

IX.—An Oath of Hannibal

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Polybius (7.9) quotes the oath of Hannibal confirming his alliance with Philip V of Macedon. A philological examination shows that this text is an official translation from Punic.

Among other excerpts from Polybius' *Histories*, the Codex Urbinas 112, now in the Vatican, has preserved a fragment of Book VII giving the terms of the oath taken by Hannibal in 215 B.C. to confirm his alliance with Philip V of Macedon. This exceptional document has not received the attention it merits. As a matter of fact, since J. G. Schweighauser's annotations in his edition of Polybius (vol. 6) were published in 1792, the Oath has never been examined throughout, but only quoted here and there. Consequently, neither its diplomatic formulation nor its religious character has been recognized. I hope to deal with these aspects in a forthcoming paper, but in order to give a historical interpretation of a record, we must first complete its philological examination. Such is the purpose of the present article.¹ The passage runs as follows:²

¹ I am deeply indebted to Professors G. L. Della Vida, H. L. Ginsberg, and Ralph Marcus for most helpful criticisms in Semitic matters of a draft of this paper. But the author is alone responsible for the views stated here.

The following abbreviations are used in addition to the familiar ones: Cooke = G. A. Cooke, *A Text-Book of North-Semitic Inscriptions* (Oxford, 1903); Helbing = R. Helbing, *Die Kasussyntax der Verba bei den Septuaginta* (Goettingen, 1928); Johannessohn = M. Johannessohn, *Der Gebrauch der Präpositionen in der Septuaginta* (NGG Beiheft, 1925) = *Mitteil. des Septuaginta Unternehmens* 3 (Berlin, 1926); Kaelker = F. Kaelker, *De elocutione Polybiana* (Leipziger Studien zur class. Philol. 4 [Leipzig, 1880]); Krebs = F. Krebs, *Die Präpositionen bei Polybius* (Beiträge zur histor. Grammatik der Griech. Sprache 1 [Würzburg, 1882]); Mayser = E. Mayser, *Grammatik der griech. Papyri* (Leipzig-Berlin, 1926-1938); Michel = Ch. Michel, *Recueil d'inscript. grecques* (Bruxelles, 1900); Swete = H. B. Swete, *An Introduction to the Old Testament in Greek* (Cambridge, 1914); Thackeray = H. St. J. Thackeray, *A Grammar of the Old Testament in Greek* (Cambridge, 1909); Welles = C. B. Welles, *Royal Correspondence in the Hellenistic Period* (New Haven, 1934). For brevity's sake no reference is given as to grammatical and lexical facts fixed in current grammars and lexicons. Phoenician material cited here is taken, so far as no reference is given, from the admirable book of Z. S. Harris, *A Grammar of the Phoenician Language* (American Oriental Series, 8, [New Haven, 1936]).

² I reproduce the text of the second edition of F. Hultsch, 2 (Berlin, 1892), but reestablish wherever advisable the readings of the Cod. Urbinas.

- "Ὁρκος ὃν ἔθετο Ἀννίβας ὁ στρατηγός, * * * Μάγωνος, Μύρκανος Βαρμόκαρος, καὶ πάντες γερουσιασταὶ Καρχηδονίων οἱ μετ' αὐτοῦ καὶ πάντες Καρχηδόνιοι στρατευόμενοι μετ' αὐτοῦ, πρὸς Ξενοφάνη Κλεομάχου Ἀθηναῖον, πρεσβευτὴν ὃν ἀπέστειλε πρὸς ἡμᾶς Φίλιππος ὁ βασιλεὺς, Δημητρίου, ὑπὲρ αὐτοῦ καὶ Μακεδόνων καὶ τῶν συμμάχων,
- 2

ἔναντιον Διὸς καὶ Ἑρας καὶ Ἀπόλλωνος, ἔναντιον δαίμονος Καρχηδονίων καὶ Ἡρακλέους καὶ Ἰολάου, ἔναντιον Ἀρεως Τρίτωνος Ποσειδῶνος, ἔναντιον θεῶν τῶν συστρατευομένων καὶ ἡλίου καὶ σελήνης καὶ γῆς, ἔναντιον
 - 3

ποταμῶν καὶ λιμένων καὶ ὑδάτων, ἔναντιον πάντων θεῶν ὅσοι κατέχουσι Καρχηδόνα, ἔναντιον θεῶν πάντων ὅσοι Μακεδονίαν καὶ τὴν ἄλλην Ἑλλάδα κατέχουσιν, ἔναντιον θεῶν πάντων τῶν κατὰ στρατείαν, ὅσοι τινὲς ἐφιστήκασιν
 - 4

ἐπὶ τοῦδε τοῦ ὅρκου. Ἀννίβας ὁ στρατηγὸς εἶπεν, καὶ πάντες Καρχηδονίων γερουσιασταὶ οἱ μετ' αὐτοῦ, καὶ πάντες Καρχηδόνιοι στρατευόμενοι μετ' αὐτοῦ, ὃ ἂν δοκῇ ὑμῖν καὶ ἡμῖν, τὸν ὅρκον τοῦτον θέσθαι περὶ φιλίας καὶ
 - 5

εὐνοίας καλῆς, φίλους καὶ οἰκείους καὶ ἀδελφούς, ἐφ' ᾧ τ' εἶναι σωζόμενους ὑπὸ βασιλέως Φιλίππου καὶ Μακεδόνων καὶ ὑπὸ τῶν ἄλλων Ἑλλήνων, ὅσοι εἰσὶν αὐτῶν σύμμαχοι, κυρίου Καρχηδονίου καὶ Ἀννίβαν τὸν στρατηγὸν καὶ τοὺς μετ' αὐτοῦ καὶ τοὺς Καρχηδονίων ὑπάρχους, ὅσοι τοῖς αὐτοῖς νόμοις χρῶνται, καὶ Ἴτυκαίους, καὶ ὅσαι πόλεις καὶ ἔθνη, Καρχηδονίων ὑπήκοα, καὶ τοὺς
 - 6

στρατιώτας καὶ τοὺς συμμάχους, καὶ πάσας πόλεις καὶ ἔθνη πρὸς ἃς ἐστὶν ἡμῖν ἢ τε φιλία τῶν ἐν Ἰταλίᾳ καὶ Κελτίᾳ καὶ ἐν τῇ Λιγυστινῇ, καὶ πρὸς οὐστίνας ἡμῖν ἂν γένηται φιλία καὶ συμμαχία ἐν ταύτῃ τῇ χώρᾳ. ἔσται δὲ καὶ Φίλιππος ὁ βασιλεὺς καὶ Μακεδόνες καὶ τῶν ἄλλων Ἑλλήνων οἱ σύμμαχοι σωζόμενοι καὶ φυλαττόμενοι ὑπὸ Καρχηδονίων τῶν συστρατευομένων καὶ ὑπὸ Ἴτυκαίων, καὶ ὑπὸ πασῶν πόλεων καὶ ἔθνων ὅσα ἐστὶ Καρχηδονίους ὑπήκοα, καὶ συμμάχων καὶ στρατιωτῶν, καὶ ὑπὸ πάντων ἔθνων καὶ πόλεων ὅσα ἐστὶν ἐν Ἰταλίᾳ καὶ Κελτίᾳ καὶ Λιγυστινῇ, καὶ ὑπὸ τῶν ἄλλων ὅσοι ἂν γέωνται
 - 8

