

ALAN RODGER

*ATTRACTIO INVERSA* IN THE EDICT OF AUGUSTUS FROM EL BIERZO

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The recent paper<sup>1</sup> by Alföldy contains a wide-ranging and informative discussion of an edict of Augustus, dated 14 and 15 February 15 B.C., a copy of which was discovered in 1999 in the El Bierzo region, in the west of the modern Spanish province of León. The bronze is well preserved and, on the basis of a personal inspection, Alföldy gives the following text:

Imp(erator) Caesar Divi fil(ius) Aug(ustus) trib(unicia) pot(estate)  
 VIII{I} et pro co(n)s(ule) dicit:  
 Castellanos Paemeiobrigenses ex  
 gente Susarrorum desciscentibus  
 5 ceteris permansisse in officio cog-  
 novi ex omnibus legatis meis, qui  
 Transdurianae provinciae prae-  
 fuerunt. Itaque eos universos im-  
 munitate perpetua dono; quosq(ue)  
 10 agros et quibus finibus possede-  
 runt Lucio Sestio Quirinale leg(ato)  
 meo eam provinciam optinente{m},  
 eos agros sine controversia possi-  
 dere iubeo.  
 15 Castellanis Paemeiobrigensibus ex  
 gente Susarrorum, quibus ante ea  
 immunitatem omnium rerum dede-  
 ram, eorum loco restituo castellanos  
 Aiiobrigiaecinos ex gente Gigurro-  
 20 rum volente ipsa civitate; eosque  
 castellanos Aiiobrigiaecinos om-  
 ni munere fungi iubeo cum  
 Susarris.  
 Actum Narbone Martio  
 25 XVI et XV K(alendas) Martias M(arco) Druso Li-  
 bone, Lucio Calpurnio Pisone  
 co(n)s(ulibus).

Although it has been referred to as “the edict” of Augustus, the bronze actually contains two edicts, issued on successive days. In broad outline the contents of the two edicts may be summarised in this way. The first edict (lines 1–14) confers a perpetual immunity on the *castellani Paemeiobrigenses ex gente Susarrorum* (lines 1–8) and also says that they are to possess certain land (lines 8–14), in each case as a reward for their loyalty in the period from 26 B.C. when other peoples revolted.<sup>2</sup> The second (lines 15–23) provides that the *Aiiobrigiaecini ex gente Gigurrorum* are to take the place of the *castellani Paemeiobrigenses* and are to perform their public service (*munera*) along with the *Susarri*. In discussing the edict I shall not go into the detail of its provisions or of the background, but proceed on the basis that readers will find the necessary information in Alföldy’s paper.

<sup>1</sup> G. Alföldy, Das neue Edikt des Augustus aus El Bierzo in Hispanien, ZPE 131, 2000, 177–205 (“Alföldy”).

<sup>2</sup> Alföldy, 184 and 186.

The purpose of this short article is to explain an aspect of the grammar of lines 15–20 in the second edict which has, up to now, puzzled scholars and led to difficulties of translation and interpretation. Since the only published work available to me is Alföldy's, I inevitably concentrate on his account of the problems and on his proposed solution.

López Melero must be right when she says<sup>3</sup> that in essence, in the opening lines of the second edict, Augustus is concerned to put the *castellani Aiiobrigiaecini ex gente Gigurrorum* into the position in relation to *munera*, as opposed to the geographical area, previously occupied by the *castellani Paemeiobrigenses*, to whom he had given perpetual immunity the day before. That is what the phrase *eorum loco restituo castellanos Aiiobrigiaecinos ex gente Gigurrorum* is intended to convey. What has caused the difficulty is to see how these words relate to the opening words of this edict, which mention the *castellani Paemeiobrigenses* for whom Augustus is substituting the *Aiiobrigiaecini: Castellanis Paemeiobrigensibus ex gente Susarrorum*.

