

burial-formula, appropriately stresses the unnatural behaviour of Orchamus in burying his daughter with a destructive mass of earth while still alive, rather than sprinkling a dutiful handful of earth over her body when dead.

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AN ALLUSION TO THE KAISEREID IN TACITUS *ANNALS* 1. 42?*

Tacitus gives lavish treatment to the mutiny of the German legions in the aftermath of Augustus' death in A.D. 14 and provides an excellent centrepiece in a speech (given in *oratio recta*) by Germanicus to the troops of the Lower German army at Ara Ubiorum (Cologne).¹ After the harsh treatment of a delegation from Rome, Germanicus responded to requests that he send Agrippina and Caligula to safety. As the family was leaving the camp the troops surrounded Germanicus, who moved them to repentance by his speech. Previous writers have already discussed particular debts to Livy and to Virgil,² but none has, I think, pointed to the most likely source for Germanicus' opening remarks: 'Non mihi uxor aut filius patre et re publica cariores sunt . . .'. Goodyear dismisses the sentiment as a variety of the 'common-place' that the state was more important than the individual and refers the reader to Béranger.³ However, none of these passages is as close or as pointed as the examples I consider below.

Tacitus' Germanicus is echoing a key phrase from the *Kaisereid*, an oath of loyalty sworn to the emperor and imperial family. Two documents from the Latin-speaking West prove this. First, an inscription from Aritium in Lusitania from May A.D. 37, less than two months after the accession of Caligula, preserves the oath administered to the Aritienses by the provincial legate C. Ummidius Durmius Quadratus:⁴

Ex mei animi sententia, ut ego iis inimicus
ero, quos C. Caesaris Germanico inimicos esse
cognovero, et si quis periculum ei salutis(ue) eius
in[fer]t in[fer]e[re]tque, armis bello internecivo
terra mariq(ue) persequi non desinam, quoad
poenas ei persolverit, neq(ue) me <neque> liberos meos
eius salute cariores habebo, eosque qui in
eum hostili animo fuerint, mihi hostes esse
ducam.

Second, there is a more fragmentary oath from the town of Conobaria in the

* The comments of Mrs M. T. Griffin, Miss B. M. Levick, and the anonymous reader removed numerous infelicities and errors; those that remain are the author's.

¹ *Ann.* 1.31–52, with the speech comprising chapters 42 and 43.

² E.g. H. Furneaux, *The Annals of Tacitus*² (Oxford, 1896), p. 235; F. R. D. Goodyear, *The Annals of Tacitus Volume I (Annals 1.1–54)* (Cambridge, 1972), pp. 288–96; most recently C. B. R. Pelling 'Tacitus and Germanicus', in *Tacitus and the Tacitean Tradition* [edd. T. J. Luce and A. J. Woodman] (Princeton, 1993), p. 74. While we can agree that Tacitus intends to present Germanicus as *pius*, any pointed parallel between Germanicus and Aeneas is far from secure; the appearance of such generic terms as *filius* and *coniunx* can only with difficulty bring to the reader's mind a literary parallel rather than the *Kaisereid* (pace R. T. S. Baxter, 'Virgil's Influence on Tacitus', *CP* 67 [1972], 249–50). Nothing in the Virgil passages quoted by Baxter suggests any allusion by the poet to the *Kaisereid* formula.

³ *Op. cit.*, p. 288; J. Béranger, *Recherches sur l'aspect idéologique du principat* (Basle, 1953), pp. 169f. Cf. E. Koestermann, *Cornelius Tacitus: Annalen Band I* (Heidelberg, 1963).

⁴ *CIL* 2.172. Text as in P. Herrmann, *Der römische Kaisereid: Untersuchungen zu seiner Herkunft und Entwicklung* (Göttingen, 1968), p. 122.

Spanish province of Baetica dating from 5 B.C., sworn to commemorate the introduction of Gaius Caesar to public life.⁵ The second column of this is lost and the extant text breaks off where the *cariores* formula would have appeared, but from the close similarity of language in the Aritium inscription it is probable that the Conobaria oath did contain the formula. An oath from Phasimon-Neapolis in Paphlagonia, administered in March 3 B.C., provides a Greek variation of the key phrase and proof of its existence in one of the main versions of the Kaisereid:⁶

ὑπὲρ τε τῶν τ[ούτοις]
 διαφερόντων μήτε σώματος φείσεσθ[αι μή]τε
 ψυχῆς μήτε βίου μήτε τέκνων, ἀλλ[ὰ παν-]
 τὶ τρόπῳ ὑπὲρ τῶ[ν] ἐκείνοις ἀνηκό[ντων]
 πάντα κίνδυνον ὑπομενεῖν.