σύμμαχοι ἐν τοῖς κατ' Ἰταλίαν τόποις τούτοις. οὐκ ἐπιβουλεύσομεν ἀλλήλοις, οὐδὲ λόχῳ χρησόμεθα ἐπ' ἀλλήλους· μετὰ πάσης δὲ προθυμίας καὶ εὐνοίας ἄνευ δόλου καὶ ἐπιβουλῆς ἐσόμεθα πολέμιοι τοῖς πρὸς Καρχηδονίους πο-

- λεμοῦσι, χωρὶς βασιλέων καὶ πόλεων καὶ λιμένων πρὸς
 9 οὓς ἡμῖν εἰσιν ὅρκοι καὶ φιλῖαι. ἐσόμεθα δὲ καὶ ἡμεῖς
 πολέμιοι τοῖς πολεμοῦσι πρὸς βασιλέα Φίλιππον, χωρὶς
 βασιλέων καὶ πόλεων καὶ ἔθνων πρὸς οὓς ἡμῖν εἰσιν ὅρκοι
 10 καὶ φιλῖαι. ἔσεσθε δὲ καὶ ἡμῖν πρὸς τὸν πόλεμον, ὅς
 ἐστὶν ἡμῖν πρὸς Ῥωμαίους, ἕως ἂν ἡμῖν καὶ ὑμῖν οἱ θεοὶ
 11 διδῶσι τὴν εὐημερίαν. βοηθήσετε δὲ ἡμῖν, ὥς ἂν χρεῖα ᾖ
 12 καὶ ὥς ἂν συμφωνήσωμεν. ποιησάντων δὲ τῶν θεῶν
 ὑμῖν μὲν καὶ ἡμῖν κατὰ τὸν πόλεμον τὴν πρὸς Ῥωμαίους καὶ
 τοὺς συμμάχους αὐτῶν, ἂν ἀξιῶσι Ῥωμαῖοι συντίθεσθαι
 περὶ φιλίας, συνθησόμεθα, ὥστ' εἶναι πρὸς ὑμᾶς τὴν
 13 αὐτὴν φιλίαν, ἐφ' ᾧ τε μὴ ἐξεῖναι αὐτοῖς ἄρασθαι πρὸς
 ὑμᾶς μηδέποτε πόλεμον, μηδ' εἶναι Ῥωμαίους κυρίους
 Κερκυραίων μηδ' Ἀπολλωνιατῶν καὶ Ἐπιδαμνίων μηδὲ
 Φάρου μηδὲ Διμάλης καὶ Παρθεινῶν μηδ' Ἀτιντανίας.
 14 ἀποδώσουσι δὲ καὶ Δημητρίῳ τῷ Φαρίῳ τοὺς οἰκείους
 15 πάντας, οἳ εἰσιν ἐν τῷ κοινῷ τῶν Ῥωμαίων. ἐὰν δὲ
 αἴρωνται Ῥωμαῖοι πρὸς ὑμᾶς πόλεμον ἢ πρὸς ἡμᾶς, βοη-
 θήσωμεν ἀλλήλοις εἰς τὸν πόλεμον, καθὼς ἂν ἐκατέρους
 16 ᾖ χρεῖα. ὁμοίως δὲ καὶ ἐὰν τινες ἄλλοι, χωρὶς βασιλέων
 καὶ πόλεων καὶ ἔθνων πρὸς ᾧ ἡμῖν εἰσιν ὅρκοι καὶ φιλῖαι.
 17 ἐὰν δὲ δοκῇ ἡμῖν ἀφελεῖν ἢ προσθεῖναι πρὸς τόνδε τὸν
 ὅρκον, ἀφελοῦμεν ἢ προσθήσωμεν ὥς ἂν ἡμῖν δοκῇ ἀμ-
 φοτέροις.

I

A glance at the Greek text will convince the reader that the Oath is neither Polybius' own composition nor a literary adaptation of the original document. There are a dozen instances of harsh hiatus in the passage, beginning with *ἔθετο Ἀννίβας* (1) and ending with *δοκῇ ἀμφοτέροις* (17). Such cacophony was distasteful to Polybius and painstakingly avoided by every literary writer of his age,³ as well as by Sosylus, Hannibal's teacher of Greek.⁴ But busy officials, who lacked the time to polish bureaucratic prose, did not much care whether or not vowels were thus juxtaposed. Accordingly, official records of the Hellenistic Age show, like Han-

³ For Polybius' usage cf. Kaelker, 236; Polybius ed. Büttner-Wobst, 4 (Leipzig, 1904), p. lxxv. For the usage of a Semite writing in literary Greek cf. H. G. Meecham, *The Letter of Aristaeas* (Manchester, 1935) 162.

⁴ *FGrH* 2, no. 176; U. Wilcken, *H* 41 (1906) 103.

nibal's Oath, many such cacophonous combinations.⁵ As often, Polybius has reproduced the document verbatim,⁶ and thus the Codex Urbinas has preserved a unique document, a Greek record written by Hannibal's chancellor.

The Oath had been sworn in a Punic camp. Before his own gods, invoked as witnesses, the Carthaginian chief pronounced formulas of conditions and obligations. Necessarily he spoke in Punic, inasmuch as the gods of Carthage were not supposed to understand Greek.⁷ It therefore appears that the text of the Oath quoted by Polybius is simply a Greek version of the original text. Starting from this premise, let us examine the document.⁸

Taken individually, each word, and almost each construction of the Oath, is idiomatic Greek. The vocabulary is classical. Of the sixty-three words in the Oath (thirty-seven nouns and adjectives, twenty-six verbs), only two are not found in Attic prose,⁹ a political term¹⁰ and a poetical word.¹¹ Two other words are used with new, Hellenistic connotations.¹² On the other hand, the vocabulary of the Oath belongs¹³ to the general idiom of con-

⁵ Welles, p. 1; Mayser 2.3 *s.v.* *Hiatus*; W. Croenert, in *Raccolta G. Lombroso* (Milano, 1925) 450; W. Lademann, *De titulis Atticis* (Diss. Basel, 1935) 44.

⁶ Cf. Krebs, 31; Büttner-Wobst, op. cit. (see note 3) 4, p. xxiv. A. Schulte, *De ratione . . . inter Polybium et tabulas publicas* (Diss. Halle, 1909) 19.

⁷ For the service of a Greek divinity (Demeter) in Carthage, there were Greek priestesses: Diod. 14.77.4.

⁸ The bibliography of the subject is compiled by M. Holleaux, *CAH* 8.745. See also W. F. Walbank, *Philip V* (Cambridge, 1940) 70.

⁹ In the LXX there are three to four words per page not to be found in Attic prose. Cf. Swete 295.

¹⁰ *γερονσιασταί* (1). The substantive is derived from the verb *γερονσιάζω*, attested only in later Roman time (*IG* 12.8.389 [Thasos]). Cf., for derivation, Mayser 1.3.74; P. Chantraine, *La Formation des noms en Grec ancien* (Paris, 1933) 316. The substantive again appears as the title of members of the municipal college of elders, from the first century A.D. onwards. Cf. Jos. *AJ* 4.224; Is. Lévy *REG* 8 (1895) 133. Numerous examples in J. H. Oliver, *The Sacred Gerousia* (*Hesp.*, Suppl. 11, 1941) 178 *s.v.*

¹¹ *λόχος* (8). The noun is poetic, but the verb is used in Hellenistic prose (Plb. 3.40.6; LXX, Gen. 33.13, etc.). Hellenistic chancelleries often used words which occurred before the Koine only in the poets. Cf. Welles, p. xcii and for Polybius cf. M. A. Kreling, *De usu poeticorum verborum* (Diss. Utrecht, 1886).

