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# DISHONOUR, DEGRADATION AND DISPLAY: CRUCIFIXION IN THE ROMAN WORLD

*Philip John Hughes*

## **Abstract**

Crucifixion is understood predominantly under a framework derived from Christian theology. The reality, however, was that in the time of Jesus of Nazareth's execution it was the most despicable method of punishment employed throughout the Roman Empire. This paper seeks to elucidate the role of crucifixion in the Roman world, synthesising ancient sources, modern sociological thought and archaeological perspectives to arrive at a holistic conclusion as to its meaning, ideology and reality. It will argue that selection for crucifixion was determined by social status, representing dishonour of the individual; that the series of physical and mental punishments inflicted during the process were akin to modern definitions of torture denoting degradation of body and soul; and finally that the display of the condemned was important not only communicating the dishonour and degradation of the victim but in instilling both fear and delight in visitors, in asserting the power of the state and in ascribing deeply embedded social meanings to locations. Ultimately, utilising these approaches permits us to understand more widely than previous studies have allowed the significant role crucifixion played in the Roman world.

**Key Words:** crucifixion, dishonour, degradation, display, Ancient Rome, public execution, torture, personal autonomy, phenomenology.

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## **Introduction**

Crucifixion is entwined with perceptions of the Roman Empire; everyone in the West knows Jesus of Nazareth's story, his painful mortal expiration. Yet we often neglect its role in the Roman world. Indeed, images of the passion frequently adorn the walls of religious institutions, such as churches and schools. Consequently, an understanding of crucifixion is forged not through the fact that this method of execution was used against immeasurable numbers in antiquity, but instead filtered through a prism of salvific religious symbolism associated with one man.<sup>1</sup> Indeed, though Jesus' suffering is of course integral to the crucifix's meaning, it is arguably decentralised by this narrative, attested by the fact that his painful demise is revered by Christians the world over as part of his divine destiny culminating in the Resurrection and Ascension: 'the Christian world today no longer thinks of the Cross as an instrument of execution but always a glorious symbol of Christ's sacrifice for all mankind'.<sup>2</sup> Naturally, therefore, when we encounter a crucifix, it is discerned a totem of faith rather than an image recalling the horror of the activity.<sup>3</sup> Consequently, 'reflection on the harsh reality of crucifixion in antiquity may help us to overcome the acute loss of reality which is to be found so often in present theology and preaching'.<sup>4</sup>

With this in mind, the aim of this paper is to explore the role of the punishment in the Roman world. There has been a dearth of scholarship concerning crucifixion since the publication of Martin Hengel's *Crucifixion in the Ancient World and the Folly of the Cross* in 1977 which has begun to receive more dedicated attention only in the last decade. Hengel, collating ancient sources to assess crucifixion's ideology, concluded that crucifixion was widespread in both space and time in antiquity; that it was used primarily as a deterrent; it exhibited 'primitive' lust for revenge; that a naked victim displayed in a prominent place reinforced the humiliation of the procedure; that denial of burial compounded such a

humiliation; that it was reserved in the Roman period for criminals and ‘lower classes’ and that few attempts at philosophical critiques were made.<sup>5</sup> However, Hengel perhaps made a mistake in neglecting to draw a distinction between the ‘Latin West and Greek East’.<sup>6</sup> Indeed, there has been little attempt to consider Roman crucifixion in its social context, though Mark Finney has recently placed this within a framework of horror and shame, asserting that crucifixion was bounded with ideas of hierarchy where the individual was subjected to the disgrace of a sentence ordinarily reserved for slaves.<sup>7</sup> Additionally, John Granger Cook – a New Testament scholar – has recently authored two articles which investigate burial practice post-execution in the ancient world to ascertain whether Joseph of Arimathea’s attainment of Jesus’ corpse was historically plausible, and provide a platform for epigraphic evidence concerning crucifixion from the Roman world to be given a wider audience within his discipline.<sup>8</sup>

This paper, then, seeks to expand on previous studies to further elucidate crucifixion in the Roman ontology. To achieve this, and in light of the above, it is felt there is first a need to outline crucifixion’s pathology before its meaning can be understood. Additionally, it is necessary to elucidate whether crucifixion might be categorised as execution, torture or both and highlight the subtleties of these definitions, for the stance taken will significantly inform the remainder of the study. Subsequently, I shall argue that crucifixion was a means of highlighting the significance of Roman citizenship as the most important demographic in the Roman world. Consequently, exclusion from this group comprised dishonour by asserting the subordination of the individual in a graphic and painful way. Degradation is attested by the cruelty of the process itself, where the victim is dehumanised. Here, it is important to recognise the nuances of sociological debate with regard to humiliation of the individual and of the existence of ‘dignity’. In addition, it is pertinent to consider notions of body and soul so as to understand humiliation of both the physical and the metaphysical. Finally, display and the context of viewing shall be considered. In this instance, crucifixion should be perceived as a public performance. It is appropriate, therefore, to investigate the ‘landscape of crucifixion’: where did the punishment take place, why were such locations selected, what was communicated to the observer, and what long-term impact did this have? In conclusion, an evaluation of the contribution of this paper within previous scholarship shall be undertaken.

## **Crucifixion**

Crucifixion was an excruciating experience designed to punish, torture, humiliate and kill the victim while providing a spectacle. It *is* - for it should be noted the practice remains legally extant in Iran while news reports indicate it has recently been used on women from the Karen minority ethnic group in Burma - also almost unique.<sup>9</sup> Indeed, at least from the medieval period onwards, public execution was primarily utilised as a performance to humiliate the victim and reinforce the authority of a ruling power.<sup>10</sup> However, in these environments, execution was realised by methods such as burning, hanging, stoning, drowning, quartering, strangling, the guillotine, decapitation, shooting, electrocution, gassing and lethal injection.<sup>11</sup> Whilst all are heinous to twenty-first century humanist eyes, they predominantly result in a relatively quick death and are not utilised as a means of torture. Indeed, torture, as we understand it today, is largely employed to extract information and not as method of enacting the death penalty.<sup>12</sup> This is an important distinction because, while the goal of execution is to end life, torture - in many cases though not exclusively - seeks to prolong it in order to ascertain information and/or modify behaviour and beliefs.<sup>13</sup>

Though the ultimate result of crucifixion was death, unlike the majority of the above modes of execution, it might also be characterised as torture in the sense that death was not achieved instantaneously, but took anything from three hours to four days.<sup>14</sup> The stance taken here is that this slow death was deliberate, designed to degrade the victim and evoke terror in

witnesses, and that this is a form of torture. Indeed, importantly, crucifixion was a punishment comprising *addita ludibria* (additional derision); being attached to the cross was merely the culmination of a series of physical tortures.<sup>15</sup> Moreover, we should consider the process holistically rather than as sequential stages.

Fifth century BCE historian Herodotus indicates crucifixion was utilised by the Persians in the Sixth century BCE and Hengel notes that scholars cite them as the originators of the punishment, which later became prevalent among Seleucid, Carthaginian and Roman societies.<sup>16</sup> The Greeks employed a variant, which involved hanging people from trees; Alexander the Great purportedly deployed this method along the shoreline when ordering the deaths of 2,000 people following the siege of Tyre in 332 BCE.<sup>17</sup> Additionally, first century CE historian Tacitus indicates crucifixion was used by the ‘Celts’, while ‘Indians’ and Scythians also evidently adopted it as a punishment attesting its widespread use.<sup>18</sup>

Therefore, because it was used to such an extent by a myriad of peoples, it is difficult to generalise about a typical crucifixion ordeal. Gunnar Samuelsson, in surveying its historiography, asserts it is, in fact, somewhat spurious to even use the term ‘crucifixion’, and that sources elucidate only variations upon ‘suspension of the body’ using an array of terminology, which have been broadly assimilated under an umbrella of crucifixion and perpetuated following the influence of sixteenth century scholarship.<sup>19</sup> Nevertheless, there was a broad similarity between the accounts of Jesus’ execution and knowledge derived piecemeal from Classical sources, both fictional and historical.

