CALIGULA AND THE CLIENT KINGS*

What happened in the aftermath of Caligula's assassination in January A.D. 41 in relation to the client kings of the period has been the subject of a stimulating note by A. A. Barrett. He has argued that a rescission of Caligula's *acta* invalidated the legal position of the client kings appointed by Caligula, and that Claudius' regularising of their position has been misunderstood by the ancient literary sources and has given rise to several apparent inconsistencies in their accounts.

I wish to argue firstly that any rescissio actorum would not have affected the client kings and secondly that the apparent inconsistencies in the ancient literary sources can better be understood from a wider examination of Caligula's policies in the east.

Mommsen⁵ denies a contradiction between Suetonius and Dio: the one sets out the principle, the other the practical outworking of the decision. Rather Suetonius should be understood strictly as referring to *acta* alone, Dio describes the whole process of undoing all of Caligula's unjust or unpopular measures, whether *acta* or *leges*.⁶ We

- * Thanks to Miss B. M. Levick, Mrs M. T. Griffin and Professor J. E. Atkinson for their help and comments.
- ¹ 'Claudius, Gaius and the Client Kings', CQ 40 (1990), 284–6. Cf. A. A. Barrett, Caligula: the Corruption of Power (London, 1989), p. 308 n. 34 (henceforth, Barrett 1989).
- 3 Cl. 11.3. J. Mottershead, Suetonius, Claudius (Bristol, 1986) offers no comment on the question.
- ⁵ Römisches Staatsrecht II³ (Berlin, 1877), p. 1130 n. 5 (henceforth, Mommsen). Followed by H. Smilda, C. Suetonii Tranquilli: Vita Divi Claudii (Dissertation: Groningen, 1896), p. 53 and F. Vittinghoff, Der Staatsfeind in der römischen Kaiserzeit: Untersuchungen zur damnatio memoriae (Berlin, 1936), pp. 91f. (henceforth, Vittinghoff), 98 n. 443.
- ⁶ T. A. J. McGinn, 'The Taxation of Roman Prostitutes', Helios 16 (1989), 79–110, esp. n. 5, rejects Dio's testimony that Caligula's unpopular taxes were repealed by Claudius, since 'there is no evidence for the interruption or resumption of the tax on prostitutes'. Given the extreme paucity of our evidence, this confidence is unwarranted: what we do know is that a prostitute tax at Palmyra, with the same tariff rate as that introduced by Caligula, was regulated by C. Licinius Mucianus during his governorship of Syria, around A.D. 68–9, and therefore that a tax had been levied before A.D. 68; a prostitute tax was being collected by Roman troops at Chersonnesus on the far coast of the Black Sea in A.D. 185–6 (CIL 3.13750); and the Historia Augusta (Alex. Sev. 24.3) records that Alexander Severus felt scruples over the proceeds of 'lenonum vectigal et meretricum et exsoletorum' entering the 'sacrum aerarium'. Dio's words, particularly $\tau \acute{a} \tau \epsilon \tau \acute{e} \lambda \eta \tau \acute{a} \acute{e} \tau \acute{e} \iota \tau o \acute{v} \Gamma a \acute{e} o \iota \acute{e} \sigma a \chi \theta \acute{e} \nu \tau a$, suggest that all of Caligula's taxes were repealed. For this tax one might suggest that the repeal affected only Rome and Italy, where it was novel (many Greek cities and Egypt had imposed prostitution taxes). Alternatively, we follow Dio and assume that some emperor reintroduced a tax on prostitutes after A.D. 41: Nero or Vespasian might be suitable candidates.

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know for certain that there was no universal overturning of Caligula's *acta*: the *Tabula Banasitana* shows that some of his grants of Roman citizenship were respected.⁷

Rescission of acta was one possible element of a variety of punishments inflicted upon the memory of unpopular emperors. Compared with later victims, Caligula escaped lightly – Claudius blocked the senate's attempts formally to dishonour $(\partial \tau \iota \mu \hat{\alpha} \sigma \theta a \iota)$ him – although his statues were damaged and limited action taken against his coinage. We must consider its relevance to client kings.