¹² *εὐημερία* (10). The noun is found in Xen. *Hell.* 2.4.2 and thereafter, but in the meaning of "victory" it has its earliest appearance in the Oath. The same meaning occurs in Sossylus, fr. 1 (see above, note 4). Hellenistic, too, is the use of the verb *ἀξιόω* (12), to mean "make request." Cf. Welles, *s.v.*

¹³ See notes 9 and 10. The word *δῶλος* is employed in the forensic sense by Plato, etc., and then by the LXX, but it is absent from the Apocrypha which were composed in Greek, as well as from the papyri and, apparently, from Hellenistic inscriptions.

temporary chancelleries.¹⁴ The author of the document attempted to compose a piece in good bureaucratic style.¹⁵ Accordingly, the accidence conforms to classical rules.¹⁶

The syntax, for a translation from Semitic idiom, is, on the whole, good. The author handles easily the complicated system of Greek cases, prepositions, voices, moods and tenses.¹⁷ He deals skillfully with such difficult matters as, e.g., the genitive absolute¹⁸ or the subjunctive,¹⁹ which have no place in Phoenician. He avoids such crude Semitisms as mark the translation Greek of the Septuagint—e.g., an imitation of the infinitive construction—²⁰ although at some points, as will be seen further on, he slavishly follows the original.

It reappears in legal Greek as a translation of Latin *dolus*, about 100 B.C. (SEG 3.378). 'Επιβουλή now occurs in an Athenian decree of 196 B.C. (B. D. Meritt, *Hesp.* 5 [1936] 422).

¹⁴ According to Welles, p. xcvi, in royal letters of the third century B.C. one fifth of the vocabulary belongs to the Koine. On the other hand, vocabulary of private letters by cultivated writers remained almost Attic in Hannibal's time. Cf. S. Witkowski, *Aeg.* 13 (1933) 539.

¹⁵ We may note that only one verb (συστρατεύομαι) and two nouns (γερονσιασταί, λόχος) used in the Oath are not represented in the LXX, but other political terms are absent from the translated books and appear only in the Apocrypha. Such are: εὐημερία, εὐνοια, ἐπιβουλή, πρεσβευτής, στρατιῶται, σύμμαχοι, συμμαχία, ὑπαρχοι.

¹⁶ The only Hellenistic feature of the morphology is the future ἀφελούμεν (17) from ἀφαιρέω (classical: ἀφαιρούμεν). The oldest instance quoted in lexicons comes from the Attic dramatist, Timostrates, about 190 B.C. (cf. A. Körte, *RE.* s.v.). But the form already appears in the LXX Pentateuch (Num. 15.14, etc.).

¹⁷ It is noteworthy that the articular infinitive which is a common feature of the Koine does not occur in the Oath. The following prepositions occur in the passage: ἀνευ (Gen.), εἰς (Acc.), ἐν (Dat.), ἐναντίον (Gen.), ἐπὶ (Gen. Dat.), κατὰ (Acc.), μετὰ (Gen.), περί (Gen.), πρὸς (Acc.), ὑπέρ (Gen.), ὑπό (Gen.), χωρὶς (Gen.). Πρὸς occurs ten times in a total of twenty-seven instances of the use of prepositions.

¹⁸ Genitive absolute ποιησάντων δὲ τῶν θεῶν (12). In the LXX the construction is often used to express the Hebrew circumstantial clause. See J. Sterenberg, *The Use of Conditional Sentences in the Alexandrian Version of the Pentateuch* (Diss. Munich, 1908) 4.

¹⁹ Present subjunctive with ἐάν and future indicative in apodosis (12, 15, 16, 17); aorist subjunctive to denote a prospective action (10); pres. subj. in relative conditional clauses (4, 6, 7, 15); and aor. subj. (11 bis) when the action precedes that of the apodosis. For Polybius' use cf. S. Brief, *Die Conjunctionen bei Polybius* (Progr. Wien, 1893). In the LXX the subjunctive in conditional sentences represents almost invariably the Hebrew imperfect (Sterenberg, *loc. cit.* 15), but the distinction between the present and aorist in Greek is blurred by the Alexandrian translators. See Sterenberg 51. Cf. K. Huber, *Untersuch. über . . . griech. Leviticus* (Diss. Basel, 1916) 75. The reading of the Cod. Urb.: ὃ ἂν δοκεῖ (4) is corrected by Reiske (ὃ ἂν δοκῇ). As a matter of fact, ἂν with present indicative does not yet occur in the Hellenistic period. Cf. J. H. Moulton, *Grammar of New Testament Greek* 1 (Edinburgh, 1906) 186, note 1.

²⁰ Cf. Thackeray 47.

To render a Punic text in Greek, the translator had to abandon many syntactic constructions of the original. Thus he separates elements which are inseparable in Phoenician—an article from its noun, and a noun in the construct state from its following genitive.²¹

But in many instances he was helped by the fact that many Greek constructions happen to coincide with Punic idiom, e.g., the use (but not the absence) of the article,²² or the singular verb placed before a compound subject. Also, when Hannibal takes his oath “in the presence of all the gods campaigning with him”²³ he utters a Phoenician formula, but exactly in the same manner the Greeks made solemn statements “in the presence of,” that is, facing, divine images of their own gods.^{23a}

Furthermore, since Hellenistic syntax moved toward an analytic expression of thought, it sometimes resembled Semitic in construction. Such phenomena in the Oath as the periphrastic use of the

²¹ E.g.: τοῖς πρὸς Καρχηδονίους πολέμοις (8).

²² As the nature and use of the Phoenician article are doubtful (cf. C. C. Torrey, *JAOS* 45 [1925] 75; H. L. Ginsberg, *JBL* 56 [1937] 141), I give here a classified list of the instances in the Oath. (a) With predicate substantive after a proper noun, as Ἀντίβας ὁ στρατηγός (1, 4, 5, 7). The usage is Greek as well as Punic (e.g., Cooke, 42.2). (b) With abstract nouns, as ἡ φιλία (6, 12). For Punic cf. Plaut. *Poen.* 937; “the friendship” (*aelichol*). (c) With delimited concepts as πρὸς τὸν πόλεμον ὅς (10, 12, 15). For Punic cf. Cooke 33.4: “the men who.” (d) With classes of persons, like οἱ σύμμαχοι (2, 5, 7, 10, 11, 12). For Punic, e.g., “the scribes” (J.-B. Chabot, *JA*, series 11, vol. 10 [1917] 54). Both languages omit the article with the undefined noun, as ἐναντίον πάντων θεῶν ὅσοι (2, 3). For Greek cf., e.g., Michel 1316.2; 1317.6, etc. For Punic cf. Plaut. *Poen.* 930. (e) With the demonstrative, as τοῦδε τοῦ ὅρκου (3, 4, 5, 6, 7, 12, 17). For Punic cf. Cooke 27.3; Plaut. *Poen.* 944. In *Corp. Inscr. Semitic.* 1.89, “this statue” is rendered in Cyprian by τὸν ἄ <ν>δριά <ν>τα τό <ν>δε. (f) The article with a participle to designate a class, as οἱ στρατευόμενοι (2, 7, 8, 9, etc.). For Punic, cf., e.g., “the builders” (ptcp.), cf. Cooke, 52; J. B. Chabot, *JA*, series 11, vol. 11 (1918) 264g with prepositional clauses as οἱ μετ’ αὐτοῦ (1, 3, 4, 5, 6, 7). These serve to render various Semitic constructions. Cf. Johannessohn, 366.