Beyond this there are literary texts in both Greek and Latin, pagan and Christian, which reflect the formula, albeit with minor variations.⁷ The straightforward Greek translation of the *cariores* formula by φίλτερος or the verb προτιμᾶν survives in Dio

⁵ See J. González, 'The first oath *pro salute Augusti* found in Baetica', *ZPE* 72 (1988), 113–27. His text:

sente[ntiam]
 faciam arma capiam eosdem [amicos]
 sociosque quos eis esse intel[lexero]
 habebo eosdem inimicos m[eos esse]
 statuam quos eorum partibus [animad-]
 vertero. Et si quis adversus [eos aliquid]
 fecerint senserint eos terr[a marique usque]
 ad internicionem persequa[r.] *vacat*

The fragmentary oath from Sestinum (*CIL* 11.5998a) can now be seen as another example of an Augustan oath, connected with the introduction into public life of either or both of Gaius and Lucius Caesar, rather than as Caligulan.

⁶ *OGIS* 532; text Herrmann [n. 4], pp. 123–4. The *sanctio* attached to the oath also develops a version of the *cariores* idea: ἐπαρώμαι αὐτός τε κατ' ἐμοῦ καὶ σώματος τοῦ ἐμαντοῦ γέν[ους] καὶ ψυχῆς καὶ βίου καὶ τέκνων καὶ παντός τοῦ ἐμαντοῦ γέν[ους]. González (125–7) plausibly stresses that the origins of the *Kaisereid* are to be seen in the western tradition, whereas the cities of the East, with their tradition of Herrschereide, adapted the western formulae.

⁷ See references collected at D. Wardle, *Suetonius' Life of Caligula: a Commentary* (Brussels, 1994), p. 164 on *Cal.* 15.3. Add Seneca *Cons. Pol.* 7.4.

Diodorus' account of the oath sworn to Livius Drusus offers a good parallel: καὶ μήτε βίου μήτε τέκνων καὶ γονέων μηδεμιᾶς φείσεσθαι ψυχῆς, ἐὰν μὴ συμφέρῃ Δρούσῳ τε καὶ τοῖς τὸν αὐτὸν ὄρκον ὁμόσασιν. Although the episode in question occurred in 88 B.C. Diodorus' language is generally held to betray the influence of the triumviral period or of the early principate (see e.g. Herrmann [n. 4], pp. 55–8; cf. A. von Premerstein, *Vom Werden und Wesen des Prinzipats* [Munich, 1937], pp. 27–30). The date of Diodorus' work is crucial here—it has been argued that he finished writing before 30 B.C. (M. Sartori, 'Note sulla datazione dei primi libri della *Bibliotheca historica* di Diodoro Siculo', *Athenaeum* 61 [1983], 545–52); cf. C. Rubincam, 'The Organisation and Composition of Diodorus' *Bibliothēke*', *EMC* 31 (1987), 313–28 and K. S. Sacks, *Diodorus Siculus and the First Century* (Princeton, 1990), pp. 160–203. Weinstock, however, accepts the historicity of the oath to Drusus and the language as predating the triumviral period (*Divus Julius* [Oxford, 1971], p. 224). Even if Diodorus cannot be used for evidence of our formula going back to the Republican period beyond either the oath of loyalty to Octavian in 32 B.C. or the oath *pro salute Caesaris* of 45 or 44 B.C. (on their importance, see González [n. 4], pp. 125–6), some words of Balbus, in a letter to Cicero in March 49 B.C. (*Att.* 9.7B.3), may be relevant. 'Quod te (ita incolumi Caesare moriar!) tanti facio, ut paucos aequae ac te caros habeam' may reflect the *cariores* formula.

Cassius and Epictetus specifically in relation to oaths.⁸ At any rate the Aritium oath, because it is the formal oath of allegiance for the Aritienses to the new emperor, should provide us with the closest parallel to the oath sworn in August/September A.D. 14 and guarantee the presence of the *carior* formula.

A further argument for the appropriateness of a reference to the *Kaisereid* by Germanicus comes from the *exemplum* Tacitus has Germanicus cite later in his speech, 'divus Iulius seditionem exercitus verbo uno compescuit, Quirites vocando qui sacramentum eius detrectabant'. By comparison with the other extant versions of this incident in Suetonius, Appian, and Dio, only Tacitus associates it with an oath of loyalty to Caesar, which may suggest here that he is indicating to the reader that he should think in terms of such oaths.⁹ This impression would, of course, be strengthened if 'Germanicus' were deliberately importing the idea of an oath where it had no historical basis, and where the perceptive reader would appreciate what he was doing.