Our most detailed sources of knowledge derive from the Passion narratives; the unwillingness of Classical authors to engage in substantial discourse regarding the topic is perhaps indicative of the punishment’s horror.<sup>20</sup> In fact, the most descriptive Classical source survives from Seneca, the first century CE Stoic philosopher:

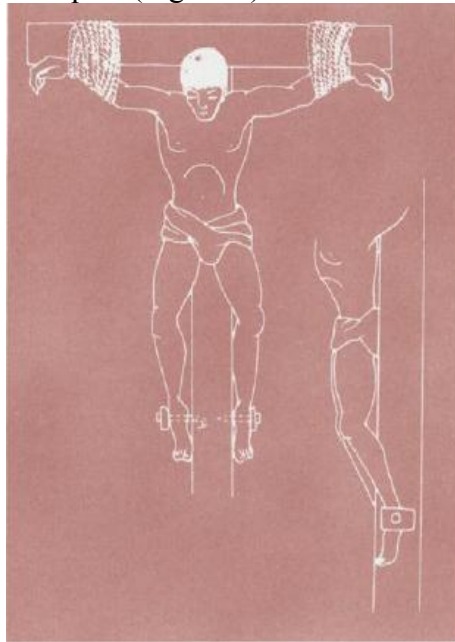
Can anyone be found who would prefer wasting away in pain, dying limb by limb, or letting out his life drop by drop, rather than expiring once and for all? Can any man be found willing to be fastened to the accursed tree, long sickly, already deformed, swelling with ugly wounds on his shoulders and chest, and drawing the breath of life amid long drawn out agony? He would have many excuses for dying even before mounting the cross.<sup>21</sup>

This passage succinctly epitomises the suffering involved together with identifying a degree of disdain for the savagery of the practice. In the latter respect, the Late Republican senator Cicero labelled it a ‘plague’.<sup>22</sup>

An individual condemned to death could undergo scourging as preparation as well as being subjected to ‘fire and hot irons and other tortures’.<sup>23</sup> The condemned would be stripped naked and flogged, front and back, with a whip which contained metal spikes or sheep bones on the end (*flagellum*) in a humiliation ritual.<sup>24</sup> Jewish law apparently limited this to forty strikes, though there is no Roman specification, which could continue until the recipient lost consciousness.<sup>25</sup> Indeed, it was not uncommon for a victim to expire during flagellation: Josephus provides an account where scourging continued until bone was visible while Cicero informs us Servilius died this way at the hands of Verres, the corrupt governor of Sicily in the 70s BCE.<sup>26</sup> Subsequently, the victim would be attached, usually by nails driven through the wrists, or on occasion of mass crucifixion simply bound by rope, to the horizontal crossbar (*patibulum*) and marched to the scene of execution whilst subjected to the taunts of spectators.<sup>27</sup> During this time, the victim would have the *titulus* tied round his neck, listing crimes committed.<sup>28</sup>

Upon arrival at the point of execution, the victim was attached to the vertical *stipes*, each foot driven into the side of the frame (Figure 1), contrary to the art historical depiction of

Jesus where a nail is driven through both feet attested, for example, in the work of the Spanish 'Golden Age' painter Diego Velázquez (Figure 2).



(Figure 1. Reconstruction of the crucifixion of the man discovered at Giv<sup>cat</sup> ha-Mivtar, Israel, the sole attestation of crucifixion in the archaeology record.<sup>29</sup>)



(Figure 2. Standard art-historical depiction of the crucifixion compared to the above archaeological record, where nails are driven through both feet onto the front of the *stipes*.<sup>30</sup>)

In this respect, we are aided by archaeology, where a body from a purported crucifixion cemetery in Judaea reveals a nail driven through one victim's heel, though it should be noted

this may well reflect a specific local practice, or the preferred method of an individual executioner.<sup>31</sup> Supervising soldiers could break the legs of the crucified with blunt weapons (*crurifragium*), perhaps to hasten death because it would result in severe bleeding from fractured bone marrow, though soldiers would also provide seating or footstools for the victim, not out of compassion, but in order to prolong the time it took to die, on account of the maintenance of blood circulation that these measures aided.<sup>32</sup> In the Gospel of Mark, Jesus' death is reported to have occurred after circa six hours on the Cross, suggesting he received a considerable beating prior but, of course, the time it took to die would have varied upon a number of variables such as the age and health of the individual, climate and injuries sustained.<sup>33</sup>

Modern medical science makes pertinent observations regarding the ordeal though there is little consensus concerning a universal cause of death, in large part because there were multiple possibilities regarding the procedure, and we should avoid thinking of crucifixion as a monolithic occurrence following the New Testament narrative so embedded in contemporary conception.<sup>34</sup> Nevertheless, the medical scholars' attempts to ascertain what a victim might endure during the process, accepting Jesus' death as a typical crucifixion, are briefly synthesised below.

First, the victim would be in a state of intense trauma which could induce cardiac arrest. Over such a prolonged period the victim would be dehydrated, causing hallucination, confusion and heat-stroke. Continuous pain would have occurred due to the nailing procedure whilst the scourged back rubbing against the rough cross would aggravate bleeding. A large nail driven through the wrists could potentially injure the median nerve, causing significant pain. Agonising cramps in the arms, shoulders and legs would be constant, with the victim devoid of the ability to alleviate suffering by movement. Additionally, after a period of days, maggots would form in the wounds and flies would envelope the victim, compounded by defecation. Concurrently, the organs would gradually fail; multi-organ breakdown is considered by some as the main cause of death whilst others emphasise painful asphyxiation whereupon respiratory muscles become gradually weakened, though – surely deliberately – quick death is hindered by the elevated state of the arms which encourage circulation, but result in intense pain with every breath.

### **Dishonour: A Question of Status**

Demonstrably, crucifixion is a monstrous way to die. As mentioned, Hengel asserts that the Romans were well aware of this, and the paucity of literary descriptions referring to the process indicates it was not a topic one should speak of at length. Conversely, it is salient to appreciate that it was in the interests of the New Testament authors to be graphic in detail reifying Jesus' suffering whereas information gleaned from Classical sources were part of larger historical, legal and satirical discourses. Nevertheless, there is little epigraphic evidence beyond that which may be the *titulus* from the New Testament and two inscriptions seemingly confirming the accuracy of Jesus' arrest story, together with some inscriptions from Italy alluding to crucifixion.<sup>35</sup> The key question is to investigate why crucifixion had such longevity in the Roman world despite the prevailing attitude of its barbarity together with the reticence exhibited in literature and commemoration. Such scant evidence for crucifixion is perhaps surprising given its supposed use from the state's beginnings, if we believe the punishment ordered (though subsequently rescinded) upon Horatius in the seventh century BCE until abolition by Constantine in 337 CE.<sup>36</sup>

By way of explanation, the primary rationale for crucifixion was that it provided a public arena for the assertion of status or, more precisely, lack thereof. Indeed, a key characteristic of Roman society was that it was strictly hierarchical with its defined order of patricians, equestrians, plebeians and slaves. Pervading this composition was the institution of

citizenship, bestowing special legal privileges, such as the *annona* (grain dole), allocation of which was based upon possession of citizenship irrespective of wealth.<sup>37</sup> Those excluded from this demographic – in all likelihood the most destitute of Roman society – were ineligible.<sup>38</sup> Crucifixion, therefore, can be considered a symbolic and public declaration of the inferiority of non-citizens.

Indeed, if the importance of social stratigraphy and citizenship underscored what it meant to live in the Roman world, we should expect this ideology to be replicated in death. To be sure, freedmen were eager to commemorate their elevation to citizenship in funerary contexts.<sup>39</sup> But those who suffered crucifixion were predominantly from lowly positions in the strata of Roman society; it was not a punishment deemed worthy of a Roman citizen.<sup>40</sup> Certainly, when Cicero complained about the employment of crucifixion in the Verrine Orations, it was on the grounds that Verres ordered the crucifixion of a Roman citizen, clearly a crime in itself:

To bind a Roman citizen is a crime, to flog him an abomination, to slay him is almost an act of murder: to crucify him is – what? There is no fitting word that can possibly describe so horrible a deed.<sup>41</sup>

Later in the proceedings, however, Cicero criticised Verres for failing to crucify slaves who purportedly conspired against their masters, instead sparing their lives with a reprimand.<sup>42</sup> Though Cicero deplored crucifixion, the true nature of the affront was not its cruelty, but that it might be levelled against a Roman citizen.