²³ See instances in 1, 2, 4, 6. For the rule of collocation in Greek cf. H. Meltzer, *JAW* 159 (1912) 282. For Punic cf. Clermont-Ganneau, *Recueil d’archéol. orient.* 6 (Paris, 1912) 34.

^{23a} For the Phoenician formula see two newly discovered texts; an inscription from Lapethos (Cyprus) (A. M. Honeyman, *Le Muséon* 51 [1938] 290): “in the presence (*’l pen*) of my lord Melkart,” and a new fragment of Yehawmlk’s inscription (Cooke 3) (M. Dunand, *Bullet. du Musée de Beyrouth* 5 [1939] 74): “in the presence (*’l pen*) of all (the) gods of Byblos.” For the use of ἐναντίον in the forensic sense in Greek cf. A. C. Johnson, *The Style of Isaëus* (Diss. Johns Hopkins, 1909) 6; Mayser 2.2.529. Cf., e.g., *SIG* 1208: ἀφιετι . . . ἐναντία τῷ Ἀσκληπιῷ. The formula *’l pen* seems to have in Phoenician the meaning “to.” See N. Aimé-Giron, *Bullet. de l’Inst. Franç. d’Archéol. Orient.* 38 (1939) 12.

participle,²⁴ repetition of prepositions with every noun in the sentence,²⁵ or reversion to the direct discourse from the indirect,²⁶ may come as easily from the Punic substratum as from Hellenistic usage. Likewise, when the Oath presents inconsistency in the use of the article²⁷ or deviations from the classical rules of concord in gender, these blunders may be due to Punic influence, but may also be Hellenistic solecisms.²⁸

Again, in reproducing faithfully a Punic construction, the Oath may sometimes agree with the special usage of Greek chancelleries. For example, the absence of the article before proper names in the Oath conforms to Semitic syntax,²⁹ but the same rule was followed in Greek by Hellenistic secretaries,³⁰ though literary writers of the

²⁴ The present passive of the participle is used with the copula in the Oath as a periphrasis for the future (7) or for the infinitive (5). Cf. Mayser 2.1.223; 2.3.15; H. Widman, *Beitr. zur Sprache des Epicurus* (Stuttgart, 1935) 185. The construction, known in Hebrew, has not been found until now in Phoenician inscriptions.

²⁵ See instances in 2. For Polybius cf. Krebs 10; for papyri cf. Mayser 2.2.515. The LXX avoids this feature (Johannessohn, 344).

²⁶ For Punic cf. Plaut. *Poen.* 935 with commentary by L. H. Gray, *AJSL* 39 (1922-3) 74. On the Greek original of Plautus cf. now H. Lucas, *RhM* 88 (1939) 189. For the Koine cf. Mayser 2.3.112; Kaelker 256.

²⁷ See τοὺς στρατιώτας καὶ τοὺς συμμάχους (5) and συμμάχων καὶ στρατιωτῶν (7). For the Koine cf. Mayser 2.2.3; F. Hiller von Gaertringen, *Inschriften von Priene* (Berlin, 1906), p. 288 s.v. ὁ, etc.

²⁸ I add some minor observations on the syntax of the Oath. The author observes the rule that a neuter plural takes a singular verb (ὅσα ἐστὶν [7]), a rule still followed in Hellenistic documents (e.g., Welles 3.27, 65.10; Mayser 2.3.28, and for LXX, cf., e.g., Gen. 8.1, 8.12). But while sometimes (5, 6) the attributive agrees in gender with the part of the compound subject which stands nearest (πόλεις καὶ ἔθνη . . . ὑπήκοα [5]), in other instances it agrees with the prevailing gender (πόλεις καὶ ἔθνη πρὸς ἃς . . . [6, 9]). The author employs μετὰ with genitive (8) to replace the classical dative. The usage is Hellenistic: Krebs 59; Mayser 2.2.358; Johannessohn 209. πρὸς is only used with accusative; cf. Krebs 113; Meecham 141; Welles, p. lxxvi. The LXX distinguishes between πρὸς τινα and εἰς τι; cf. B. J. Ricardo, *De praeposit. παρά* (Diss. Amsterdam, 1917) 18. The author seems to know the same rule (πολεμῆν πρὸς τινα [8] and βοηθεῖν εἰς τὸν πόλεμον [15]). εἶναι πρὸς τι (10) is Hellenistic, in the final sense; cf. Mayser 2.2.501. So, too, is ἐπὶ replacing the dative of advantage (8); cf. Krebs 88; Johannessohn 313.

²⁹ Appositive geographical names take the article. See Δημητρίῳ τῷ Φαρίῳ (14), τῇ Αἰγυπτίῳ (6); but cf. Αἰγυπτίῳ (7). Cf. B. L. Gildersleeve, *Syntax of Classical Greek* 2 (New York, 1911) 231. For Punic cf., e.g., M. Lidzbarski, *Ephemeris für Semit. Epigraphik* 3 (Giessen, 1915) 98 "the Kitonian," etc. The names of gods tend to assume the emphatic article in Greek oaths (Mayser 2.2.39) but the usage is not uniform; see, e.g., Michel 1316.

³⁰ For Attic cf. K. Meisterhans and Ed. Schwyzer, *Grammatik der Attischen Inschriften* (Berlin, 1900) 222. For Hellenistic usage cf. Mayser 2.2.9. See, e.g., the treaty between Miletus and Priene, *SIG* 588. With due regard to epistolary style, royal correspondence largely used the anaphoric article with proper nouns; see, e.g., Welles 65.

same time, like Sosylus, generally used the resumptive article with proper names. Another seemingly Semitic feature is the noun standing absolutely at the beginning of the sentence and resumed by a pronoun: ³¹ ὄρκος δὲν ἔθετο (1). But as it happens, the Hellenistic chancelleries freely used suspended cases as headings,³² and, accordingly, the quoted beginning of Hannibal's Oath is exactly the same as the initial sentence of the Ptolemaic formula of oath.³³ Even the noticeable lack of conjunctions in the Oath, which seems to reflect the paratactic style of the Semitic original, appears in many Hellenistic documents. The oath sworn between Magnesia and Smyrna in 246 B.C., for example, shows the same deficiency of subordinating connectives and the same wearisome repetition of clauses introduced invariably by καί and δέ.³⁴

Finally, Hannibal's chancellery was able to use for the translation many formulas already fixed in Greek, such as τὸ κοινὸν τῶν Ῥωμαίων (14) (note the use of the article), or τῶν ἄλλων Ἑλλήνων οἱ σύμμαχοι (of Philip V) (7).³⁵ And, of course, the translator merely had to turn back into Greek geographic names such as Λιγυστινή (Liguria), etc.³⁶

On the other hand, some details seem to indicate the application of fixed expressions taken from a dictionary but not always employed with sufficient skill. Sometimes the translator is an Atticist. He knows how to use distributive pronouns (to which nothing directly corresponded in the original),³⁷ and these were often confused even by good Greek writers of his age.³⁸ He preserves exactly the distinction among ὅς, ὅστις, and ὅσος, which is

³¹ S. R. Driver, *The Tenses in Hebrew* (Oxford, 1892) 197.