If Germanicus does begin his speech with a clear allusion to the *Kaisereid*, what relevance might this have for the character of Germanicus and Tacitus' presentation of him in the first books of the *Annals*? Firstly, given the historical context and in particular the very short period that had passed since the oath of loyalty to the new emperor Tiberius had been sworn, the use of the oath as his opening words is very pointed and rhetorically effective. Tacitus' own narrative provides the essential details: on the death of Augustus, Tiberius immediately arranged for letters to be sent to all the armies, but in Germany the oath was not taken at once because mutiny broke out on the news of Augustus' death; Germanicus in person administered the oath first to himself and to the *civitates Belgarum* and then to the legions of Upper Germany.¹⁰ Moreover, his primary mission in going to the legions of Lower Germany at Cologne was to administer the oath and restore them to order. In effect, by means of a reproachful reminder, Germanicus contrasts himself as strongly as possible with the mutineers who were ignoring the oath they had previously sworn, and puts himself in the position where he might be required literally to fulfil the conditions of the oath in giving up his wife and child.¹¹ We might argue that, rather than this being an emotional and irrational Germanicus, we have one who went precisely to the heart

⁸ Dio 64.14.1 of Otho's troops after his suicide: 'πάτερα τε ἀνακαλοῦντες καὶ παίδων καὶ γονέων φίλτερον ὀνομάζοντες'; of Caligula in A.D. 38 59.9.2: 'καὶ σφῶν αὐτῶν καὶ τῶν τέκνων καὶ ἐκείνων καὶ τὰς ἀδελφὰς αὐτοῦ προτιμήσουσιν'; Epictetus 1.14.15: 'οἱ στρατιῶται . . . ὀμνύουσιν πάντων προτιμήσειν τὴν τοῦ Καίσαρος σωτηρίαν.'

⁹ This argument was suggested by the anonymous reader, who also asks whether *salus* at 1.40.1 reflected language found in oaths. Suetonius (*D.J.* 69–70), Appian (*B.C.* 2.93) and Dio (42.53.3) connect Caesar's words with the revolt of the tenth legion at Rome in 47 B.C., Lucan (5.237f.) with that of the ninth legion at Placentia in 49 B.C. Both contexts predate the formulation of special oaths of loyalty to Caesar, if ever they were sworn (Appian *B.C.* 2.518, 601; cf. Weinstock [n. 7], pp. 223–7, who also uses the appearance of *εὐνοία* in Nic. Dam. *FGrH* 90 F 130.80, οἰόμενος τῇ πάντων εὐνοίᾳ φυλάττεσθαι, to refer to an oath).

¹⁰ *Ann.* 1.7.5, 31.1, 34.1 and 37.3. Even if Germanicus had not personally administered the oath to the rebellious legions at Cologne before he gave his speech, and Tacitus' account includes no such activity, the question of the oath was central. If indeed the swearing of the *Kaisereid* was an annual affair by A.D. 14 (as it certainly was later), its terms and formulae would have been the more familiar to the troops.

¹¹ It may be worth considering whether Tacitus' use of the plural 'liberos' at 1.42.1, where only Caligula is immediately relevant, should be explained by the wording of the oath 'liberos meos' (e.g. *CIL* 2.172) rather than as a 'generalising plural' (Goodyear [n. 2], p. 289) or as including Agrippina's as yet unborn child (N. P. Miller, *Tacitus: Annals Book I* [London, 1959], p. 163).

of the matter and who employed a rhetorically most effective proemium.¹² Whether the speech is a pure Tacitean confection or one by his literary sources for the revolts, either Pliny the Elder or Aufidius Bassus, or whether it goes back to what Germanicus said, its beginning can be seen in a new light revealing the rhetorical skill of its author.¹³

How are we to read Germanicus' proemium? In particular, how does the opening period as a whole fit into the context and what does it reveal of Tacitus?

Non mihi uxor aut filius patre et re publica cariores sunt, sed illum quidem sua maiestas, imperium Romanum ceteri exercitus defendent: coniugem et liberos meos, quos pro gloria vestra libens ad exitum offerrem, nunc procul a furentibus summoveo, ut quidquid istud sceleris imminet meo tantum sanguine pietur, neve occisus Augusti pronepos, interfecta Tiberii nurus nocentiores vos faciat.

Germanicus makes a contrast between his family on the one hand and Tiberius and the state on the other. The former have only Germanicus to save them, so he is removing them from danger. The way the opening sentence is cast suggests a defensive Germanicus who is responding to criticism, perhaps potential and as yet unvoiced, along the lines of 'Are you not attending to the safety of your family before that of the state?' rather than a simple echoing of the negatives in the *Kaisereid*. If so, Germanicus' actions could be seen as a concrete denial of the oath that he had certainly sworn. He seeks, then, to justify his actions, arguing somewhat conveniently that the removal of his wife and son was in the state's interest, in so far as the legions would not be stained with a greater crime if either or both were killed. How is the reader to respond to this? He can see Tacitus deliberately undermining Germanicus—his words are patriotic, especially if they echo the *Kaisereid*, yet his action was questionable? Or perhaps the stress is on the deliberate manipulation, even cynical misuse, of a typical imperial formula by a member of the imperial family. Alternatively it can be taken as a typical Tacitean twisting of key imperial language without specific criticism of Germanicus. Or the reader can see Germanicus the skilful orator placing immediately before the mutineers a clear reminder of their duties to the emperor and to the state.¹⁴ As frequently with Tacitus,