In strictly legal terms rescissio actorum affected the emperor's constitutiones, decreta, edicta and rescripta only; laws, senatus consulta and mandata were not affected. In practice, however, some constitutiones etc. of emperors whose acta were rescinded appear to have retained their validity in so far as they are quoted in the Jurists. In

Barrett rightly notes that the position of client kings must have been legal, formal and confirmed by appropriate procedures, although the effective basis of their rule was the emperor's permission.¹² But what were those procedures and, as a consequence, what was the legal status of a client king? Under the republic there is only one known exception to the rule that kings were recognised and given the title rex sociusque et amicus by the Senate, for in 58 B.C. Brogitarus of Galatia was recognised by a plebiscitum of the tribune P. Clodius. With the coming of the principate the favour of the princeps was a prerequisite and the ceremonies of recognition were taken over by the emperor – for example, the splendid display in the Forum by Caligula in A.D. 38.¹³ Nonetheless the Senate maintained a role in the

If the legal distinction between acta and leges set out on p. 2 is correct, then Caligula's taxation measures were not covered by the scope of any rescissio actorum; Suetonius (Cal. 41.1) specifies a lex, cf. Dio's (Xiphilinus) $\delta\iota a\nu \rho\mu o\theta \epsilon \tau \dot{\eta}\sigma as$ (59.28.11). Caligulan leges would have been repealed by Claudian leges introduced when time permitted.

⁷ Cf. A. N. Sherwin-White, JRS 63 (1973), 86f.; Barrett, p. 297 n. 24. In 28 B.C. Dio (53.2.5) records in connection with his acta of the Triumviral period that Octavian $\pi \acute{a}\nu \tau a \ a \mathring{v} \tau \grave{a} \ \delta \iota ' \acute{e}\nu \grave{o}s$ προγράμματος κατέλυσεν. E. W. Gray was probably correct to understand by this that Octavian made the acta challengeable in the law courts up to 31 December 28 B.C.

⁸ Mommsen's conception of the actorum rescissio as a milder form of damnatio memoriae (ii.1129f.) and connected with the refusal of consecration is too rigid, see Vittinghoff, pp. 91f. ⁹ Cf. Vittinghoff, p. 102; H. Jucker, 'Die Bildnisstrafen gegen den toten Caligula', in Praestant interna (Festschrift für U. Hausmann (Munich, 1982), pp. 110-18 and plates 14-16; A. A. Barrett, Caligula: the Corruption of Power (London, 1989), pp. 177f. In a letter Miss Levick has questioned the generally accepted idea that the senate attempted to declare the dead Caligula hostis on the grounds that a hostis had to be outside Rome (cf. her Claudius [London, 1990], p. 35). Germanicus' sons Nero and Drusus were also declared hostes in 29 and 30 whilst in Rome (cf. Suetonius, Tib. 54.2, Cal. 7). However ludicrous in reality the notion that Caligula had in effect declared war on the Roman people (cf. Dig. 49.15.24), the declaration may have in some sense legitimised Caligula's assassination or at least the senate's failure to take action against his murderers. Whether the question of Caligula being declared hostis was involved depends on the translation of Dio's ἀτιμώσαι (60.4.5). Most naturally that renders the Latin infamia, perhaps that attached to the declared hostis (cf. Mommsen ii.1134 n. 4), although other uses are also attested and deprivation of Roman citizenship is not essential (cf. B. M. Levick, 'The senatus consultum from Larinum', JRS 73 [1983], 108 n. 27). If, however, Caligula was not declared hostis, what dishonour was intended for him?

¹⁰ Mommsen ii.1130f.; Vittinghoff, pp. 96f. The *Institutes* of both Gaius and Justinian appear to exclude *mandata* from imperial *constitutiones*, although modern legal writers include them, e.g. J. A. C. Thomas, *The Institutes of Justinian* (Cape Town, 1975), p. 10.

See examples quoted by Vittinghoff, p. 98 n. 449.

