58.

94) See n. 15 above.

95) In other words, it is assumed Orosius is mistaken and that Florus and Valerius Maximus are correct. Discussion: Keaveney ²2005, 210–11; cf. MRR 3.157; Fear 2010, 251 n. 258.

96) Hinard 1985a, 393–94 (no. 58).

97) Hinard 1985a, 364–65 (no. 37), with Oros. 5.21.8. On M. Laetorius, the *hostis* of 88: App. B. C. 1.60.

98) This is not the only double in Hinard's catalogue. Catiline killed either his brother (Plut. Sull. 32.3–4; Cic. 10.3) or brother-in-law (Q. Cic. Comm. Pet. 9). Hinard assumes that he killed two men (1985b, 196–97; 1986, 119; 1990, 561–62) and in his catalogue of the proscribed he has entries for the sister's husband Q. Caecilius (1985a, 339–40, no. 13) as well as the otherwise unattested [M.?] Sergius (1985a, 397, no. 63).

Conclusion

Hinard is convinced that the death of Gratidianus was not unique, but the evidence is not sufficient to identify any individual who suffered the specific acts of torture which defined his ritual execution, and he himself admits that he has to work hard to argue his case. In the conclusion to his article on ‘la male mort’ he concedes that “il a fallu une certaine obstination dans l’examen de nos sources pour établir les faits”.⁹⁹ The evidence is also insufficient to argue that Baebius, Venuleius, or Laetorius / Plaetorius were proscribed. Hinard has no doubts and includes them in his catalogue of the proscribed in the category of ‘certain’.¹⁰⁰ It is taken for granted that they were Marians proscribed for their political opposition to Sulla and it is also assumed that they were victims of a formal execution, not simply killed out of hand. Hinard argues that Sullan violence was regulated and controlled, and thus he emphasises the political and official, but in doing so he ignores the extent to which the violence was driven by personal motives and from below.¹⁰¹

Hinard’s agenda is to highlight an antithesis between the violence of the Sullan and triumviral periods, and to argue against what he feels is a tendency in the sources and in modern scholarship to conflate the proscriptions of 82 and 43.¹⁰² Hinard thinks in terms of binary opposites, and it is striking to note how in his analysis of triumviral violence he outlines a set of defining characteristics which are the exact inverse of his view of Sullan practice. There were no ritual executions, it is argued, men were pursued by soldiers and killed on the spot without ceremony, and decapitation was a functional act which enabled killers to claim the official price on the heads of the proscribed.¹⁰³ There is no evidence of corpse abuse, it

99) Hinard 1984, 310 (repeated verbatim at 2008, 82): “a degree of persistence in reading our sources was required to establish the facts.”

100) Hinard’s catalogue has 75 names, only nine of which are marked as ‘uncertain’. In my view at most a third of the list can be considered probable or certain. Its conjectural nature has been noted by Lintott 1987, 196.

101) Lucan highlights the interplay of the private and political in the violence of Sulla’s victory: ‘all this was not done for the benefit of one man, as each man committed unspeakable acts for himself’ (Luc. 2.146–47).

102) Hinard 1985a, 9–10, 240–41 n. 64; cf. 1984, 300; 2008, 75.

103) Hinard 1984, 310–11; 1985a, 240–41, 322–23.

is claimed, nor any reference to the *carnifex* or the *uncus*.¹⁰⁴ No-one was brought to the triumvirs for public execution, and there was nothing to compare with the group killing of Baebius or the ritual sacrifice of Gratidianus.¹⁰⁵ Hinard's paradigm for the proscriptions of 43 is the fate of the tribune Salvius, who was killed without ceremony at a banquet. Soldiers entered the dining room and some of the guests tried to leave, but the centurion ordered them to resume their places and stay calm; he then seized Salvius by the hair, cut off his head, and told the guests to remain where they were after he left. Paralysed by fear and unable to move or to speak, Appian tells us that they reclined next to the headless corpse of their host into the night.¹⁰⁶ Hinard offers a clear vision, but it is one that relies on a selective and distorted reading of the evidence. In his 'male mort' article he makes the claim, without good evidence, that it was the norm in the Sullan proscriptions for those captured in or near Rome to be subjected to a public execution in the Forum.¹⁰⁷ Elsewhere he locates the executions on the Campus Martius and offers an elaborate, entirely fictive description of how the victims were stripped, flogged, and beheaded with an axe in Sulla's presence.¹⁰⁸ In fact, it is only rarely that the sources attest a Sullan execution conducted with ritual ceremony. Aside from the case of Gratidianus

104) Hinard 1985a, 241. The proof texts cited by Hinard (1985a, 47 n. 140) for the use of the *uncus* in the Sullan proscriptions are Flor. 2.9.14 and Oros. 5.20.4, neither of which refer to Sulla. Florus describes the fate of Baebius and Numitorius in 87, while Orosius refers to the purge carried out by Marius the Younger in the spring of 82. Hinard's argument is further weakened by Cicero's reference to the *uncus* (Phil. 1.5) in connection with the death of the 'false Marius' in April 44 B.C.

105) Hinard 1985a, 241, 323.

106) App. B.C. 4.17; with Hinard 1984, 310–11; 1985a, 240–42.

107) Hinard 1984, 300; cf. 1985a, 240; 1987, 118; 2008, 75, citing no relevant sources or examples. One 'proof text' is Appian's cryptic allusion at B.C. 1.95 to men being 'hurled through mid-air and thrown at Sulla's feet'. No reference is made to the Forum. The death of Q. Lucretius Ofella is also noted: he was killed in the Forum, but he was the victim of an assassination not a formal execution, and he was not proscribed. See Plut. Sull. 33.5–6; contra: App. B.C. 1.101. It is also wrong for Hinard to claim that executions took place at the Lacus Servilius. Cicero associates this fountain in the Forum with an act of civil war violence for which Sulla was explicitly not directly responsible. See Cic. Rosc. Am. 89 and 91, with Thein 2017, 248 n. 75.