¹² On the composition of the speech see G. Landgraf, *BBG* 59 (1923), 27; R. Ullmann, *La technique des discours dans Salluste, Tite-Live et Tacite* (Oslo, 1927), pp. 218–9. Cf. D. C. A. Shotter, 'Tacitus, Tiberius and Germanicus', *Historia* 17 (1968), 198: 'through the long speech Tacitus again characterises Germanicus' histrionic manner of behaviour – through the fulsome style of the prose . . .'; D. O. Ross, 'The Tacitean Germanicus', *YCS* 23 (1973), 216: 'Remorse allows Germanicus a long and emotional speech, one which promises nothing and settles nothing, but merely attends on the fact of the soldiers' contrition'.

¹³ If the speech is purely Tacitean it shows in another area how he could echo imperial formulae. Haverfield argued convincingly (*JRS* 2 [1912], 197–9) that Tacitus subtly and maliciously alludes to the opening section of Augustus' *Res Gestae* in *Ann.* 1.10 (cf. Goodyear [n. 2], pp. 159–60. Other instances have been noted, e.g. *Ann.* 3.55.5 (see A. J. Woodman and R. H. Martin, *The Annals of Tacitus Book 3* [Cambridge, 1996], pp. 409–10) and *Ann.* 4.6.4 (A. J. Woodman and R. H. Martin, *The Annals of Tacitus Book 4* [Cambridge, 1990], p. 110). While Tacitus could echo key imperial texts, usually to parody or controvert their official meaning, in general he avoids terms associated with imperial propaganda (see R. Syme, *Tacitus* [Oxford, 1958], pp. 272, 413, App. 66; cf. Goodyear [n. 2], p. 156).

¹⁴ Mrs M. T. Griffin has suggested that a problem for seeing in the proem any reference to the *Kaisereid* is the presence of *res publica*, as the oath was sworn to the emperor and imperial house, not to the state. However, in Tacitus' presentation Germanicus was in effect carrying out the advice of others: 'illos saltem avo et rei publicae redderet' (*Ann.* 1.40.2). Germanicus' speech, then, picks up this earlier passage.

certainty is impossible and especially so when it comes to his presentation of Germanicus.

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A NOTE ON JUVENAL, *SATIRES* 10.147

expende Hannibalem

These famous words are generally taken to refer to the weighing of the dead Carthaginian's ashes, and I have no quarrel with that. However, I should like to bring into the debate the commonly used Roman steelyard balance, the *statera*. This bronze balance has an eccentric fulcrum. The scale pan is suspended from the shorter arm and the counterweight hangs from a loop which is free to move along a graduated scale on the longer arm of the fulcrum.¹

The counterweights are almost always ornamental, but the form that became traditional and is much the most common is of *busts*, busts of children, of girls, of women, busts of ephebes, of athletes, and of *warriors*, iconographical busts, and in particular busts of emperors, of princes and princesses, etc.²

Thus, balancing the scale pan, there is frequently a bust of a leading military personage. I suggest that such a balance was an inspiration for Juvenal's weighing of Hannibal.

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¹ J. Ward-Perkins and A. Claridge, *Pompeii AD 79* (Bristol, 1976), no. 248. They give Vitruvius 10.3.4 as a reference.

² Based on Daremberg and Saglio s.v. *Libra*.

PLUTARCH, *DE STOICORUM REPUGNANTIIS* 1048DE: AN EMENDATION

In *CQ* 46 (1996), 591–5, I proposed an emendation to Plutarch, *de Stoic. rep.* 1048DE which included the adoption of the variant *ἰσχύουσιν* (found in X¹ and F¹) for the *ἰσχύν* otherwise attested in the MSS. In fact, as my argument and translation should have made clear, *ἰσχύουσιν* itself must reflect an original *ἰσχουσιν*, so that the final text (at 594) should have read as follows:

τὸ δὲ τοὺς ἄλλως γενομένους ἀγαθοὺς κινεῖν κατ' ἀρετὴν ἢ ἰσχειν οὐδὲν ἐστὶ· καὶ γὰρ τοὺς θεοὺς οἱ ἀγαθοὶ κινοῦσι κατ' ἀρετὴν καὶ ἰσχουσιν· ὥστε μὴδὲν μᾶλλον ὠφελεῖν ἢ ὠφελείσθαι τοὺς θεοὺς ὑπὸ τῶν ἀνθρώπων.

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