³² Cf. *REJ* 100 (1935) 7.

³³ ὄρκος δὲν ὤμοσεν. Cf. Mayser 2.2.22; V. V. Latyshev, *Inscr. Ponti Euxini I*² (Petrograd, 1915) 402.

³⁴ *OGIS*, 229; *SIG* 588. For μέν lacking an answering particle cf. Mayser 2.3.129. For the LXX cf. now Al. Wikgren, *Translations of Daniel* (Thesis Chicago, 1932) 8. The following conjunctions are used in the Oath: ἕαν, ἕως ἂν (10), ὡς ἂν (17), καθὼς (15), ὁμοίως (16), ὥστε (12), καί, καί—μηδέ (13), τε—καί (6), ἥ (15, 17), δέ, μηδέποτε (13).

³⁵ Cf. E. Kornemann, *Aeg.* 13 (1933) 646.

³⁶ The form Λιγυστινή occurs in a fragment of Fabius Pictor *ap. Plin. N.H.* 10.71; Plb. 3.41.4, etc. Κελτία (6) is a regular formation from Κελτοί; cf. W. Dittenberger, *H* 41 (1906) 168; 42 (1907) 180. "Italy" (6) is still the southern part of the peninsula. For Polybius (3.54.2, etc.) and even for Cato (*ap. Serv. ad Aen.* 10.13) it reaches the Alps.

³⁷ Cf., e.g., J. H. Moulton and W. F. Howard, *A Grammar of N. T. Greek* 2 (Edinburgh, 1929) 437.

³⁸ See, e.g., for Ps. Aristes, Meecham (see note 3) 107. For papyri cf. Mayser 2.2.92 and 88. The usage in the LXX is often incorrect; see Thackeray 192.

sometimes blurred even by the royal secretaries, and vanishes in Polybius.³⁹ But, like Polybius, he confuses the functions of the demonstratives *οὗτος* and *ὁδε*.⁴⁰ He still uses the Attic forms *ἐφ' ᾧ τε* (13), *μηδέποτε* (13), and *οὕστινας* (6), which had almost disappeared in the Koine,⁴¹ but on the other hand he employs the construction *ὥς ἂν* with the subjunctive (17), which is still rare in papyri of his time;⁴² and he uses the Hellenistic form *καθώς* (15), condemned by purists and avoided by the royal chancelleries.⁴³ Likewise, he lapses into such a feature of common Hellenistic speech as the encroachment of prepositional constructions on the simple cases: he writes, e.g., *ἀποστέλλω τινά πρὸς τινα* (1), a construction which in Hannibal's time was still far from having prevailed over the classical *τινὰ τινι*.⁴⁴

³⁹ *ὅς* (nine times) *ὅσος* (seven times) *ὅστις* (once: 6). Cf. Welles, p. lxx; for papyri cf. Mayser 2.1.16; 2.2.68; for Polybius cf. Kaelker 245. We may add that the author of the Oath uses (like Polybius: Kaelker 377) the form *ὑπὲρ αὐτοῦ* (1) which in Hellenistic texts began to be supplanted by *ἐαυτοῦ* (Mayser 1.2.63). In the royal correspondence the fashionable form replaces the other one from about 160 B.C. See Welles, p. 388 s.v.

⁴⁰ *Οὗτος* (4, 6, 7) *ὁδε* (3). See *ἐν ταύτῃ τῇ χώρῃ* (6). For Polybius cf. Kaelker 277; for papyri cf. Mayser 2.2.78 and 2.1.79.

⁴¹ *μηδέποτε* (13) used by Plato, etc., can no longer be found in Hellenistic texts except in some provincial (dialectal) inscriptions. See, e.g., *IG*. 5.1282.20; 9.1².121. The form is unknown in Egypt. The form *ἐφ' ᾧ τε* with the infinitive is very rare in Attic writers (cf. J. D. Denniston, *The Greek Particle* [Oxford 1934] 529), but was constantly used by the Athenian chancellery (cf. Meisterhans [see note 30] 253). It appears once in Epicurus (cf. H. Widman [see note 24] 159) and rarely in Hellenistic inscriptions (e.g., Michel 19.37), but is lacking in papyri (Mayser 2.3.156), in royal letters, and in Polybius. The relative *ὅστις* is rarely used after about 300 B.C. except in the nominative and accusative neuter. For other cases the language used the shorter forms, *ὅσων*, etc.; cf. Kallenberger, *RhM* 72 (1917–8) 511. Such is the usage of Polybius and other writers (Kallenberg, *loc. cit.*), of the LXX (Thackeray 192), of papyri (Mayser 1.3.68), of inscriptions of Pergamum (E. Schweizer, *Gramm. Pergam. Inschr.* [Berlin, 1898] 162), of Magnesia (E. Nachmansohn, *Laute . . . der mag-netischen Inschr.* [Uppsala, 1904] 145). Cf., too, W. Croenert, *Memoria Graeca Herculanensis* (Leipzig, 1903) 196. But Attic forms still appear sporadically, e.g.: 2 *Ma*. 5.10 (*ἥστινος*); in Miletus (A. Scherer, *Zur Lautlehre der miletischen Inschr.* [Diss. München, 1934] 34 and 69); Welles 3.103; Plb. 9.14.6 (*ἥστινος*), etc.

⁴² See *ὥς ἂν συμφωνήσωμεν* (12). Cf. F. E. Thompson, *A Syntax of Attic Greek* (London, 1907), 364; Mayser 2.1.274 and 2.3.79. For Polybius cf. K. Amelung, *De Polybii enuntiationis finalibus* (Diss. Halle, 1907) 19.

⁴³ Cf. Mayser 2.2.440; *καθώς* does not occur in Welles. For the LXX, cf. M. Johannessohn, *Der Gebrauch der Kasus . . . in der Septuaginta* (Diss. Berlin, 1910) 81. In Polybius the form is extremely rare: four times in the first five books. Cf. S. Brief, *Die Conjunctionen bei Polybius* (Programm Wien, 1891) 7.

⁴⁴ For *ἀποστέλλω πρὸς τινα* (1) cf., e.g., Welles 1.29. Both constructions, that with the dative and that with the preposition, are still equally represented in the Hibeh Papyri (Mayser 2.2.242). On Polybius' usage cf. F. Hultsch *ASG* 30, 1 (1893)

Finally, since he uses stock formulas of the Carthaginian chancellery, the translator unexpectedly inserts an archaic element between two current constructions. Thus the provisions in the Oath are formulated in the voluntative future (ἐσόμεθα . . . πολέμιοι [9]), as was usual in Greek treaties of the fifth century B.C.⁴⁵—an evident relic of a formula composed by a Greek interpreter for the Punic diplomats in the days of Gelon.