This contrasts with conceptions of crucifixion in other societies in antiquity. The Carthaginians, we are told, ordered the crucifixion of esteemed generals should they have failed to achieve the state's expectations.<sup>43</sup> In the Roman ontology, this was abominable. Indeed, the crucifixion of soldiers ordered by the emperor Macrinus between 217 and 218 CE, recounted in the historically dubious *Historia Augusta*, is notable for its exceptional nature.<sup>44</sup> As above, the abhorrence was that soldiers - a defined Roman group with privilege and status - could be subjected to the ignominy of a punishment ordinarily reserved for slaves and foreigners.<sup>45</sup> Similarly, one of the charges levelled at the governor of Syria Gnaeus Calpurnius Piso, who committed suicide before sentencing could be prescribed in 20 CE, was that he had allegedly crucified non-citizen soldiers, though it should be noted absolute disdain was reserved for crucifying a citizen centurion, indicating citizenship was an important institution even in the military community.<sup>46</sup>

Indeed, slaves and foreigners more than any other demographic were subjected to crucifixion precisely because they were outside the sphere of protection accorded by citizenship.<sup>47</sup> We need only think of Crassus' crucifixion of 6,000 slaves following the Servile War led by Spartacus in 71 BCE or the mass crucifixions carried out in Jerusalem in the First Jewish War between 66 and 73 CE to affirm this.<sup>48</sup> Certainly, crucifixion was known as *servile supplicium* (the slave's punishment) and this is alluded to in Plautus' *Swaggering Soldier*, whose character Sceledrus - a soldier's slave - reveals that five generations of his lineage were slaves who expired on the cross.<sup>49</sup> Whilst this is, of course, comic hyperbole, it demonstrates the punishment was inherently associated with this social group.

Beyond mass executions, in Juvenal's *Satires* the slave Vindicius reported a conspiracy organised by his master to the state. This was considered of the utmost disloyalty and so he was condemned to crucifixion.<sup>50</sup> However, the story is presented differently in Livy where Vindicius is rewarded with manumission and citizenship, indicating loyalty to the state superseded that to owners.<sup>51</sup> Though the historicity of the tale is rejected it demonstrates that slave disloyalty was an insult to Roman social structure.<sup>52</sup> Indeed, such instances are

leitmotifs of Roman history; many slaves were rewarded for whistleblowing before being executed for their insurrection.<sup>53</sup>

In contemporary western thought, a central tenet of human rights is legal equality, but this would have been conceptualised as perverse by elites in the Roman world, an attack on the prestige and sanctity of citizenship.<sup>54</sup> Accordingly, Orlando Patterson asserts that slavery was a ‘violent domination of alienated and generally dishonoured persons’.<sup>55</sup> We should think of crucifixion in precisely these terms. Nevertheless, when Caracalla’s edict of universal citizenship devalued the institution from 212 CE, the distinction between *honestiores* (landowning elites) and *humiliores* (the lower orders) became more pronounced, where anyone who was not part of the former was in a weaker legal position.<sup>56</sup> Capital punishment was one such arena where this imbalance was manifested, with the number of convictions doubling from the Antonine period to the third century.<sup>57</sup> Crucifixion in this light should, therefore, be seen as a proclamation of dishonour regarding the inferiority of the *humiliores*. Of course, for crucifixion to be ordered, a crime had to be committed, or at least alleged. Donald Kyle contends that criminals in the Roman world (*noxii*) were frequently perceived as a commodity largely comprised of foreigners, a by-product of imperialism, and many were subsequently sold into slavery.<sup>58</sup> Similarly, slaves were conceptualised as intrinsically ‘criminous’ and, therefore, valued in much the same way.<sup>59</sup> We should also bear in mind the hierarchy which characterised the plethora of capital punishments under Roman law. Unsurprisingly, crucifixion ranks at the top followed by burning, decapitation and being thrown to beasts as the main death punishments employed, known collectively as *summum supplicium* (the highest punishments).<sup>60</sup> Ultimately, sentencing was based on status, rather than the severity of the crime. Indeed, *honestiores* were exempt from execution save for in circumstances of patricide or high treason and, even then, were prohibited to undergo crucifixion, flogging and torture.<sup>61</sup> Overall, crucifixion was the highest dishonour of all methods of Roman execution, selection for which communicated the ‘otherness’ of the victim.

### **Degradation: Soul meets Body**

The next section argues that torture is a key component of the crucifixion process. In 1984 torture was, and still is defined by the United Nations as:

Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.<sup>62</sup>

We have already seen the physical torture characterising crucifixion as part of *addita ludibria*. Much of this could be said to degrade the victim given it was undertaken publicly. However, in his discussion of *addita ludibria*, Hengel considered only physical injury rather than discussing notions of degradation and humiliation of what we might think of as the ‘soul’, ‘mind’ or ‘personality’, which shall be the central focus of this section. In the above *Convention Against Torture*, the UN terms this ‘mental suffering’. Sartre succinctly underscores the inherent place of humiliation of the mind by torture: ‘There is a need to humiliate them, to crush their pride and drag them down to animal level. The body may live but the spirit must be killed’.<sup>63</sup>

Whilst some scholars contend attempting to define torture is counter-productive, it is clear that for the UN torture involves more than bodily torment, encapsulated best by the notion of



‘human dignity’.<sup>64</sup> At first glance, this is self-explanatory, referring to humiliating and degrading treatments. Some scholars, however, are dissatisfied with the concept.<sup>65</sup> One such problem is that it is laden with subjective aesthetic judgements which extend to expected etiquette in benign social situations: if I was to pick my nose in a seminar that might be deemed undignified. But to whom? To myself? To the people watching? In any event, no harm (presumably) would befall anyone in the vicinity but, rather, it is that it is considered uncouth which makes it undignified. Indeed, we are only ever in a position to measure human dignity when it has been violated, adopting a problematic ‘negative approach’.<sup>66</sup> ‘Dignity’ is, therefore, at best a clumsy negotiation, which emphasises particularly the mental degradation of an individual. Macklin and Pinker contend a more appropriate concept to which dignity adds nothing, is ‘personal autonomy’: that each person has the right to independent will.<sup>67</sup> We should ask, therefore, how autonomy is violated by crucifixion.

Since it was largely reserved for non-citizens and lower orders, crucifixion was arguably the extension of a violation of personal autonomy which had already occurred given that freedoms and rights enjoyed by citizens rendered those excluded from this demographic legally and socially handicapped in comparison. However, it may be more useful to assess the violation of personal autonomy by crucifixion if we think of it in a literal sense. Indeed, any kind of torture asserts the powerlessness of the victim.<sup>68</sup> This is manifested in an asymmetrical relationship where the autonomy of the victim is surrendered to the torturers.<sup>69</sup> During crucifixion, it is demonstrated by attachment to the cross where the individual lacks the ability to move and is fully conscious of their predicament; autonomy has quite literally been vanquished. That this denotes a specific and cynically orchestrated mental degradation is compounded by the fact that, at least prior to the widespread adoption of Christianity, committing suicide was considered by some a noble way to die in the Roman world: consider Cato the Stoic’s death in Utica, Tunisia following the *Optimates* defeat at Thapsus in 46 BCE during Caesar’s Civil War (49 to 45 BCE) to understand the notion of the ‘virtuous death’.<sup>70</sup> In this way, ‘destroying the self was a reasoned and rational choice guided by conscience, and the ultimate means of self-definition’.<sup>71</sup> In crucifixion, this choice is extirpated and the victim left to die naturally, slowly. The humiliation is completed by the fact that on occasion victims could be naked surely emphasising the individual’s vulnerability in line with Sartre’s comments.<sup>72</sup>

The above degradation is clearly associated with the mind. Foucault argued that the modern transition from public execution to penitentiaries and long-term confinement represented a fundamental shift in ideology: from punishment of the body through violence to the soul or personality through control of the body in a discourse of subjection by incarceration.<sup>73</sup> However, Sarah Tarlow argues that symbolic punishment of the mind occurred in the pre-modern world. She uses the example of Royalist treatments of Oliver Cromwell’s head which, once exhumed in 1661, was severed from the torso and placed upon a spike displayed at Westminster Hall. Of course, Cromwell could no longer feel pain so the humiliation post-death rituals could have been intended to symbolically affect Cromwell’s identity, or at least the memory of it, as well as making a strong statement of deterrent to his supporters. Indeed, Tarlow indicates the display of Cromwell’s head was an act of humiliation, a tacit recognition of a continued identity between body and individual post-death. Consequently, any post-mortem harm was intended as a degradation of Cromwell’s ‘dignity’.<sup>74</sup>

It is useful to think of crucifixion in terms of degradation of the soul and personality post-death. Indeed Graeco-Roman society espoused the existence of the soul, though there was little consensus as to its form.<sup>75</sup> Relating the discourse of learned elites to the values and customs of ordinary people is, of course, troublesome; however, a key way of identifying embedded cultural conceptions is via burial rites. In this respect, Jocelyn Toynbee asserts that

