

A Landmark Crime of Poisoning

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ABSTRACT

The account of Germanicus' death plays out in Roman history as a true detective story. The affair contains more than one mysterious aspect and only through the words of the historians who have handed down the story is it possible to propose an interpretation of what happened. The paper proposes a critical, textual medical and legal analysis of the ancient sources aimed at formulating a contextualized hypothesis on poisoning as the most likely cause of Germanicus' sudden death, thus eliminating him from succession to the Roman Empire and paving the way for Caligula. Julius Caesar Germanicus died on Oct. 10th 19 C.E., in *Epidaphne* near Antioch of Syria, under mysterious circumstances, at the age of 33, during the Principate of Tiberius. He himself invoked poisoning. The results of the analysis supported the venom hypothesis, which is basically recognized and endorsed by all the four quoted authors. In conclusion, the hypothesis that Germanicus fell victim to a criminal plot that used the crime of poisoning to exclude him from the succession looks to be textually supported.

Keywords: Law, Crime, Murder, Forensic Medicine; Forensics; Latin language, Germanicus, Poisoning, Roman law, History, Roman society.

"His life was taken away by the poison" (Jos. Fl. The Jew. Ant., XVIII, 54)

INTRODUCTION

The sources of ancient forensic medicine and the history of medicine hand down that the Romans learned from the Eastern peoples and the Etruscans the knowledge of poison, which was especially extended by the Greeks who came to Rome to practice medicine. Among them, *Dioscurides* [1], a physician to the Roman *militia* at the time of *Nero*, collected, in a vast work on *materia medica*, the notions of medicines and poisons of the time, also indicating counterpoisons. Shortly afterwards, Pliny the Elder, in his *Historia Naturalis* [2], described a thousand plants for therapeutic and toxicological use. In Imperial Rome, poisons were widely used for criminal purposes: tradition has it that the poisoner *Locusta*, who was used by *Agrippina* to poison *Claudius*, and *Nero* to poison *Britannicus*, and others had a poison laboratory in the same palace. Jewish, Greek and Roman laws repeatedly attempted to restrain the criminal use of poisons, introducing severe sanctions - even then, the use of poison constituted an aggravating circumstance to the criminal intent - and necropsy practices aimed at revealing the causes of death. However, the impossibility of proving, with proven certainty, poisoning, most often ensured the impunity of the culprits [3] and encouraged the use of poisoning as a criminal modality.

The matter discussed in this article concerns the death of *Germanicus*, who was expected to succeed to the principality of Rome: as the first in the line of succession of the Julian family, he was the designated heir to the throne of emperor. The events took place at *Epidaphne*, near Antioch, in mysterious and forensically controversial circumstances. It was October 10th in the year 19 CE. *Germanicus* was 33 years old and, again according to sources, before his death he confided to his wife *Agrippina* his suspicion that he had been poisoned by *Gnaeus Calpurnius Piso*, then governor of the province of Syria, supporting with facts and circumstances the reasons for the accusation. The cause of *Germanicus*' unexpected and premature death is counted among the possible misdeeds that influenced history. After the death of the designated heir, fierce dynastic quarrels followed, until the title was awarded, again in hereditary line, to *Gaius Julius Caesar Augustus Germanicus*, who would later be known as *Caligula*.

This contribution adds to the debate and provides, through a textual and medico-legal rereading, a historically contextualized interpretation of the event. It answers the question '*what was the cause of death of Germanicus?*' by also interpreting, from a medico-legal point of view, the sources that report the event, in Latin and Greek.

THE HISTORICAL BACKGROUND

The death of *Germanicus* marked a crucial step in the dynastic history of the Julio-Claudian family and, consequently, in the government of the Empire; it certainly influenced subsequent developments in the history of ancient Rome. The chronicles of historians, ancient and modern, describe all the characters who animated the event - *Tiberius*, his mother *Agrippina*, *Drusus Minor* and, finally, *Caligula* - in a climate of controversy and power struggles. The aspects of this complex plot are immediately apparent: (a) the contrast between the ambitions of conquest - exploded in *Germania* - between *Drusus Minor* and *Germanicus*; (b) *Agrippina*'s desire to keep the succession within her family; (c) the political-military over-power of the praetorian prefect *Aelius Sejanus*; (d) the (growing) difficulty encountered by the emperor *Tiberius* in governing, in the absence of any real legitimation of power, a rapidly expanding empire surrounded by palace intrigues and struggles for dominance. The historical framework lent itself to historiographical idealization or slander, resulting in the mythmaking or defamation of its protagonists. Slanders, fears, ambitions and hypocrisy, with respect to traditions that were more formal than substantial, such as the *Libertas republicana*, animated conspiracies and intrigues, generating heroes, such as *Germanicus*, or branding them with infamy, as happened to the emperor *Tiberius* himself.