While Alföldy accepts that the construction *eorum loco restituo castellanos Aiiobrigiaecinos* lies at the heart of lines 15–20, he also says that, when considering the provision, we must start from a point which he describes as “obvious” (“evident”): that the link between the predicate *restituo*, the dative *castellanis Paemeiobrigensibus* and the accusative *castellanos Aiiobrigiaecinos* corresponds to the common grammatical construction *restituere alicui aliquid*.<sup>4</sup> He points out, however, that the person or thing, for whom or for which the substitution is to be made, never appears in the dative in the other Latin texts which have come down to us. Therefore, for Alföldy, the edict contains a unique (double) construction and one for which he proceeds to provide an explanation. The explanation is said to be that Augustus is not merely putting the *castellani Aiiobrigiaecini* into the place of the *castellani Paemeiobrigenses* (*eorum loco restituo*) but he is simultaneously (*Castellanis Paemeiobrigensibus . . . restituo castellanos Aiiobrigiaecinos*) restoring a relationship which had previously existed between the two groups. “[Z]ugleich eine Bindung der zuerst genannten Gemeinde an die nun privilegierte Kommune widerhergestellt wird: ‘Den *Paemeiobrigenses* ordne ich an ihrer Stelle die *Aiiobrigiaecini* wieder zu.’”<sup>5</sup> He goes on to suggest that we should therefore assume that the *Aiiobrigiaecini* had earlier been in some relationship of dependency on the *Paemeiobrigenses* and that this relationship had been lost when the *Aiiobrigiaecini* had rebelled and the *Paemeiobrigenses* had remained loyal to Rome.<sup>6</sup>

Alföldy's translation and the historical deduction which he bases on it both proceed on a misunderstanding of the grammatical structure of these lines. He takes it as evident that the dative *castellanis Paemeiobrigensibus* is somehow to be explained by reference to the construction *restituere alicui aliquid*. That is incorrect. As I have already noted, the core structure of the opening lines of the second edict is found in the words *eorum loco restituo castellanos Aiiobrigiaecinos*. In that structure, a dative *castellanis Paemeiobrigensibus* would have no place whatever and we should not invent a unique construction to try to accommodate it.

The structure and meaning of the whole passage become clear the moment that it is realised that the text contains a, superb, example of inverted attraction, *attractio inversa*.<sup>7</sup> That is to say, the words *castellanis Paemeiobrigensibus* are indeed in the dative, as Alföldy supposes, but this is not because of any link between these words and *loco restituo castellanos Aiiobrigiaecinos* in the principal clause but because of their link with the pronoun *quibus* (dative) in the intervening relative clause, *quibus ante ea*

<sup>3</sup> In a forthcoming article, *Restitutio y contributio* en las disposiciones augústeas de la tábula de El Bierzo, which is due to be published in ZPE. I have not seen the article and rely on the account given by Alföldy, who had. See Alföldy, 177 n. 4 and 199–200.

<sup>4</sup> Alföldy, 200.

<sup>5</sup> Alföldy, 200. “A los *castellani Paemeiobrigenses* . . . en su lugar asocio de nuevo a los *castellani Aiiobrigiaecini*” in the Spanish translation given at 181 n. 10.

<sup>6</sup> Alföldy, 200. See also 188.

<sup>7</sup> Kühner–Stegmann, *Ausführliche Grammatik der lateinischen Sprache*<sup>3</sup> II, 289–290 (§ 193.11); Leumann–Hofmann–Szantyr, *Lateinische Grammatik* II, 567–568 (§ 306).

*immunitatem omnium rerum dederam*. The noun *castellanis Paemeiobrigensibus* is the antecedent of *quibus* which is itself, of course, in the dative because of the construction *quibus . . . immunitatem . . . dederam* in the relative clause. The antecedent noun (*castellanis Paemeiobrigensibus*) has simply been attracted into the dative by the following relative pronoun (*quibus*).

The provision should therefore be treated as if it read: *loco castellanorum Paemeiobrigensium ex gente Susarorum, quibus ante ea immunitatem omnium rerum dederam, restituo castellanos Aiiobrigiacinos ex gente Gigurrorum volente ipsa civitate*. The translation is “At the wish of the *civitas* itself, I put the Aiiobrigiacin fortress-dwellers, from the gens of the Gigurri, in the place of the Paemeiobrigensian fortress-dwellers from the *gens* of the Susarri, to whom I had previously given immunity from all burdens.” On that basis *restituo* is indeed to be treated as meaning that a substitute (the *castellani Aiiobrigiacini*) is put in the place of something (the *castellani Paemeiobrigenses*) which was previously there but has in the meantime disappeared (by reason of the grant of *immunitas perpetua*).<sup>8</sup> In this connexion Alföldy refers to material about the meaning of *restituo* gathered by López Melero for her forthcoming article, which I have not seen. For my purposes I have been content to rely on the passages cited by the Oxford Latin Dictionary for the meaning “to erect in place of something else”.<sup>9</sup>

The presence of this *attractio inversa* in the edict is another internal indication – if such be needed<sup>10</sup> – that the edict is genuine. It would have taken a very ingenious forger indeed to come up with this linguistic speciality.