‘to leave a corpse unburied had unpleasant repercussions for the fate of the departed soul’.<sup>76</sup> To be sure, the right to burial was fundamental, awarded with very few exceptions save for in the case of gladiators, prostitutes, soldiers in battle and undertakers, all of whom were viewed as inherently unclean, tainted by death and dishonour: *infamia*.<sup>77</sup>

The criminal was viewed in this way and, therefore, denied entitlement to burial.<sup>78</sup> Eusebius describes the persecution of Christians in Lyon in 177 CE, where the corpses of executed individuals were closely guarded by soldiers to ensure they did not receive burial before being burned and discarded in the Rhone.<sup>79</sup> Whilst official legal statute suggests criminal corpses could be returned to relatives to do as they please, this was unlikely in instances of crucifixion which, as we have seen, was the gravest of all prescribed executions and frequently ordered for crimes of high treason.<sup>80</sup> Moreover, following death by crucifixion, corpses were left to rot on the cross and be devoured by birds and scavenging animals, a theme recurring in poetry and satirical literature, which can be considered as a further humiliation of the individual’s dignity.<sup>81</sup> Post-mortem degradation was therefore an important facet of crucifixion ideology. Denial of burial was ultimately an extension of the damnation the victim received in life. We see this attested in an anecdote shared by the character Eumolpos in first century CE satirist Petronius’ *Satyricon*. A soldier guards a crucified body erected in a graveyard, but is distracted by a widow grieving over her recently deceased husband’s tomb. The soldier investigates, and seduces the lady. Whilst the two are ‘otherwise engaged’ for a period of two days, the family of the crucified individual furtively remove the now deceased body from the unguarded cross, and accord it proper burial. Upon realisation, the soldier panics, understanding he would be executed for his negligence. The now not-so-grieving widow suggests that her late husband’s corpse be utilised as a replacement so no-one ever know.<sup>82</sup> This delightfully macabre tale demonstrates that a guarding soldier had responsibility to ensure a crucified individual did not receive burial; to fail in this duty was worthy of the death penalty. Furthermore, the execution location of a graveyard powerfully juxtaposes the clean and honourable burial with the dishonour and degradation of crucifixion and was a surely a deliberate literary trope employed on Petronius’ part.

Conversely, in Jewish societies governed by *Halakha* (Jewish law), crucifixion was interpreted as an act of clemency.<sup>83</sup> The *Tractate Sanhedrin*, a document dealing with laws and court proceedings, demonstrates that a convict sentenced to death must undergo confession and penitence to reach paradise, for all children of Israel were believed to have a place in the world to come should these conditions be met.<sup>84</sup> The bodily torment of crucifixion, therefore, purged the individual of sin; it was intended to be a merciful act. This is further reflected by the sole victim of crucifixion in the archaeological record, from a purported crucifixion cemetery in Judaea, and the fact that Jesus’ body was supposedly handed to Joseph of Arimathea for burial.<sup>85</sup> Burial post-crucifixion was, therefore, crucial in the Jewish conception of the punishment, for it allowed successful passage of the redeemed individual in paradise. Beyond Judaea, however, burial would not occur.<sup>86</sup> This was ultimately because the ideology of crucifixion was markedly different; mercy was not intrinsic to crucifixion in its Roman interpretation. Instead, death was merely one chapter in a series of degradations.

### **Display: Experiencing the Landscape of Execution**

The previous sections have investigated crucifixion on a micro scale, focussing on the impact upon the victim. However, we should also bear in mind that crucifixion was a public performance engaging numerous people and an important social event. It is necessary, therefore, to consider its impact in a wider sense, which would have been an integral aspect of its ideology. Execution as a spectacle in the Roman world is famously demonstrated by death in the arena and a popular perception of Roman society is the voracious appetite of the ‘mob’

for death as entertainment, if we consider cinematic sword-and-sandal epics such as *Ben-Hur*, *Spartacus* and *Gladiator*. Though the reality was more nuanced, there was a desire to witness execution in a public setting.<sup>87</sup> For example, an inscription from Cumae depicts crucifixions and a beast hunt accompanying twenty gladiatorial pairings in games spread over two days.<sup>88</sup>

Indeed, death by crucifixion ultimately communicated to observers that justice was being done, comforting gathered crowds.<sup>89</sup> Further, Roman conceptions of justice were retributive; public executions, therefore, provided satisfaction to those wronged by a crucified individual.<sup>90</sup> Additionally, it surely expressed the authority of the state and symbolised its power over people.<sup>91</sup>

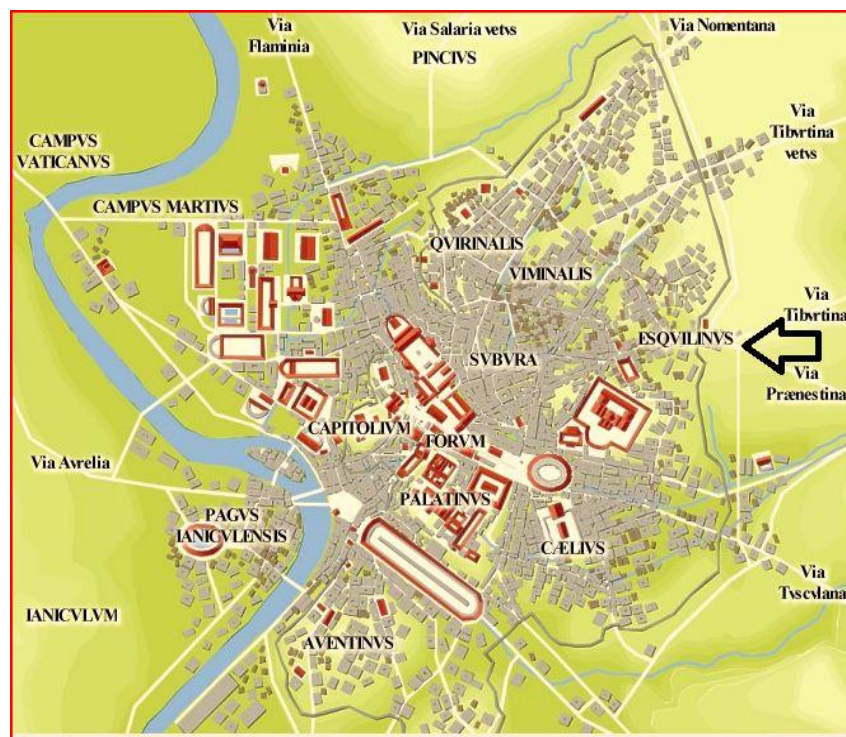
However, crucifixion was also a deterrent, evoking horror in observers so they were aware that, should they transgress, they could expect the same wretched fate.<sup>92</sup> Following transition from the Republic to the Principate, there was a marked increase in the punishment of criminals by spectacular physical punishment, which some suggest was underpinned by a conscious decision to promote deterrence.<sup>93</sup> Such a justification must have been mainly implicit, however, as it was seldom articulated, though the first century CE rhetorician Quintilian declared; ‘Whenever we crucify criminals, routes are chosen where the greatest number of people can watch and be influenced by this threat; for every penalty is aimed not so much at the offence as its exemplary value’.<sup>94</sup>

Consequently, to be most effective as a deterrent and achieve the satisfaction of those witnessing a specific individual perish painfully, crucifixion was best performed locally, at or near the scene of the crime in front the people to whom the victim would be known.<sup>95</sup> But this was not always the case. Probably the most ghastly instance of deterrence by crucifixion, that of 6,000 slaves crucified on the Appian Way between Rome and Capua in 71 BCE following the revolt of Spartacus, was surely perpetrated as a forceful, symbolic reminder of what awaited slaves should they defy Rome. However, the Third Servile War came was finalised in Lucania, southern Italy. The rationale must, therefore, have been to expose the copious people travelling between these two important cities to the sight, thus maximising the message by exploiting a large audience, rather than placating specific individuals. Furthermore, one wonders whether Crassus’ (the general in command of finally crushing the revolt) resultant Ovation (a ceremony similar but subordinate to the Triumph) involved entering Rome via the Appian Way, and whether these crucifixions were part of a celebratory procession and its performance, in addition to deterrence.<sup>96</sup> Marcellus’ Ovation ceremony in 211 BCE involved a sacrifice on the Alban hills, some twelve miles southeast of Rome, followed by a procession to the city on foot the following day.<sup>97</sup> However, whilst scholars have reconstructed Triumphal routes at various times in Roman history, much less is known about the Ovation.<sup>98</sup> Crucially, however, the Appian Way meanders directly over the Alban Hills. Consequently, it is likely that if Crassus utilised the Alban Hills in the way Marcellus had done, his Ovation made use of this very public display of death as part of the spectacle.