¹³ Dio 59.12.1. In general, see D. C. Braund, Rome and the Friendly King (Beckenham, 1984), pp. 26f.

confirmation of power: Caligula had the realms of Sohaemus, Rhoemetalces and Polemon given $\psi \eta \phi_1 \sigma a \mu \epsilon \nu \eta s \tau \eta s \beta \sigma \nu \lambda \eta s$. ¹⁴

Tacitus records that the ancient (republican) custom of giving an ivory sceptre, embroidered robes and the formal title of rex sociusque et amicus was revived in A.D. 24; a senator was sent to confer the gifts on Ptolemy of Mauretania. ¹⁵ As Ptolemy had become sole-ruler of Mauretania in A.D. 23 or 24, after being co-regent with Juba, perhaps we have a second indisputable example of senatorial involvement as the occasion of the victory over Tacfarinas was taken to confirm formally Ptolemy's position. In the rest of Tiberius' reign there were no further confirmations of client kings: when Cotys VIII of Thrace was murdered in A.D. 19 his children were too young to succeed him and the kingdom was administered by an ex-praetor; and when Philip the Tetrarch of Gaulonitis, Trachonitis, Batanea and Paneas died in 33/34 his territories were placed under the jurisdiction of the legate of Syria. ¹⁶

Caligula's accession brought to an end the cautious policy of Tiberius, as within a few days the new emperor gave Herod Agrippa Philip's Tetrarchy (and Abilene which Lysanias had held).¹⁷ In his narrative of the events Josephus allots no role to the senate, but given the 'constitutional' nature of Caligula's behaviour at this time, characterised by Dio as $\delta\eta\mu\omega\kappa\rho\alpha\tau\iota\kappa\omega\tau\sigma\sigma$ s, it is not likely that previous practice was ignored.¹⁸ And, in fact, Philo notes specifically that the senate conferred honorary praetorian rank on Agrippa at this time.¹⁹

Also in A.D. 37 Antiochus received his father's kingdom of Commagene, administered as a Roman province since A.D. 19, and the coastlands of Cilicia. We cannot date his restoration with the same precision as Agrippa's promotion, but from Dio's parenthetic reference it must have preceded the demise of Tiberius Gemellus and probably Caligula's illness in October A.D. 37.²⁰ Again there is no mention of a senatorial role, but, as there was a senatorial role in the multiple confirmation of Polemo, Cotys and Rhoemetalces in A.D. 38, it is, I believe, reasonable to infer one here also.

In particular because Tacitus' account of Claudius' early years is not extant, we have no firm evidence of a continuing role for the Senate during his reign, but perhaps the detail in Dio that in A.D. 41 Claudius 'permitted' Herod Agrippa and his brother to express their thanks to him in Greek in the Senate suggests a role of that body in the respective extension and gift of their rule. I Josephus speaks of oaths being sworn in the middle of the Forum and Jewish provincial coins, with the reverse showing clasped hands surrounded by a Greek inscription, depict an alliance of Agrippa with the Senate and Roman people $(\sigma \dot{\nu} \gamma \kappa \lambda \eta \tau os \kappa ai \delta \hat{\eta} \mu os P \omega \mu ai \omega v)$. When, however, in A.D. 66 Tiridates of Armenia was summoned to Rome for the elaborate ceremony

¹⁴ Despite the appearance of ψηφισαμένηs in Dio 59.12.2, R. J. A. Talbert, The Senate of Imperial Rome (Princeton, 1984), p. 440, omits this as a senatus consultum. By contrast, ϵψηφίσαντο (Dio 58.18.3) establishes the measure to have the Praetorians paid from the Aerarium as a senatus consultum.

15 Ann. 4.26.

¹⁶ Thrace: Ann. 2.64f., 3.38.3f.; Palestine: Josephus, A.J. 18.108.

²⁰ Dio 59.8.2. Suetonius, *Cal.* 16.3.

²¹ 60.8.3. Herod was given Chalcis (*B.J.* 2.217, *A.J.* 19.277, Dio 60.8.3).

²² A.J. 19.275; cf. F. W. Madden, Coins of the Jews (London, 1881), pp. 136–7; G. F. Hill, Catalogue of Greek Coins: Palestine (London, 1914), xcvii-viii; E. Schürer, The History of the Jewish People in the Time of Christ, i (revised by G. Vermes, F. G. B. Millar et al.) (Edinburgh, 1973), p. 445 n. 19 (henceforth, Schürer). Despite the reading of the reverse legend offered in Y. Meshorer, Ancient Jewish Coinage (New York, 1982), ii.55ff., the appearance of $\kappa\lambda\eta\tau\delta\nu$, i.e. $\sigma\nu\lambda\eta\tau\delta\nu$, confirms the appearance of the Senate.