108) Hinard 1985b, 194; cf. 1987, 116, citing no supporting evidence.

the only clear example from Rome is the precipitation from the Tarpeian Rock of a freedman found guilty of harbouring one of the proscribed.¹⁰⁹ What the sources do tell us is that men were killed in the streets, in temples, or in their own homes, and it is wrong for Hinard to reject this testimony on the basis that the sources offer formulaic generalisations but no examples.¹¹⁰ The obvious example is Q. Aurelius, who was killed after he read his own name on the proscription list and lamented that he had been condemned by his Alban estates. Plutarch states that he did not get far before he was killed by someone who had been following him.¹¹¹ Corpse abuse is treated by Hinard as a Sullan phenomenon without parallels in the triumviral period, yet there is the story of how Antony's wife Fulvia mutilated Cicero's head, piercing his tongue with a hair pin, and there is evidence for the systematic denial of burial, for it is said that bodies were thrown into the Tiber or left in the streets to be eaten by dogs or birds.¹¹² As for symbolic violence, Brutus' head is said to have been sent from Philippi to Rome in order to be thrown at the feet of one of Caesar's statues.¹¹³ One may also note the death of C. Trebonius, one of Caesar's assassins, early in 43: he was killed without ceremony, but his corpse was subjected to prolonged abuse by a mob of soldiers loyal to Caesar's memory, and his severed head, having first been displayed in public on his praetor's chair,

109) Freedman and Tarpeian Rock: Plut. Sull. 1.6, with Thein 2015, 180–82.

110) Murder in the streets, in temples, and in the home: App. B. C. 1.95; cf. Plut. Sull. 31.9; Cass. Dio fr. 109.18. Hinard rejects App. B. C. 1.95 as a 'contamination' because Cassius Dio 47.3.1 refers to murder in the streets, temples, and houses in 43 (a more pertinent comparison is Appian's own description of triumviral murders in the streets, temples, and houses at B. C. 4.6, not cited). The source denial serves to establish differences between the proscriptions of 82 and 43. See Hinard 1984, 300; 1985a, 240–41; 1985b, 194; 2008, 75.

111) Plut. Sull. 31.11–12. Similar anecdotes: Oros. 5.21.4; Diod. 38/39.19. Hinard (1985a, 241 n. 64) only accepts the possibility that Q. Lucretius Vespillo, proscribed by Sulla, might have been killed ad hoc when he was arrested at one of the city gates (App. B. C. 4.44).

112) Cicero's head: Cass. Dio 47.8.3–4; cf. Plut. Ant. 20.3–4; App. B. C. 4.20; with Allély 2014, 102–5. Denial of burial: Cass. Dio 47.3.2, treated with scepticism by Hinard 1985a, 241–42.

113) Suet. Aug. 13.1; cf. Cass. Dio 47.49.2. The head of Trebonius was deposited at a statue of Caesar in Smyrna: Cass. Dio 47.29.3 (contra: App. B. C. 3.26, below n. 114).

was taken by the soldiers and hurled violently through the streets of Smyrna, as if in sport like a ball, until the skull broke apart.¹¹⁴ There is even a close parallel for the ritual sacrifice of Gratidianus at the tomb of the Lutatii in the execution of Q. Hortensius at the tomb of C. Antonius – a personal act of ritual vengeance carried out by Antony after Philippi against the man responsible for the death of his brother.¹¹⁵

It is valid to work from the premise that the proscriptions of 82 and 43 were not identical, but nothing is gained from manufacturing differences to create a black-and-white portrait of fundamental change. It is also wrong to focus on the two sets of proscriptions to the exclusion of the broader history of political and civil war violence in the Late Republic and Imperial period.¹¹⁶ Hinard offers a narrative of a paradigm shift from ritual symbolism under Sulla to ad hoc killings by bounty-hunting soldiers in 43. But examples of headhunting in which decapitation was a functional act carried out by assassins motivated only by the promise of a bounty, as with the tribune Salvius in 43, may be found long before the triumviral period in the deaths of M. Antonius in 87, or C. Gracchus in 121.¹¹⁷ Conversely, there are triumviral examples of symbolic violence, and there is a substantial body of material for corpse abuse and statue mutilation in the political and civil war violence of the Imperial period.¹¹⁸ In short, ‘la male mort’ was not an exclusively Sullan phenomenon with a terminus ante quem before the end of the Late Republic.

114) App. B. C. 3.26; cf. Cic. Phil. 11.8.

115) Plut. Brut. 28.1; Ant. 22.6; noted by Hinard (1985a, 475) and treated as reliable. Clearly, it is wrong for Hinard to state that in the triumviral period “on n’entend plus parler d’exécutions «sacrificielles» comme celle d’un Gratidianus” (1985a, 323). There is also the alleged execution of 300 prisoners at an altar of Caesar on the anniversary of the Ides of March after the fall of Perusia. See Suet. Aug. 15; Cass. Dio 48.14.4.

116) The broader history of political violence is explicitly excluded from Hinard’s monograph. Note the disclaimer at Hinard 1985a, 14.

117) M. Antonius: Plut. Mar. 44.1–7; App. B. C. 1.72; C. Gracchus: e. g. Val. Max. 9.4.3; Plut. C. Gr. 17.4–5; cf. App. B. C. 1.26.

118) See Hope 2000, 112–15; Varner 2001; 2005.

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