II

But despite all this, Hannibal's Oath produces the impression of a decidedly non-Greek composition. First and foremost, the author uses formulae and locutions which do not occur in legal Greek or even in Greek generally. For instance, the stipulation to refrain from violating peace is expressed in Greek by means of a formula like the following: οὔτε τρόπῳ οὔτε μηχανῇ οὐδέμῃα.⁴⁶ This clause in the Oath is οὐκ ἐπιβουλεύσομεν ἀλλήλοις οὐδὲ λόχῳ χρησόμεθα ἐπ' ἀλλήλοις (8). The poetic word λόχος, "ambush," as well as the verb ἐπιβουλεύω, "plot against," would seem to be appropriate rather to stipulations of allegiance, and we do, in fact, find similar Greek phraseology in such contexts.⁴⁷ Again, the promise to perform the stipulated aid μετὰ προθυμίας καὶ εὐνοίας (8) is expressed in a formula which is usual in honorary decrees, but does not occur in Greek international conventions.⁴⁸ And while a common Hellenistic expression for "international friendship" was φιλία καὶ εὖνοια,⁴⁹

93, 115. Likewise unclassical are such constructions as συντίθημι περὶ τινος (12). Cf. Krebs 105; Mayser 2.2.448. The construction πολέμῳ πρὸς τινα (9) occurs in Attic prose, but it is still avoided by Polybius and other good Hellenistic authors. See F. Krebs, *Zur Rektion der Kasus* (Progr. Regensburg, 1885) 16. Likewise, ποιῆν τινι (12) replacing the accusative occurs in Attic, but does not appear in royal correspondence or in Polybius. Cf. Mayser 2.2.263; F. Hultsch, *loc. cit.*, 141.

⁴⁵ See, e.g., IG 1².51: σύμμαχοι ἐσόμεθα. The same antique formula occurs in the oath of the Pontic king Pharnaces, in 179 B.C. (see note 33; cf. M. Rostovtzeff, *CAH* 9.218): φίλος ἔσομαι . . . βοηθήσω.

⁴⁶ See, e.g., *OGIS* 229.15; *Milet* 3.149; 152; *Plb.* 4.52.6.

⁴⁷ See, e.g., *OGIS* 229.66; 266.26; *SIG* 360; Michel 1317.30; the oath of Pharnaces (see note 45): οὐκ ἐπιβουλεύω Χερσονήσιταίς κατ' οὐδένα τρόπον . . . ἀλλὰ συνδιαφυλάξω τὴν δημοκρατίαν; cf. also the Athenian decree of 196 B.C. (see note 13), line 35.

⁴⁸ See, e.g., *Plb.* 7.11.6; Michel 332.5, etc. Cf. A. Schulte (see note 6) 53; 59. In legal texts there is only the expression μετὰ προθυμίας; cf., e.g., *OGIS* 229.38; 266.31. Likewise the formula ἀνευ δόλου is without parallel, although in genuine Greek we find the adverb ἀδόλως. Cf., e.g., *SIG, Index s.v.* Michel 17.4; 29.21; *SGDI* 4259.3; 5024.6; 5039.16; etc., but the Phoenician lacks adverbs. Hdt. 1.69.2; 8.140.4 quotes as a standing formula of Oriental diplomacy the expression: ἀνευ τε δόλου καὶ ἀπάτης.

⁴⁹ Cf. L. Robert, *RA*, Series 6, vol. 7 (1926) 182, note 5.

in the Oath the formula appears with a non-Greek addition of an attributive: *εὐνοίας καλῆς* (4).⁵⁰

Sometimes we are able to discover a legitimate Punic substratum beneath a formula which is inadmissible in Greek. We may say in Greek: *φίλους καὶ οἰκείους καὶ ἀδελφούς* (4); but while the formula *φίλοι καὶ οἰκεῖοι* stated the friendship existing between the parties,⁵¹ the term *ἀδελφοί* denoted in Greek political language only a relation of kinship between nations.⁵² But the expression was correct in the Punic original because the mention of "brotherhood" was a part of the diplomatic style of the ancient East, from which the Carthaginians derived their formulae.⁵³

Likewise, two other political terms are employed in the Oath in meanings which they do not have in Greek. Hannibal stipulates that the Macedonians must help *κυρίους Καρχηδονίους . . . καὶ τοὺς Καρχηδονίων ὑπάρχους* (5). "Lords Carthaginians" are the citizens *optimo iure*.⁵⁴ But in Greek the attribute *κύριοι* applied to men would be only an expression of politeness—"messieurs"—⁵⁵ and not a political qualification. *Ἵπαρχοι*, on the other hand, can in Greek mean "vice-governors" of, or over, the Carthaginians, while in the Oath the term seems to denote citizens who did not have a share in the sovereign power.⁵⁶ *Κύριοι* slavishly renders a Punic title, such as *adon*.⁵⁷ The mistake in the sense of *ὑπαρχοι* is more difficult to explain. Probably the author was misled by the character of the Greek word *ἀρχή*, which corresponds to both *ἄρχειν* and *ἄρχεσθαι*. On the other hand, the Punic preposition

⁵⁰ *εὐνοια* is absent from the LXX translations (Esth. 2.23 and 6.4 are additions) but answers to Punic *hen*. Cf. Cooke 3, 10 with note.

⁵¹ Cf., e.g., Michel 21.11; *Milet* 1.3.143, 146.

⁵² See, e.g., *SIG* 591.25.

⁵³ Cf. the treaty between Rameses II and the Hittite king *ap.* S. Langdon and A. Gardiner, *JEA* 6 (1920) 200. "Brotherly covenant" between Israel and Tyre: Amos 1.9. Cf. V. Koroseč, *Helhitische Staatsverträge* (Leipzig, 1931) 47 and 61. Carthaginian diplomatic formulas often made use of clauses already known in the ancient East. See, e.g., R. Laqueur, *H* 71 (1936) 469.

⁵⁴ U. Kahrstedt, *NGG* (1923) 99, explained the Greek word as a rendering of the Punic term "Baalim," that is "citizens." But in that case we would expect, as G. L. della Vida has pointed out to me, the form "Lords of Carthage" and not as given in the Oath, "Lords Carthaginians."

⁵⁵ Cf. L. Robert, *RA*, Ser. 6, vol. 7 (1936) 235.

⁵⁶ According to a suggestion of G. L. della Vida. Currently, they are regarded as privileged subjects of Carthage. See, e.g., S. Gsell, *Histoire ancienne de l'Afrique du Nord* 2 (Paris, 1916) 290.