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in which he prostrated himself before Nero and was confirmed formally as ruler of Armenia, despite full descriptions of the celebrations, there is no trace of a senatorial vote: the senators merely accompany Nero into the Forum before the ceremony.²³ Notwithstanding this last example, it may seem probable that, in the early empire at least, the senate formally voted client kings their position. So, even if the *acta* of a *princeps* were rescinded, the position of client kings was not legally affected.

If, then, Caligula's client kings were not affected by the rescission of his *acta*, Dio could not have misunderstood a 'legally necessary' reconfirmation of their position by Claudius or created a fictional dismissal of Antiochus of Commagene to preserve the logic of his account. So, having clarified the legal aspect of the question, can we make sense of what the ancient sources record of Caligula and Claudius' actions towards the client kings?

Firstly we shall examine the case of Herod Agrippa. Josephus' account of his kingdom in Antiquitates Judaicae appears to be internally inconsistent, but only in the minor detail of Abila/Abilene: in 37 Caligula gave him the lands previously ruled by the Tetrarchs Philip and Lysanias, i.e. presumably including Abila/Abilene; later Caligula added the Tetrarchy of Herod Antipas; soon after his accession Claudius issued an edict $(\delta\iota\acute{a}\gamma\rho a\mu\mu a)$ confirming $(\beta\epsilon\beta a\iota\hat{\omega}\nu)$ all that Caligula had given Agrippa and adding Judaea, Samaria, Abila (which had been ruled by Lysanias) and territory in Lebanon.²⁴ In his earlier work, Bellum Judaicum, firstly Caligula grants the Tetrarchy of Philip; and Claudius 'forthwith conferred the whole of his grandfather's kingdom, annexing to it from over the border not only the districts of Trachonitis and Auranitis of which Augustus had made a present to Herod, but a further principality known as the kingdom of Lysanias. This donation he announced to the people by an edict $(\delta \iota a \tau a' \gamma \mu a \tau \iota)$ and ordered the magistrates to have it engraved on brazen tablets to be deposited in the Capitol'; lastly Claudius added the kingdom of Chalcis.²⁵ So Josephus appears confused whether Caligula or Claudius granted Philip's Tetrarchy. The most plausible treatment of Josephus is to assume that Bellum Judaicum reflects the tradition most acceptable in the early years of the Flavian dynasty – so soon after the war it was impolitic to ascribe a major role in Roman politics to a Jew (Herod Agrippa) and Claudius' reputation was rehabilitated by Vespasian; whereas later, under Domitian, he felt more able to exaggerate Agrippa's role and no need to conceal Caligula's.26

The second case, that of C. Iulius Antiochus, is crucial, since Caligula's treatment of Antiochus and the sources' accounts are difficult to explain. We have seen that in A.D. 37 Caligula restored to him Commagene and added coastal territory in Cilicia.²⁷ Dio, in his account of Claudius' early actions, records the restoration to Antiochus of Commagene 'since Caligula, though he himself had given him the district, had taken it away again'.²⁸ Barrett emphasises the surprising nature of this information since no hint of discord appeared in Book 59, but, because the events of A.D. 40 in Book 59 survive only in the Epitomes of Xiphilinus and Zonaras and in the Byzantine excerptions, perhaps we should not place too much stress on any 'sudden appearance' in Book 60.²⁹ Indeed, the ancient summary of the contents of Book 59 gives prominence to the annexation of Mauretania, but after the main text of Dio breaks off in mid-sentence, just as the fate of Ptolemy of Mauretania is mentioned, the

 $^{^{23}}$ Dio 63.3.4f.; cf. Suetonius, *Nero* 13. The theatrical performance κατὰ ψήφισμα (Dio 63.6.1) was probably decreed by Nero. 24 18.237, 252; 19.274–5.

 <sup>25 2.181, 215–17.
 26</sup> For Vespasian's attitude to Claudius, see Suetonius, *Claud.* 46.1. Cf. Schürer, pp. 445 n. 19, 568 n. 40.
 27 Above p. 440.
 28 60.8.1.
 29 285.

epitomators record nothing of the events in Mauretania.³⁰ If they chose to pass over such an important event, it should evoke no surprise that a smaller client kingdom's affairs were also ignored.