Be that as it may, the structure of the inverse attraction in the edict is similar to the structure which is found in many other examples.<sup>11</sup> The principal clause (beginning with *Castellanis* in line 15 and ending with *civitate* in line 20) is interrupted by a relative clause (*quibus . . . dederam*, lines 16–18). When the principal clause resumes after the relative clause, it begins with the demonstrative pronoun *eorum* (line 18), which refers back to the antecedent *Castellanis Paemeiobrigensibus*. The same basic pattern is found, for instance, in Cato, *de agricultura* 51. Cato advises the farmer to press into the ground the shoots which spring up from the earth around a tree: *ab arbore abs terra pulli qui nascentur, eos in terram deprimito* (*de agricultura* 51). The principal clause is interrupted by a relative clause (*qui nascentur*) and resumes with the demonstrative pronoun *eos*. That pronoun refers back to the antecedent *pulli* which is attracted by *qui*. Similarly, in the *Mostellaria* of Plautus, when Philematium asks her servant Scapha to bring a mirror so that she can dress to meet her lover, Philolaches, Scapha comments that she does not need a mirror: mirrors are for women who neglect themselves and their appearance, *mulier quae se suamque aetatem spernit, speculo ei usus est* (line 250). Here the principal clause (*mulier . . . speculo ei usus est*) is interrupted by a relative clause (*quae . . . spernit*) and, when it resumes, the second word is the demonstrative pronoun *ei*. That pronoun refers back to the antecedent *mulier* which is attracted by *quae*. Moreover, attraction tends to occur when the qualification in the relative clause is important. In the edict, of course, the information contained in the relative clause is indeed important, since it refers back to the grant to the *castellani Paemeiobrigenses* of perpetual immunity from service – which is what has prompted the need for this second edict.

Two aspects of the *attractio inversa* in the edict of Augustus are somewhat unusual, however.<sup>12</sup> First, the noun which is attracted would usually have been in the nominative or accusative. Here, by contrast, the noun would have been in the genitive (*castellanorum Paemeiobrigensium . . . loco*). But examples of this kind are found.<sup>13</sup> For instance, again in the *Mostellaria* (1046), Tranio tells the audience that, when his master ordered him to go to the country to fetch his son, he went instead to the

<sup>8</sup> Cf. Alföldy, 200.

<sup>9</sup> s.v. *restituo* 1b.

<sup>10</sup> See Alföldy, 178–179.

<sup>11</sup> See, for instance, the discussion in Leumann–Hofmann–Szantyr II, 567–568.

<sup>12</sup> Kühner–Stegmann II, 289–290.

<sup>13</sup> See also the *Lex Agraria* line 15 discussed below in the text accompanying note 14.

house where various characters were locked up and *ostium quod in angiportost horti, patefeci foris* – he opened the leaves of the garden door giving on to the alley and released the people inside. The noun *ostium* is attracted into the nominative by *quod* in the relative clause, when otherwise it would be in the genitive (*ostii foris patefeci*). In this instance no pronoun is used to clarify the position. The second respect in which the edict is unusual is that the antecedent noun is attracted into the dative rather than, as is again more common, into the nominative or accusative. But, though uncommon, attraction into the dative does occur. In Plautus, *Truculentus* 745, for instance, Astaphium comments that those who envy are poor, while those who are envied are rich: *qui invident egent; illis quibus invidetur, i rem habent*. The pronoun *illis* has been attracted into the dative by the immediately following dative relative pronoun *quibus*. In this case the position is clarified by the use of the demonstrative pronoun *i*.