⁵⁷ Cf. W. Baudissin, *Kyrios* 2 (Giessen, 1931) 33; 287; 3.53.

taḥat has a broader meaning than *ὑπό* by which it is here mechanically rendered, since it corresponds to *eius loco* as well as to *sub*.⁵⁸

The formula *σφζόμενοι καὶ φυλαττόμενοι* (7) is hardly good Greek, and in any case it does not belong to Greek diplomatic style.⁵⁹ It does, however, faithfully render a Punic formula, found on some amulets, "preserving and guarding."⁶⁰

You may say in Greek, "Philip the King," as the Oath has it (7), although in the official style the royal title preceded the name;⁶¹ but the formula *Φίλιππος ὁ βασιλεὺς Δημητρίου* (1) is decidedly un-Greek, the patronymic being here separated from the name. On the other hand, that is precisely the order required by Punic, where we find, e.g., such a formula as: "Hilleshabal, the Suffete, Son of Bodtanit."⁶²

Then again, the translator was quite naturally affected by the syntax of the original. Thus, the frequency of relative clauses in the Oath probably reflects the fact that the relative was the predominant connective in Phoenician.⁶³ In Punic the article cannot stand with nouns modified by a genitive or a proper name. This rule accounts for the absence of the article in the translation of some fixed formulae of Punic law, such as *πάντες γερονσιασταὶ Καρχηδονίων* (cf. 1, 4, 5).⁶⁴ Furthermore, two or more coordinate nouns cannot depend in Punic on the same governing word; the latter has to be repeated. Accordingly, the Oath shows a repetition which is wearisome in Greek, e.g., *πάντες γερονσιασταὶ Καρχηδονίων οἱ μετ' αὐτοῦ καὶ πάντες Καρχηδόνιοι στρατευόμενοι μετ' αὐτοῦ* (1).

⁵⁸ G. L. della Vida refers me to a neo-Punic inscription he has published (*Africa Italiana* 6 [1935] 3) where for *tribuniciae potestatis* (of Augustus) is said: *taḥat mašelet 'asar hammšelim*.

⁵⁹ The corresponding Greek formula should be substantival: *ἐπὶ σωτηρίᾳ καὶ φυλακῇ*. Cf., e.g., L. Robert, *BCH* 59 (1935) 493. The passive of *φυλάττω* would rather mean "be kept" and not "be protected." But *σφζειν* is usual with this connotation; see, e.g., *SIG* 434.5.35.

⁶⁰ M. Lidzbarski, *Ephemeris* (see note 29) 1.172: *nšr wšmr*.

⁶¹ On Philip's royal style, now cf. Ch. Edson, *HSPH* 51 (1940) 127.

⁶² Cooke, 42. Cf. M. Lidzbarski, *Handbuch der Nordsemit. Epigraphik* (Weimar, 1898) 136.

⁶³ The relative occurs, e.g., five times in eight lines of a Phoenician inscription from Peiraeus (Cooke 33). Accordingly, we may assume that the sacred formula: *ἐναντίον . . . θεῶν ὅσοι* (3) mirrors a Punic original. Cf. Plaut. *Poen.* 930: "these gods . . . whom I have invoked that are of this place." In good Greek we should rather expect a participial construction; see, e.g., Dem. 18.184; Xen. *Cyr.* 2.1.1; *Inscriptions de Délos* 2308 (now cf. W. F. Albright, *BASOR* 84 [1941] 7). But the relative clause occurs, too, see, e.g., Michel 21 and 1316.

⁶⁴ Reiske and Casaubon accordingly insert the article.

The appositive use of the demonstratives, e.g., *οὗτος*, tends to disappear in the Koine, while their resumptive use (for "he," "it") increases enormously.⁶⁵ But in the Oath these pronouns are never employed with anaphorical force, but only to mark the object emphatically, e.g., *ἐν τοῖς κατ' Ἰταλίαν τόποις τούτοις* (7). This emphatic use of a superfluous demonstrative is surely a Semitism.⁶⁶ It is absent, e.g., from Punic documents turned from Latin into Greek and quoted by Polybius.⁶⁷

The formula providing for potential modification of the agreement (17) conforms to Greek style on the whole,⁶⁸ but the verb remains without the object which is indispensable in the Greek construction (*προστίθῃμί τι πρὸς τι*). The same solecism appears in another Greek rendering of the same formula by a Semite, namely, in 1 Maccabees 8.30. The reason for this incongruity is that the corresponding Semitic verb, *yasaf*, may denote "add something," even when used without an object,⁶⁹ and is accordingly so rendered in Greek by the LXX, e.g., *Deut.* 4.2: *οὐ προσθήσετε πρὸς τὸ ῥῆμα*.

Finally, the word-order gives a non-Greek coloring to the Oath. The sequence, subject-object-verb, which was used in Hellenistic writings in Greek by Jewish authors, e.g., in 11–14 Maccabees,⁷⁰ is almost entirely absent in the Oath, except in relative clauses. A particular Semitic feature is the position of the verb *εἶναι* at the head of sentences, describing the function of the pact, e.g., *ἔσται δὲ καὶ Φίλιππος* (7). The position of the words here follows the order of the Punic so-called "verbal" sentence,⁷¹ while in genuine Greek it would only stress the idea that the subject really exists.

⁶⁵ Mayser 2.2.78.

⁶⁶ Cf. Cooke 26. For the superfluous pronouns in translation Greek cf. R. Marcus, *HTHR* 27 (1934) 230.

⁶⁷ Reiske, of course, suppresses the pronoun. Cf. *τοῦδε τοῦ ὅρκου* (3), *τὸν ὅρκον τοῦτον* (4), *ἐν ταύτῃ τῇ χώρῃ* (6), *πρὸς τόνδε τὸν ὅρκον* (17).

⁶⁸ But in Greek style the clauses are united by *καὶ* (e.g., *SIG* 434–5) while in the Oath they are separated by the particle *ἤ*, which often represents the Hebrew *waw* in the LXX. See M. L. Margolis, *AJSL* 25 (1908–9) 303. It is noteworthy that the particle appears in the same place in some Cretan pacts (*SGDI* 3.5041.6, 5075.45) as well as in Roman treaties turned into Greek (*SIG* 693; *Plb.* 21.43.27).

⁶⁹ Other instances are quoted in Gesenius's *Hebraisches Handwörterbuch*¹⁷ (Leipzig, 1921) s.v.

⁷⁰ Cf. J. Riffe, *JBL* 52 (1933) 285.

⁷¹ Cf. Cooke 42.4 with note.

III

In two passages the text of the oath has been changed by editors of Polybius as being unintelligible. It seems, however, that the Greek is only slavishly reproducing Phoenician constructions.

First: *ἔσεσθε δὲ καὶ ἡμῖν πρὸς τὸν πόλεμον* (10). The phrase *εἶναι πρὸς τι* in the meaning *hoc agere* is well known from Polybius,⁷² but without a predicate *εἶναι τινι* expresses "belonging to." Accordingly, the editors generally accept Schweighaeuser's supplement: *ἔσεσθε δὲ καὶ ἡμῖν <σύμμαχοι>*. In the Punic original of the Oath, however, the verb "to be" with a personal dative (expressed by a preposition) could imply the idea of assistance rendered to the person indicated.⁷³ The LXX often translates the Hebrew expression by means of the dative dependent on *εἶναι*, e.g., *Gen.* 31.42: *εἰ μὴ ὁ θεὸς . . . ἦν μοι*,—"you would have sent me away empty." The translator of the Oath similarly renders a parallel Punic construction.

Secondly: *ποιησάντων δὲ τῶν θεῶν ὑμῖν μὲν καὶ ἡμῖν κατὰ τὸν πόλεμον τὴν πρὸς Ῥωμαίους* (12). The pious reservation *dis voluntibus* appears also in some Greek military agreements of the same epoch,⁷⁴ but grammatically the quoted clause is unintelligible Greek, first, because *ποιεῖν τινι*, used absolutely, is here without qualification. The verb has, however, the emphatic meaning "do good" (*εὖ ποιεῖν*), and is so to be construed, since the corresponding Phoenician verb, *pa'al* (like Hebrew *'āsāh*), even when used absolutely, may signify "do good" (or "ill," according to the context). The LXX often uses *ποιεῖν* without an object in the same Semitic sense.⁷⁵

⁷² Cf. F. Hultsch (see note 44) 358. For *εἶναι* with the dative cf. Krebs 104; Mayser 2.2.269.