As a spectacle, it is commonly claimed that crucifixion occurred on high ground.<sup>99</sup> Reynolds, analysing the landscape of execution in late Anglo-Saxon England, indicates that we should be more aware of the visual aspects of public execution when understanding place.<sup>100</sup> In later periods, executions frequently occurred in cities with large audiences, replacing traditional market days.<sup>101</sup> Furthermore, Basson contends we neglect this macabre biography when exploring the architecture and archaeology of urban arenas.<sup>102</sup>

In the Roman world, however, death and the urban sphere were separate on religious grounds; death was inherently unclean, bringing pollution and so burial should occur outside the sacred boundaries of the city.<sup>103</sup> The same is true of execution. In Rome, the *Campus Esquilinus*, just beyond the Esquiline Gate to the east of the city (figure 3) was reserved for executions and burials of those of humble origins.<sup>104</sup> Excavations have revealed numerous human remains in pits deposited in an informal, haphazard fashion congruent with the

interpreted function of the location, which could have contained up to 800 cadavers each.<sup>105</sup> Further, Aggenus Urbicus, a fourth century CE writer on the techniques of land surveyors, indicates that many towns had space set aside for burial of the poor and criminals.<sup>106</sup> Perhaps there was a degree of uniformity throughout the Empire in conceptualising space for execution and its aftermath and, indeed, the discovery of 46 decapitated male individuals from the first to the early fourth century CE from the outskirts of the settlement at York in Britain may well be an execution cemetery, giving credence to the notion.<sup>107</sup> Though slightly removed from the city, the location on the Esquiline Hill was still prominent in the landscape; the same is true of Golgotha, the supposed location of Jesus' crucifixion, located outside Jerusalem's walls on elevated land.<sup>108</sup> Though crucifixions would probably not have received the same attendance levels of public executions in more recent periods - spectacles which became akin to carnivals - they were powerful visual set-pieces.<sup>109</sup> Indeed, the Roman Emperor Galba (68-9 CE) ordered that one criminal's cross be exchanged for a taller model, painted white, surely to highlight the victim as a special recipient of jeers and thus inform us that visual communication was a central facet of the performance of crucifixion.<sup>110</sup>



(Figure 4. Map of Rome. Crucifixion occurred beyond the Esquiline Gate of the Servian Wall. <<http://www.roman-emperors.org/staticR.htm>> [accessed 25 April 2013] Copyright Christos Nüssli, *Milieu 30, CH-1400 Yverdon, 1998.*)

Stemming from Basson's observation, we should consider that execution was rooted in a society's conception of its landscape. In this respect, Tilley's influential thesis regarding the phenomenology of landscapes, espousing that space is 'contextually constituted, providing particular settings for involvement in the creation of meanings', may be a useful framework to apply.<sup>111</sup> With this in mind, the way we think about landscapes in the Roman world should take into account the role crucifixion played in bestowing significance upon these locations. Indeed, dishonour, degradation and display, facets demonstrably entrenched in the ideology of crucifixion, would have had lasting effects on the way people thought about the landscapes in which they occurred. Centuries of crucifixions carried out on the *Campus Esquilinus* must have created extremely powerful, deeply-embedded memories, giving structure to the way

generations of people thought about this area, even beyond the renovation of the execution area to become imperial gardens in the first century CE.<sup>112</sup> The zone must have been associated with crucifixion, and all that went with it, long beyond the change in use. Similarly, though Constantine commissioned the Church of the Holy Sepulchre on the supposed site of Golgotha to venerate Jesus' sacrifice in the fourth century, for generations of Jerusalem's denizens Golgotha must have represented a place where the most heinous punishment in antiquity was undertaken. Further, it would surely have been difficult for Jews to reconcile the celebratory iconography of the crucifixion given it was a potent reminder of their violent subjugation by Romans. The same could be true of the Basilica of Peter, said to be built on Peter's purported crucifixion site in Rome. How might the non-Christian urban poor in Rome have considered the glorification of a crucifixion site by elite patronage given that it was their demographic that, as we have seen, were overwhelmingly subjected to the punishment? That these locations towered over their surroundings must have added to their mystique and impact.

### Conclusion

This paper has investigated the role of crucifixion in the Roman world. It has contended that it can be considered under a framework of dishonour, degradation and display which asserted the significance of Roman citizenship as the most important demographic in Roman society and concurrently exposed the otherness of foreigners, slaves and criminals. Moreover, we have seen how crucifixion encompassed more than mere physical torture but also involved degradation of the soul and personality prior to and after death on the cross, and that this was an integral aspect in its ideology. We have also seen that crucifixion as public execution could be further utilised as a deterrent. This notwithstanding, it is has been argued that we must move beyond what is a valid but limited explanation for the crucifixion as performance and additionally consider the way communities inhabited, experienced and perceived the locations they occurred in. This way, phenomenological approaches to landscape provide a rich approach. Holistically, the above facets combine to reveal the multi-faceted ideology of crucifixion in the Roman world.

Consequently, this paper has provided a new framework expanding upon the work of Hengel, Finney and Cook. Indeed, Cook asserts that 'a larger study of crucifixion in the ancient world [needs to be undertaken] that includes as much non-literary evidence as possible' and it is hoped, therefore, that by synthesising the evidence above this objective has come some way to being achieved providing for insightful new perspectives in taking the scholarship on crucifixion further.<sup>113</sup>

### Notes

<sup>1</sup> Steven Pinker, *The Better Angels of Our Nature: The Decline of Violence In History And Its Causes* (London: Penguin Books, 2011), pp. 15-18.

<sup>2</sup> George Benson, *The Cross: its History and Symbolism* (New York: Hacker Art Books, 1983), p. 25.

<sup>3</sup> Moreover, the phenomenon of memorial Crosses marking traffic accident locations in urban Texas, for instance, has become emblematic of the dangers of automobile speeding to resident communities rather than a phenomenon associated with capital punishment. See Holly Everett, 'Roadside Crosses and Memorial Complexes in Texas' in *Folklore*, 111:1 (Taylor and Francis Ltd, 2000), 91-103, (pp. 97-8). This demonstrates the evolution of crucifixion iconography, highlighting that its symbolism when displayed as an 'uninhabited cross' has become entirely extracted from its original meaning, communicating ideas of bereavement and warning when, in antiquity, it was surely associated with the ignominy of execution, at least until Constantine's patronage of Christianity in the fourth century CE meant the image was employed in the salvific context outlined.

<sup>4</sup> Martin Hengel, *Crucifixion in the Ancient World and the Folly of the Cross* (London: SCM Press, 1977), p. 90

<sup>5</sup> Hengel, *Crucifixion*, pp. 86-8.

<sup>6</sup> Hengel, *Crucifixion*, p. 69.

<sup>7</sup> Mark Finney, 'Servile Supplicium: Shame and Deuteronomic Curse – Crucifixion in its Cultural Context' in *Biblical Theology Bulletin*, 43:3 (University of York Publishing, 2013), 124-34, (pp.125-7).

<sup>8</sup> John Granger Cook, 'Crucifixion and Burial' in *New Testament Studies*, 57 (Cambridge University Press, 2011), 193-213; John Granger Cook, 'Envisioning Crucifixion: Light from Several Inscriptions and the Palatine Graffito' in *Novum Testamentum*, 50 (Brill, 2008), 262-85.

<sup>9</sup> Ciprian-Vasile Maftai, 'The Sanctions of the Islamic criminal law. Aspects Regarding Penalties of the Criminal Law of the Islamic Republic of Iran. Religion and Tradition vs. Observing Human Rights', in *The Juridical Current Journal*, 13:3 (Petru Maior University, 2010), 140-9 (pp. 143-6); Al Jazeera Online 'Myanmar Troops "Torturing Women" Report Accuses Military of Abusing Women Chiefs of Ethnic Karen minority,' 25 February 2010 <<http://www.aljazeera.com/news/asia-pacific/2010/02/201022591242325225.html>> [accessed 22 September 2013].

<sup>10</sup> Vic Gatrell, *The Hanging Tree: Execution and the English People, 1770-1868* (Oxford: Oxford University Press, 1994), pp. 56-9; Michel Foucault, *Discipline and Punish: the Birth of the Prison* (New York: Vintage Books, 1995 [1977]), pp. 32-72.