Again Josephus in Jewish Antiquities has another version of Claudius' actions in an initial summary of his decisions relating in particular to the Jewish client kings of the East: 'He deprived Antiochus of the kingdom he held and presented him with a portion of Cilicia and with Commagene'. As Barrett notes, Claudius' present was 'the two very areas that Antiochus already in fact possessed', so, even if we were to accept Barrett's thesis of a reconfirmation of Antiochus' kingdom, Josephus has misunderstood the extent of Antiochus' holdings under Caligula. This need not surprise us, since at this point in the Jewish Antiquities he has moved on from his detailed Roman source and uses Jewish sources closely parallel with those of the Jewish War.

Can sense be made of the sequence of events as Dio presents it? Does it fit into the wider picture, that Caligula deposed Antiochus from his kingship of Commagene and Cilicia Trachea in 40, only three years after he had restored the king? If it is appropriate to look for rationality in Caligula's actions, and not to dismiss his treatment of Antiochus as mere caprice, the context of relations with Parthia would seem relevant.³²

The kingdom of Commagene commanded one of the major crossing points on the Euphrates between Roman and Parthian territory, the strategic importance of which is illustrated by Vespasian's making Samosata, the capital, a legionary base when Commagene was finally annexed in A.D. 72. At the beginning of Caligula's reign relations with Parthia were very good, and King Artabanus even performed obeisance before the standards of Vitellius, legate of Syria.³³ It is improbable that the restoration of Antiochus would have upset relations, as returning the kingdom to a client king removed direct Roman control from Parthia's border. However, Parthia appears to have suffered internal turmoil as Artabanus died and two rivals, Gotarzes and Vardanes, struggled for the succession.³⁴ But fixing the date of Artabanus' death is impossible and no ancient evidence suggests any involvement of Antiochus in the Parthian struggle.

The supposed removal of Antiochus has a close parallel in the case of Mithradates of Armenia. Mithradates, brother of the king of Iberia, had seized the throne of Armenia with Tiberius' approval, but at some stage during Caligula's reign was summoned to Rome and imprisoned.³⁵ We should not doubt the basic truth of this,

³⁰ For ancient index, see *Dio's Roman History*, vii, translated by E. Cary (London, 1924), p. 260. 59.25.1.

³² It is interesting that not even Caligula's stoutest defender Hugo Willrich attempts a justification of Antiochus' removal: 'lange dauerte dies Glück aber nicht, denn in der letzten Zeit seiner Regierung hat Gaius aus uns verborgenen Gründen Antiochus abgesetzt', in 'Caligula', Klio 3 (1903), 302. J. P. V. D. Balsdon, The Emperor Gaius (Caligula) (Oxford, 1934), p. 201, was content to plead ignorance.

³³ Cal. 14.3; cf. Dio 59.27.2f. Whether the negotiations leading to this act of submission belong under Tiberius' reign, as Josephus records (A.J. 18.101f.) or are rightly located by Suetonius under Caligula is unimportant for this question. See K.-H. Ziegler, Die Beziehungen zwischen Rom und dem Partherreich (Wiesbaden, 1964), esp. pp. 62f. (henceforth, Ziegler).

³⁴ See, for example, E. Dabrowa, La politique de l'état Parthe à l'égard de Rome d'Artaban II à Vologèse I et les facteurs qui le conditionnaient. (Cracow, 1983), pp. 110f.; Cambridge History of Iran, iii (1) (Cambridge, 1983), p. 75; with references to the ancient sources: A.D. 38 is the earliest date; at face value the charge made against Herod Antipas that he was plotting with Artabanus against Caligula (Josephus, A.J. 18.250) suggests Artabanus was alive in A.D. 39 (pace U. Kahrstedt, Artabanus III und seine Erben (Bern, 1950), p. 26 n. 15).

³⁵ Tacitus, Ann. 6.32ff., 11.8.1; Dio 60.8.1.