⁷³ Cf., e.g., *Ps.* 124.1 and other instances quoted by the commentators *ad loc.* Another passage in the Oath still provokes superfluous conjectures; see, e.g., M. Engers, *Mn* Ser. 3, vol. 6 (1938) 137; *ἐσόμεθα πολέμιοι τοῖς πρὸς Καρχηδονίους πολεμοῦσι* (8). Correctors propose to read, e.g., *ἐσόμεθα <ὕμεις μὲν > πολέμιοι* (Reiske), etc. But in Greek, as well as in Punic, "you and we" could not be spoken of together except in the third person plural. See, e.g., *Gen.* 34.16: "we will give our daughters to you . . . and we will dwell with you and we (*sc.* both Jacob's sons and the Schemites) shall become one people" (LXX: *δώσομεν τὰς θυγατέρας ἡμῶν ὑμῖν . . . καὶ ἐσόμεθα ὡς γένος ἓν*). Likewise, in the Oath, *ἐσόμεθα* signifies "you and we."

⁷⁴ See the treaties between Hierapytna and Priansos (Michel 16.53: *αἱ δὲ τι θεῶν βουλομένων*) and between Hierapytna and Lyttos (SGDI 5041.9: *εἰ δὲ τι κα θεῶν ἰλέων ὄντων λάβωμεν ἀπὸ τῶν πολεμίων*). On the date of this treaty, about 190 B.C., now cf. M. Guarducci, *Inscr. Creticae* 1 (Rome, 1935) 181.

⁷⁵ Cf. S. R. Driver, *Books of Samuel* (Oxford, 1913) *ad* 1 Sam. 14.6 (LXX: *δεῦρο διαβῶμεν . . . εἰ τι ποιῆσαι Κύριος ἡμῖν*). Quoting this passage, Schweighaeuser

What, then, is the meaning of the words *κατὰ τὸν πόλεμον τὴν πρὸς Ῥωμαίους καὶ τοὺς συμμάχους αὐτῶν*? As the parallel clause *πρὸς τὸν πόλεμον ὃς ἐστὶν ἡμῖν πρὸς Ῥωμαίους* (10) shows, the article *τὴν* cannot direct us here to a feminine noun in a preceding sentence, as the editors presume since Schweighaueser.⁷⁶ It rather refers to the idea contained in the antecedent phrase as a whole: "gods being propitious to you and to us," that is, against the Romans and their allies. In this sense (*id est*), Semitic languages use a feminine, since they have no neuter, and the LXX often render the Semitic explanatory particle by a feminine pronoun: *αὕτη, τοιαύτη*, etc.⁷⁷ It seems that a similar phenomenon occurs in the Oath. A Phoenician third person personal pronoun feminine⁷⁸ has been rendered mechanically in Greek as *αὐτήν* (*vel simile*). *τὴν* is here probably a corruption of the original reading which was unintelligible to copyists of Polybius.⁷⁹

IV

Our knowledge of Phoenician is still very imperfect. But the cumulative force of indications pointing to a Punic original of the Oath seems to be sufficient to confirm the hypothesis of translation. The inadequacy of the Greek found in the Oath should not surprise us. Greek is a very difficult language for a foreigner. The author of the exuberant inscription of Antiochus of Commagene uses all the flowers of Greek rhetoric, but fails, being an Aramean, in dealing with the article, which is wanting in his native tongue.⁸⁰ The question is, rather, why Hannibal's chancellery did not correct the uncouth Greek version of the Oath. This failure is not exceptional. The official Greek version of Augustus' *Res Gestae* also

has already recognized this Semitism in the construction of the Oath. For Punic cf. Cooke, 33.3; Plaut. *Poen.* 935. Cf., also, J. A. Montgomery, *JBL* 47 (1928) 196. For the LXX cf. Helbing 3.

⁷⁶ Schweighaueser has conjectured *ἐνήμεριαν ἡμῖν* for the genuine reading *ὕμιν μὲν καὶ ἡμῖν* (12).

⁷⁷ See S. Driver, *op. cit.* (see note 75) *ad* 1 *Sam.* 4.7; F. C. Conybeare and S. G. Stock, *Selections from the Septuagint* (Boston, 1905) 53; J. Viteau, *Étude sur le Grec du Nouveau Testament. Sujet* (Paris, 1896) 242.

⁷⁸ Cf. H. L. Ginsberg, *JBL* 56 (1937) 141.

⁷⁹ *τὴν* is the reading of Cod. Urb.; *τῇ* of some secondary manuscripts. Cf. such variants in the tradition of Polybius as *τὴν αὐτήν* and *τὴν τοιαύτην* (6.9.4) or *τοὺς* and *τούτους* (6.26.6). Polybius often uses the article as a demonstrative and vice versa. See Kaelker 275.

⁸⁰ Cf. J. Waldis, *Sprache . . . der Inschrift vom Nemrud-Dagh* (Diss. Zürich, 1920) 45.

presents many grammatical faults, which could easily have been avoided with the assistance of a Greek reader.⁸¹ But we are even more surprised to find that the same Roman chancellery, which even by the beginning of the second century B.C. knew how to write letters in perfect Greek, still continued a century later to issue really barbarous Greek versions of Roman decrees.⁸² The ancients did not appreciate our modern canon of translation, in accordance with which we attempt to render the meaning and the coloring of the original without adherence to its structure and phraseology. They preferred free adaptations, particularly in dealing with artistic works.⁸³ But in turning a legal text into another language, the ancients required literalness of rendering. Hence came such constructions as *δὸλῳ πονηρῷ* for *dolo malo*,⁸⁴ or Egyptian formulae in official Greek versions of demotic records,⁸⁵ or Semitisms in Hannibal's Oath, where the translator sought to preserve the meaning of a legal clause with all technical exactness. The same was the purpose of the so called "translation Greek" of the Septuagint. The reverence for the words of God impelled the Alexandrian Jews to try to the utmost limit (and even beyond) to adhere to the original. The awkwardness of the Septuagint is as deliberate as are the solecisms of Hannibal's Oath. *Verbum verbo curabis reddere fidus interpres.*

⁸¹ A. P. M. Meuwese, *De rerum gestarum D. Augusti* (Diss. Amsterdam, 1920) 31, 45, 56.

⁸² Cf., e.g., on one hand the Roman letter of 194 B.C. (*SIG* 601) and, on the other hand, the translation of a Roman law (*SEG* 3.378) or of a *senatus consultum* in A. Passerini, *Ath.* 25 (1937) 252.

⁸³ See F. Blatt in *Classica et mediaevalia* I (1938) 217. Cf. W. Schwarz, *JThS* 45 (1944) 73; H. Gerstringer, *WS* 55 (1937) 96.

⁸⁴ Cf. A. Passerini, *Ath.* 23 (1935) 61.

⁸⁵ See, e.g., P. M. Meyer, *Juristische Papyri* (Berlin, 1920), nos. 28, 29. Cf. R. Taubenschlag, *The Law of Greco-Roman Egypt* (New York, 1944) 241.