*Attractio inversa* is not found in classical prose and is a feature of everyday colloquial speech. Hence, as the examples which I have cited suggest, it occurs most commonly in Plautus, Terence and Cato. But, even if the construction was found in everyday language, it was also used in solemn utterances – most famously, of course, in the declaration of Queen Dido to Aeneas and the other shipwrecked Trojans: *urbem quam statuo vestra est* (Virgil, *Aeneid* 1, 573). It is not surprising therefore that we find examples of the construction in older statutes. The text of the *Lex Agraria* of 133 B.C. is defective but in line 15 it provides: *ager publicus populi Romanei, quei in Italia P. Mucio L. Calpurnio co(n)s(ulibus) fuit, eius agri Illuir a(gris) d(andis) a(dsignandis) . . .*<sup>14</sup> In this case the antecedent noun *ager publicus* is attracted into the nominative by the pronoun *quei*, but the draftsman picks it up again, later in the clause, with the genitive *eius agri*.<sup>15</sup> The *Lex parieti faciundo Puteolana* II, 15 (105 B.C.)<sup>16</sup> provides that the builder is to make the wall, which is to serve as the outside wall, and the retaining wall, taken together, ten feet high: *eisdem maceria extrema paries qui est, eum parietem cum margine altum facito p(edes) X*. The noun *paries* is attracted into the nominative by *qui*, but the draftsman picks it up with *eum parietem* in the principal clause. The edict from El Bierzo is now evidence that *attractio inversa* did not die out after this but continued to be used, ninety years later, in the formal language of a document having legal force.

The emperors used their personal seals to seal edicts and the wording of these documents was regarded as a guide to the emperor's personal level of culture. So this edict may well preserve the hallmarks of the Latin used by Augustus himself.<sup>17</sup> In any event, we should not explain the persistence of the *attractio inversa* in legal documents simply on the basis that draftsmen tended to use well-trying forms, with the result that their language could preserve archaisms. It is, rather, a characteristic of the drafting of legal documents, both ancient and modern, that the author often requires to frame the language of some operative provision as aptly and precisely as possible but also needs to include a lot of relevant information. This example suggests that, when the person drafting such a document wanted to produce a particular effect or emphasis, by beginning the sentence with the noun,<sup>18</sup> but also wanted to insert an important qualification, *attractio inversa* could be useful in framing a relatively concise but clear text.

Here the draftsman puts the *castellani Paemeiobrigenses* at the start of the second edict, just in the same way as he puts them (in the accusative) at the start of the first edict. In each case the draftsman's intention was, presumably, to give prominence to the group who had remained loyal to the Romans during the revolt and who were being rewarded for that loyalty by the first edict, to which the second edict was a necessary adjunct. So we find certain parallels between the two edicts. In the first edict,

<sup>14</sup> Roman Statutes (M. Crawford ed.) Vol. 1, 114.

<sup>15</sup> Due to the state of the text, the reason for *eius agri* being in the genitive is not clear. See, for instance, Roman Statutes Vol. 1, 163, suggesting that *quod* may have been omitted by the engraver.

<sup>16</sup> FIRA III, no. 153 (= CIL I<sup>2</sup> 698).

<sup>17</sup> F. Millar, *The Emperor in the Roman World*, 207, 253–254, 258–259; Alföldy, 189–192.

<sup>18</sup> Cf. Leumann–Hofmann–Szantyr II, 568.

Augustus devotes a whole sentence to explaining what the *castellani Paemeiobrigenses* had done to deserve special treatment (lines 1–8). Only after that comes the operative part in which he puts that special treatment into effect (lines 8–14). In this part the *castellani Paemeiobrigenses* are referred to as *eos*. In the second edict, as we have seen, the draftsman devotes only a relative clause – rather than a whole sentence – to explaining why a substitute has to be found for the *castellani Paemeiobrigenses* (lines 16–18). After that comes the operative part, in which Augustus makes the substitution (lines 18–20). In this part the *castellani Paemeiobrigenses* are again referred to as *eos*.

If the draftsman had not used *attractio inversa* but had none the less wanted to begin the second edict with words referring to the *castellani Paemeiobrigenses*, he would presumably have had to say something like: *Castellanorum Paemeiobrigensium ex gente Susarorum, quibus ante ea immunitatem omnium rerum dederam, loco restituo castellos Aiiobrigiacinos . . .* It is hard to find any earlier place for *loco* in a provision drafted in that way, but the distance between *Castellanorum Paemeiobrigensium* and *loco*, with the intervening relative clause, would make the sentence awkward, to say the least. In fact, however, by using *attractio inversa*, with a demonstrative pronoun to pick up the antecedent in the principal clause, Augustus or his secretary has produced a text which, in this respect at least, achieves the ultimate ideal of being both clear and elegant.