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since Seneca can claim, albeit in a highly rhetorical passage of the De Tranquillitate Animi, 'Ptolemaeum Africae regem, Armeniae Mithridaten inter Gaianas custodias vidimus; alter in exilium missus est, alter ut meliore fide mitteretur, optabat!'36 No ancient source accounts for Mithradates' removal, although modern scholars have supplied various versions: Willrich suggested that Caligula was angry because Mithradates had not assisted Artabanus in regaining control of Parthia after the treaty of 37;37 Balsdon supposes a voluntary concession by Caligula of Armenia to Parthia, reflecting the respective strengths of the two states;³⁸ and along the same general lines Barrett conjectures that Mithradates' removal was an actual condition of the agreement with Artabanus.39 If this were so, it is surprising that Caligula received no criticism from the ancients for ceding Roman influence over Armenia. The terms of any agreement would hardly have escaped notice. Moreover, we have no means of dating Mithradates' removal: if it were a condition of any agreement with Artabanus Caligula should have acted promptly, i.e. in 37 or 38 at the latest; Balsdon, without argument, suggests 38 or 39; if the coupling of Mithradates and Ptolemy in Seneca's De Tranquillitate Animi can suggest that they were removed at the same time, a date in late 39 or even 40 would be possible. The silence of Dio, whose account up to the first weeks of 40 has survived intact, may be sufficiently significant to suggest a removal later in 40, and thus be a further reason to doubt any agreement with Artabanus.

If we suggest that Mithradates' removal was not to please Parthia, what other explanations are possible? Rather than seeing Caligula as a weakling who made concessions to Parthia which were not warranted by the respective strengths of the two nations, 40 perhaps we might understand his actions as punishment of Mithradates for not preserving the territorial integrity of Armenia, since Artabanus had been able to promise to Izates of Adiabene the territory of Nisibis $\chi \omega \rho a \nu \pi o \lambda \lambda \dot{\gamma} \nu$. κάγαθ $\dot{\gamma} \nu \tau o \hat{\nu}$ τῶν ᾿Αρμενίων βασιλέως ἀποτεμόμενος. 41 Although, as Kahrstedt suggests, this territory of Nisibis had belonged to Osrhoene since Carrhae and only during the revolt against Artabanus in A.D. 35 had sided with his rival Tiridates, and thus come under Armenian influence, Caligula could have interpreted Mithradates' passivity negatively. 42 Armenian affairs may have been one of the subjects to be addressed by Caligula on his Eastern voyage planned for A.D. 41.43 Any hiatus in control of Armenia would then have been relatively short, in fact far shorter than the period of chaos during the last years of Augustus and the early years of Tiberius' principate which Tacitus records. 44 Moreover, as Parthia was in the throes of a civil war between Gotarzes and Vardanes,45 there was far less likelihood of intervention in Armenia from that direction and perhaps leaving the country without a king for a few months did not seem too dangerous. In his restoration by Claudius, as he reoccupied his kingdom and eliminated the opposition, Mithradates showed himself, in Tacitus' words 'atrociorem quam novo regno conduceret' - perhaps he had learned his

³⁶ 11.12. ³⁷ 301f.

³⁸ 200. D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), pp. 514f., offers the oracular 'there may have been cause' for Caligula's leaving the Armenian throne unoccupied.

³⁹ 1989, 64.

⁴⁰ E.g. Ziegler, p. 64: 'das umstrittene Armenien dem Zugriffder Parther geradezu dargeboten'; M. L. Chaumont, L.'Arménie entre Rome et Iran – de l'avènement d'Auguste à l'avènement de Dioclétien', ANRW ii.9.1, 91.

⁴¹ Josephus, A.J. 20.68. For this Nisibis, see RE xvii, 727f. ⁴² Kahrstedt, pp. 62f.

⁴³ Josephus, A.J. 1980-83; cf. Philo, Leg. 250, 338.
⁴⁴ Ann. 2.3.1f.

⁴⁵ See for example, N. C. Debevoise, A *Political History of Parthia* (Chicago, 1938), pp. 166f.; Dabrowa, p. 118.

⁴⁶ Ann. 11.9.1.

lesson. He remained king until his death in A.D. 51 at the hands of his nephew Radamistus who was encouraged in his intrigues by Pharasmanes, his father, king of Iberia and Mithradates' brother.⁴⁷

We can only guess at the reasons for Mithradates' deposition, and for that of Antiochus, if we accept its historicity, as long as we have so little evidence. Nonetheless, the suggestion that the inconsistencies in what the ancient sources say about the position of the client kings under Caligula and Claudius derives from a misunderstanding of the reconfirmation of their reigns following a rescissio actorum, is based on a dubious interpretation of the legal basis for the rule of the client kings.

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⁴⁷ Ann. 12.44f.

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