<sup>11</sup> Steven Gallery, 'Execution', in *Encyclopaedia of Death and Dying*, ed. by Glennys Howarth & Oliver Leaman (London: Routledge, 2001), 182-3 (p.183).

<sup>12</sup> Consider the United States' rationale for the attainment of 'intelligence' in the aftermath of 9/11 and the treatment of prisoners at Guantanamo Bay and Abu Ghraib, for instance: Anne-Marie Cusac, *Cruel and Unusual: The Culture of Punishment in America* (London: Yale University Press, 2009), pp. 244-52.

<sup>13</sup> Andreas Maier, 'Torture', in *Humiliation, Degradation, Dehumanization: Human Dignity Violated*, ed. by Paulus Kaufman., Hannes Kuch, Christian Neuhäuser and Elaine Webster, (London: Springer, 2011), 101-08 (pp. 104-5).

<sup>14</sup> Francois Retief and Louise Cilliers, 'The History and Pathology of Crucifixion' in *South African Medical Journal*, 93:12 (Health and Medical Publishing Group South Africa, 2008), 938-41, (p. 940).

<sup>15</sup> Tacitus, *Annals*, trans. by J. Jackson (Cambridge, Massachusetts: Loeb Classical Library, Vol 5, 1937), 15.44; Hengel, *Crucifixion*, p. 27.

<sup>16</sup> Herodotus, *The Histories*, trans. by Henry Cary (George Bell & Sons, 1894). 1.28; 3.125; 3.132; 3.159; 4.43; 6.30; 7.194; Hengel, *Crucifixion*, p. 22.

<sup>17</sup> Quintus Curtius Rufus, *Histories of Alexander*, trans. by J.C. Rolfe (Cambridge, Massachusetts: Loeb Classical Library, Vol 4, 1956), 4.4.17.

<sup>18</sup> Tacitus, *Annals*, trans. by J. Jackson (Cambridge, Massachusetts: Loeb Classical Library, Vol 3, 1931), 1.161.4; Tacitus, *Annals*, trans. by J. Jackson (Cambridge, Massachusetts: Loeb Classical Library, Vol 4, 1937), 4.72.3; Diodorus Siculus, *Bibliotheca Historica*, trans. by John Skelton (London: Published for the Early English Text Society by Oxford University Press, 1968), 2.18.1; 2.1.10; 2.44.2.

<sup>19</sup> Gunnar Samuelsson, *Crucifixion in Antiquity: an Inquiry into the Background and Significance of the New Testament Terminology of Crucifixion* (Tübingen: Mohr Siebeck, 2011), pp. 2-35.

<sup>20</sup> Hengel, *Crucifixion*, p. 25.

<sup>21</sup> Seneca, *Three Dialogues*, trans. by J.D. Duff (Cambridge: Cambridge University Press, 1915), 3.1.

<sup>22</sup> Cicero, *Against Verres*, trans. by D. Berry (Oxford: Oxford World Classics, Oxford University Press, 2006), 2.5.162.

<sup>23</sup> Cicero, *Against Verres*, 2.5.160-2; Livy, *History of Rome from its Foundation*, trans. by Evan. T. Sage (Cambridge, Massachusetts: Loeb Classical Library, Vol 9, 1935), 33.36.3.

<sup>24</sup> Chris Bartley, 'Crucifixion', in *Encyclopaedia of Death and Dying*, ed. by Glennys Howarth & Oliver Leaman (London: Routledge, 2001), 129-30 (p.129).

<sup>25</sup> Nigel Cawthorne, *Public Executions: From Ancient Rome to the Present Day* (London: Arcturus, 2006), p. 12.

<sup>26</sup> Josephus, *Jewish War*, trans. by G.A. Williamson (London: Penguin Classics, 1959), 6.304; Cicero, *Against Verres*, 2.5.54.140-2.

<sup>27</sup> Pliny the Elder comments on a nail fragment being torn from a *crux* in *Natural Histories* (trans. by W.H.S. Jones (Cambridge, Massachusetts: Loeb Classical Library, Vol 8), 28.46, while the slave Gremio states to another slave: 'O riddle for the executioner, as I guess they will turn out; they'll be soaking you with goads as you carry your gibbet along the streets' in Plautus, *The Haunted House* (trans. by Henry Riley (London, Bell & Sons, 1912), 1.1.50-3.

<sup>28</sup> Quintilian elucidates an instance where a slave who would not poison his master was crucified and wore a *titulus* declaring the same in *Lesser Declamations* trans. by D.R. Shackleton Bailey (Cambridge, Massachusetts: Loeb Classical Library, Vol 2, 2006), 380; In the Gospel accounts, Jesus' *titulus* read, 'King of the Jews' *Matthew* 27.32; *Mark* 15.26; *Luke* 23.38; *John* 19.19.

<sup>29</sup> Zias and Sekeles, *The Crucified Man from Giv<sup>cat</sup> ha-Mivtar*, p. 190.

<sup>30</sup> Diego Velázquez, *Christ Crucified*, [oil on canvas] Museo Del Prado, Madrid (1632)

<<http://www.museodelprado.es/en/the-collection/online-gallery/on-line-gallery/zoom/1/obra/christ-crucified/oimg/0/>> [accessed: 20 September 2013].

<sup>31</sup> Joseph Zias and Eliezer Sekeles, 'The Crucified Man from Giv<sup>cat</sup> ha-Mivtar: A Reappraisal' in *The Biblical Archaeologist*, 48:3 (American Schools of Oriental Research, 1985), 190-1, (p. 190).

<sup>32</sup> John 19.31-2; Hengel, *Crucifixion*, p 25; Erkki Koskeniemi, Kirsi Nisula and Jorma Toppari, 'Wine mixed with Myrrh (Mark 15.23) and *Crurifragium* (John 19.31-32): two details of the Passion' in *Journal for the Study of the New Testament*, 27 (SAGE, 2005), 379-90, (p. 388).

<sup>33</sup> Mark 15: 25-36.

<sup>34</sup> Joseph Bergeron, 'The Crucifixion of Jesus: Review of Hypothesized Mechanisms of Death and Implications of Shock and Trauma-induced Coagulopathy' in *Journal of Forensic and Legal Medicine*, 19 (Elsevier, 2011), 113-6; Benjamin Brennar, 'Did Jesus Christ Die of a Pulmonary Embolism?' in *Journal of Thrombosis and Haemostasis*, 3 (International Society on Thrombosis and Haemostasis, 2005), 2130-1; Matthew Maslen and Piers Mitchell, 'Medical Theories on the Cause of Death in Crucifixion' in *Journal of the Royal Society of Medicine*, 99 (Sage, 2006), 185-8; Christos Papaloucas, 'Anatomical, Physiological and Historical Aspects of the Crucifixion and Death of Jesus' in *Catholic Medical Quarterly*, 54:3 (Catholic Medical Association, 2004), <[http://www.cmq.org.uk/CMQ/2004/crucifixion\\_of\\_jesus.htm](http://www.cmq.org.uk/CMQ/2004/crucifixion_of_jesus.htm)> [accessed 28 April 2013]; Retief and Cilliers, *The History and Pathology of Crucifixion*, pp.938-41; Samuelsson, *Crucifixion in Antiquity*, p. 306-7 indicates the Passion narrative has created a common perception of crucifixion when there was in truth no typical procedure.

<sup>35</sup> The first concerning Pilate inscribed on a stone from Caesarea Maritima and the second an inscribed ossuary regarding Joseph Caiaphas, the Jewish High Priest supposedly responsible for orchestrating Jesus' detainment, discovered in a burial cavern from the Second Temple in Jerusalem. See Paul Maier, 'The Inscription on the Cross of Jesus of Nazareth' in *Hermes*, 124:1 (Franz Steiner Verlag, 1996), 58-75. Concerning the Italian evidence, the first inscription comes from Puteoli, regarding provision for carrying the *patibulum*, while an item of graffiti depicting a crucified ass was discovered from the imperial training room for slaves on the Palatine Hill in Rome see Lucio Bove, 'Due Iscrizioni da Puzzuoli e Cuma' in *Labeo*, 13:1 (Casa Editrice Dott. Eugenio Jovene, 1967), 22-48; H. Solin and M. Itoken-Kaila '1: Paedagogium' in *Graffiti del Palatino*, ed. by V. Väänänen (Helsinki: University Library, Acta Instituti Romani Finlandiae 3.1, 1966), pp. 209-12. For a discussion on both consult Cook, *Envisioning Crucifixion*, pp. 262-85.

<sup>36</sup> Horatius was the heroic soldier in the feud with Alba Longa in the seventh century BCE, who murdered his sister for an overt display of grief for Rome's enemies during his Triumph, Livy, *History of Rome from its Foundation*, trans. by A. De Séincourt (London: Penguin Classics, 1971), 1.24.9; Olivia Robinson, *The Criminal Law of Ancient Rome* (London: Duckworth, 1995), p. 13.

<sup>37</sup> Robert J. Rowland Jr, 'The Very Poor and the Grain Dole at Rome and Oxyrhynchus' in *Zeitschrift für Papyrologie und Epigraphik*, 21 (Dr. Rudolf Habelt GmbH, 1976), 69-73 (p. 72).

<sup>38</sup> Paul Erdkamp, *The Grain Market in the Roman Empire: A Social, Political and Economic Study* (Cambridge: Cambridge University Press, 2005), p. 307.

<sup>39</sup> Consider the famous grandiose tombstone of Eurysaces the baker in Rome, erected in the first century BCE. Lauren Hackworth Peterson, 'The Baker, His Tomb, His Wife, and Her Breadbasket: the Monument of Eurysaces in Rome' in *The Art Bulletin*, 85:2 (College Art Association, 2003), 230-257.

<sup>40</sup> Hengel, *Crucifixion*, p. 55.

<sup>41</sup> Cicero, *Against Verres*, 2.5.169-70.

<sup>42</sup> Cicero, *Against Verres*, 2.5.9-13.

<sup>43</sup> Polybius, *The Histories*, trans. by R. Waterfield (Oxford: Oxford World Classics, Oxford University Press, 2010), 1.11.5; 1.24.6.

<sup>44</sup> 'Macrinus, then, was arrogant and bloodthirsty and desirous of ruling in military fashion...for he even crucified soldiers and always used the punishments meted out to slaves' Historia Augusta, *Life Opellius Macrinus*, trans. by D. Magie (Cambridge, Massachusetts: Loeb Classical Library, Vol 2, 1924), 12.2.

<sup>45</sup> For a discussion on the special privileges and status of soldiers in the Roman world see Simon James, 'The Community of Soldiers: a Major Identity and Centre of Power in the Roman Empire' in *TRAC 98: Proceedings of the Eighth Annual Theoretical Roman Archaeology Conference, Leicester 1998*, ed. by Patricia Baker, Colin Forcey, Sophia Jundi and Robert Witcher (Oxford, Oxbow, 1999), pp. 14-25 (p.15) and Robert Knapp *Invisible Romans: Prostitutes, Outlaws, Slaves, Gladiators, Ordinary Men and Women...the Romans that History Forgot* (London, Profile Books, 2013), pp. 196-235.

<sup>46</sup> David Potter and Cynthia Damon, 'Senatus Consultum de Cn. Pisone Patre' in *American Journal of Philology*, 120:1 (Johns Hopkins University Press, 1999), 13-42, (p.22-3).

- <sup>47</sup> Hengel, *Crucifixion*, p. 39; Donald Kyle, *Spectacles of Death in Ancient Rome* (London: Routledge, 1998), p. 91.
- <sup>48</sup> Appian, *The Histories*, trans. by Horace White (Cambridge, Massachusetts: Loeb Classical Library, Vol 1, 1913) 1.120; Josephus, *Jewish War*, 5.449-51.
- <sup>49</sup> Plautus, *The Swaggering Soldier*, trans. by Wolfgang de Melo (Cambridge, Massachusetts: Loeb Classical Library, 2011), 372-3.
- <sup>50</sup> Juvenal, *The Satires*, trans. by N. Rudd (London: Oxford World Classics, Oxford University Press, 1992), 8.266-8.
- <sup>51</sup> Livy, *History of Rome*, 2.5.9.
- <sup>52</sup> Gardner, *Being a Roman Citizen*, p. 9.
- <sup>53</sup> Marc Kleijwegt, 'Creating New Citizens: Freed slaves, the State and Citizenship in early Rome and under Augustus' in *European Review of History*, 16:3 (Routledge, 2009), 319-30, (p. 323).
- <sup>54</sup> Pliny applauds Calestrios Tiro for his fine governorship in winning over the lower orders but warns him that those who wish to avoid being seen to favour 'the great' can go too far and act with ill manners in *Epistles*, trans. by P.G. Walsh (New York: Oxford World Classics, Oxford University Press, 2006), 9.5.
- <sup>55</sup> Orlando Patterson, *Slavery and Social Death: A Comparative Study* (London: Harvard University Press, 1982), p. 13.
- <sup>56</sup> Gardner, *Being a Roman Citizen*, pp. 24-5.
- <sup>57</sup> Kyle, *Spectacles of Death in Ancient Rome*, pp. 96-8.
- <sup>58</sup> Kyle, *Spectacles of Death in Ancient Rome*, p. 92.
- <sup>59</sup> Keith Bradley, *Slaves and Masters in the Roman Empire: A Study in Social Control* (Oxford: Oxford University Press, 1987) p. 26.
- <sup>60</sup> Hengel, *Crucifixion*, 34; Kyle, *Spectacles of Death in Ancient Rome*, p. 91; Finney, *Servile Supplicium*, p. 125.
- <sup>61</sup> Kyle, *Spectacles of Death in Ancient Rome*, p. 96.
- <sup>62</sup> UN General Assembly, *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, 10 December 1984, United Nations, Treaty Series, vol. 1465, p. 85, Article 1, available at: <http://www.refworld.org/docid/3ae6b3a94.html> [accessed 15 April 2013].
- <sup>63</sup> Jean-Paul Sartre, 'A Victory', in *The Question* by Henri Alleg, trans. by John Calder (London: John Calder Publishers, 1958), pp. 1-23 (p.18).
- <sup>64</sup> Bob Brecher, *Torture and the Ticking Bomb* (Oxford, Blackwell Publishing, 2007), pp. 3-6 suggests that defining torture imposes boundaries which will be repeatedly redefined thus legitimising some forms of 'harsh interrogation techniques'; 'All human beings are born free and equal in dignity and rights' UN General Assembly, *Universal Declaration of Human Rights*, 10 December 1948, 217 A (III), Article 1, available at: <http://www.refworld.org/docid/3ae6b3712c.html> [accessed 15 April 2013].
- <sup>65</sup> Ruth Macklin, 'Dignity is a Useless Concept' in *British Medical Journal*, 327 (BMJ Group, 2003), 1419-20; Steven Pinker, 'The Stupidity of Dignity' in *New Republic*, 238 (Chris Hughes, 2008), 28-31.
- <sup>66</sup> Paulus Kaufman, Hannes Kuch, Christian Neuhäuser and Elaine Webster, 'Human Dignity Violated: A Negative Approach – Introduction' in *Humiliation, Degradation, Dehumanization: Human Dignity Violated*, ed. by Paulus Kaufman., Hannes Kuch, Christian Neuhäuser and Elaine Webster, (London: Springer, 2011), pp. 1-7 (p. 2).
- <sup>67</sup> Elaine Webster, 'Degradation: A Human Rights Law Perspective' in *Humiliation, Degradation, Dehumanization: Human Dignity Violated*, ed. by by Paulus Kaufman., Hannes Kuch, Christian Neuhäuser and Elaine Webster, (London: Springer, 2011), pp. 67-84 (p. 78); Sophie Oliver, 'Dehumanization: Perceiving the Body as (In)Human' in *Humiliation, Degradation, Dehumanization: Human Dignity Violated*, ed. by Paulus Kaufman, Hannes Kuch, Christian Neuhäuser and Elaine Webster, (London: Springer, 2011), pp. 85-97 (pp. 90-1).
- <sup>68</sup> Hannes Kuch, 'The Rituality of Humiliation: Exploring Symbolic Vulnerability' in *Humiliation, Degradation, Dehumanization: Human Dignity Violated*, ed. by Paulus Kaufman, Hannes Kuch, Christian Neuhäuser and Elaine Webster, (London: Springer, 2011), pp. 37-56 (p. 53).
- <sup>69</sup> Maier, *Torture*, p. 111.
- <sup>70</sup> The *Optimates* were the traditionalist majority of the Roman Republic; Cicero, *Tusculan Disputations*, trans. by J.E. King (Cambridge, Massachusetts: Loeb Classical Library, 1966), 1.30.
- <sup>71</sup> Valerie Hope, *Death in Ancient Rome: A Sourcebook*. (London: Routledge, 2007), p. 162.
- <sup>72</sup> Seneca, *Moral Essays*, trans. by J.W. Basore (Cambridge, Massachusetts: Loeb Classical Library, Vol 3, 1935), 6.20.3.
- <sup>73</sup> Foucault, *Discipline and Punish*, pp. 73-105.



<sup>74</sup> Sarah Tarlow, 'The Extraordinary History of Oliver Cromwell's Head' in *Past Bodies: Body-Centred Research in Archaeology*, ed. by Dušan. Borić and John Robb (Oxford, Oxbow Books, 2008), pp. 69-78 (pp.73-4).

<sup>75</sup> 'The first thing, then, is to inquire what death, which seems to be so well understood, really is; for some imagine death to be the departure of the soul from the body; others think that there is no such departure, but that soul and body perish together, and that the soul is extinguished with the body' Cicero, *Tusculan Disputations*, 1.9.18.

<sup>76</sup> Jocelyn Toynbee, *Death and Burial in the Roman World* (Ithaca: Cornell University Press, 1995), p. 43.

<sup>77</sup> Hope, *Death in Ancient Rome*, p. 162; Knapp, *Invisible Romans*, p. 279.

<sup>78</sup> Kyle, *Spectacles of Death in Ancient Rome*, p. 131.

<sup>79</sup> Eusebius, *Ecclesiastical History*, trans. by Kirsopp Lake (Cambridge, Massachusetts: Loeb Classical Library, 1926), 5.1.59.

<sup>80</sup> Ulpian, *Duties of Proconsul*, 9 in *Digest* 49.24.1 trans. by Alan Watson, *The Digest of Justinian Vol 4* (Philadelphia, University of Pennsylvania Press, 2009), p. 377.

<sup>81</sup> 'He's nothing but gallows-meat, crow's pickings' in Petronius, *Satyricon*, trans. by P.G. Walsh (Oxford: Oxford World Classics, Oxford University Press, 1997), 58; 'you'll not hang on a cross and feed crows' in Horace, *Epistles*, trans. by A.S. Kline

<<http://www.poetryintranslation.com/PITBR/Latin/HoraceEpistlesBKIEpXVI>> [accessed 7 January 2014], 16.46-9.

<sup>82</sup> Petronius, *Satyricon*, 111-3.

<sup>83</sup> Jacob Neusner, 'Crucifixion in Rabbinic Context: Juridical or Theological?' in *Shofar: An Interdisciplinary Journal of Jewish Studies*, 23:3 (Purdue University Press, 2005), 79-85, (pp.81-4).

<sup>84</sup> *Tractate Sanhedrin, Mishnah and Tosephta*, trans. by Herbert Danby (London: S.P.C.K., 1919), 6.2

<sup>85</sup> Zias and Sekeles, *The crucified man from Giv'at ha-Mivtar*, pp. 190-1.

<sup>86</sup> Kyle, *Spectacles of Death in Ancient Rome*, p. 169.

<sup>87</sup> For discussions in this respect consult Kathleen Coleman, 'Fatal Charades: Roman Executions as Mythological Enactments' in *Journal of Roman Studies*, 80 (Society for the Promotion of Roman Studies, 1990), 44-73; Kyle, *Spectacles of Death in Ancient Rome*; David Potter, 'Spectacle', in *A Companion to the Roman Empire*, ed. by David Potter (Oxford: Wiley-Blackwell, 2006), pp. 385-408.

<sup>88</sup> *Corpus Inscriptionum Latinarum*, 4.9983a.

<sup>89</sup> Kyle, *Spectacles of Death in Ancient Rome*, p. 2.

<sup>90</sup> Coleman, *Fatal Charades*, p. 46.

<sup>91</sup> In this respect, we might draw a parallel with Foucault's assertions concerning the 'French Classical period' where he suggests that the embedded nature of torture in legal practice made 'the body of the condemned man the place where the vengeance of the sovereign was applied, the anchoring point for a manifestation of power, an opportunity of affirming the dissymmetry of forces': Foucault, *Discipline and Punish*, p. 55.

<sup>92</sup> Coleman, *Fatal Charades*, p. 48-9.

<sup>93</sup> Wilfried Nippel, *Public Order in Ancient Rome* (Cambridge: Cambridge University Press, 1995), p. 6.

<sup>94</sup> Quintilian, *Major Declamations ascribed to Quintilian*, trans. by L.A. Sussman (New York: Peter Lang Publications, 1987), 274.13.

<sup>95</sup> Coleman, *Fatal Charades*, p. 53.

<sup>96</sup> Plutarch indicates that Crassus was awarded an Ovation rather than a Triumph, considering that defeating slaves was not worthy of the prestige of the Triumph, Plutarch, *Life of Crassus*, trans. by Rex Warner (London: Penguin Classics, 1958), chapter 11.

<sup>97</sup> Marcellus' Ovation began with the sacrifice of a sheep on the Alban Hills the day before a procession to Rome Plutarch, *Life of Marcellus*, trans. by Bernadotte Perrin (Cambridge, Massachusetts: Loeb Classical Library, 1917, Vol 5, 1917), chapter 22. Some have taken this as typical of an Ovation ceremony which, in the Imperial Period, was the preserve of the emperor. See Nigel Rodgers, *The History and Conquests of Ancient Rome* (London: Hermes House, 2005), p. 171.

<sup>98</sup> Beard discusses Triumphal routes based on literary evidence revealing that, though it is difficult to generalise about a ceremony which occurred throughout Roman history and consequently saw many changes in the topography of the city, they commonly began on the Campus Martius, to the West of Rome: Mary Beard, *The Roman Triumph* (London: The Belknap Press of Harvard University Press, 2007), p. 92-104. From Plutarch we know that Ovations involved a procession on foot rather than the recipient riding in a chariot to the ringing of flutes rather than trumpets, and that a crown of myrtle rather than laurel was worn: Plutarch, *Marcellus*, 22.

<sup>99</sup> Marcus Borg and Dominic Crossen, *The Last Week: What the Gospels Really Teach About Jesus' Final Days in Jerusalem* (New York: Harper Collins, 2006), pp. 145-6.

<sup>100</sup> Andrew Reynolds, *Later Anglo-Saxon England: Life & Landscape* (Stroud: Tempus, 1999), pp. 105-9.

<sup>101</sup> Vic Gatrell, *The Hanging Tree*, p. 56-9.

<sup>102</sup> Steve Basson, 'Oh Comrade, What Times Those Were!: History, Capital Punishment and the Urban Square' in *Urban Studies*, 43:7 (SAGE, 2006), 1147-57, (p. 1148).

<sup>103</sup> Mary Beard, John North and Simon Price, *Religions of Rome, Vol 1: A History* (Cambridge: Cambridge University Press, 1998), p. 180.

<sup>104</sup> Tacitus, *Annals*, 2.32.

<sup>105</sup> Paul Bodel, "'Dealing with the Dead': Undertakers, Executions and Potter's Fields in Ancient Rome' in *Death and Disease in the Ancient City* ed. by Valerie Hope and Eireann Marshall (London, Routledge, 2000), pp. 128-51 (p.131-2); Kyle, *Spectacles of Death in Ancient Rome*, pp. 164-8.

<sup>106</sup> Agennius Urbicus, *De Controversiis Agrorum* in Cook, *Envisioning Crucifixion*, p. 280.

<sup>107</sup> Gundula Müldner, Caroline Chenery and Hella Eckardt, 'The 'Headless Romans': Multi-isotope Investigations of an Unusual Burial Ground from Roman Britain' in *Journal of Archaeological Science*, 38 (Elsevier, 2011), 280-90.

<sup>108</sup> Cawthorne, *Public Executions*, p. 12.

<sup>109</sup> James Machell, *From the Roman Mob to the Tour Party: Spectacles of Death throughout the Ages*. (Lancaster: unpublished Masters thesis, Lancaster University, 2004) pp. 14-15.

<sup>110</sup> Suetonius, *Life of Galba*, trans. by R. Graves (Aylesbury: Penguin Classics, 1979), 9.1.

<sup>111</sup> Christopher Tilley, *A Phenomenology of Landscape: Places, Paths and Monuments* (Oxford: Berg, 1994) p. 11.

<sup>112</sup> Kyle, *Spectacles of Death in Ancient Rome*, p. 164.

<sup>113</sup> Cook, *Envisioning Crucifixion*, p. 285.

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## Biography

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