Besides the families, the court, the aristocracy, the senate and the people each played their own remarkable, albeit mutable, role. *Tiberius* first and long honored *Germanicus*: he granted him triumph for the Rhine campaigns, elevating him to the glory of Rome. A valuable *cameo* (Fig. 1), now housed in Paris, celebrates him, underlining his place in the Julio-Claudian dynasty, destined, by divine will, to rule the world; whether the necklace reflected piousness or sincere admiration is unknown.



Fig. 1: The Great Cameo of France. It is a precious onyx dated around 20 CE, and kept in the *Cabinet des médailles*, Paris. In the upper part of the cameo one can see *Drusus the younger*, the son of *Tiberius*, who died in 23 and, in front of him, riding Pegasus, led by *Cupid*, is *Germanicus*¹, portrayed in profile and girded with laurel.

Tiberius, however, not yet two years later, sent Germanicus to the East, with the post of plenipotentiary consul and a mandate to resolve yet another crisis with the Parthians, which had escalated after the deposition of the king of *Armenia*, *Vonon I*. *Germanicus*, in order to pacify the turbulence and instability of this territory, the object of continuous claims by the Parthians, resorted to diplomatic *manoeuvres*: having deposed and sent into exile the previous sovereign, *Vonon I*, he accepted a request from the Parthian king *Artabanus II*, on condition of his renouncing his claims on *Armenia*, entrusting the government to *Zeno*, king of *Pontus*. *Zeno* was therefore crowned by *Tiberius* in 18 CE, took the name *Artaxias III* and reigned for sixteen years. It cannot be ruled out that this complex affair also influenced the events that followed, but to go into this one would be forced to reason in historical hypotheses. What follows, therefore, is the reconstruction of the facts based on historiographical sources, recent or otherwise, which appear to agree.

THE IMPERIAL ASSIGNMENT

Julius Caesar Germanicus received, at birth, the names *Nero Caesar Germanicus*, from *Drusus major*, son of the empress *Livia Drusilla*, and *Antonia minor*, niece of Octavian Augustus. The cognomen *Germanicus* was given to him, and to his descendants, by decree of the Senate, because of the military successes of his father, commander of the legions in *Germania* from 12 to 9 BCE *Germanicus* is, therefore, esteemed and honored in Rome, when the Emperor *Tiberius* sends him, unexpectedly, to the eastern provinces. He is awarded the *imperium proconsolare maius*, and given the mandate to resolve the numerous disputes that plagued the turbulent territories, and to reorganize them in a way that conformed to Rome's interests, avoiding open conflicts. *Germanicus* undertakes to fulfil the mandate received and, in the process, quarrels arise with the governor of Antioch, in Syria, *Piso* (*Gnaeus Calpurnius Piso*); the appointment of

¹ A full description of the cameo can be found in: Babelon, Ernest. *Catalogue des Camées antiques et modernes de la Bibliothèque Nationale*. Paris: E. Leroux, 1897, cat. N. 264.

the latter is also of imperial authority and perhaps arises, as *Cassius Dion* hypothesizes, from the desire that *Tiberius* had to achieve a dual and crusading control among his legates [4].

The *tournee* to Egypt

Germanicus, at the same time, undertook a kind of cultural journey to Egypt; whether this was still in pursuit of the good purpose of the mission or out of his own temperament remains a matter of conjecture, but this expedition introduces further elements into the complex story.

To begin with, *Germanicus*, by entering Egypt, acted outside his mandate and went, officially, into territories that were not organised as provinces but were directly subject to the emperor. Moreover, there are no known records of the relationships or interests he may have intercepted, considering that the route unfolded through routes and locations that were strategic for the empire's trade and politics: the so-called Silk Road and the caravan routes from the remotest regions of Asia and Africa converged, as Miller [5] writes, precisely on Antioch, the veritable capital of spices and the place of exchange and shipment of every precious material, as well as the seat of herbalists, magicians, healers and all sorts of other expert connoisseurs and artisans of suggestion and officinal practices [6]. A geographical and cultural context where any pseudo-pharmacological experience would have been possible for an illustrious, curious and inexperienced traveler such as *Germanicus*; nor can the possibility of exposure to unknown infections, environments, circumstances and foods be excluded.

Conflict with *Piso*

On his return to Antioch, *Germanicus* learns to his disappointment that all the provisions and orders he had given had been cancelled or disregarded by *Piso*. A bitter dispute arises between *Germanicus* and *Piso*, about which it is *Piso* who complains to the emperor *Tiberius*. In a grim atmosphere of suspicion and resentment, *Germanicus* is seized by a sudden illness: he and his wife suspect poisoning by the hostile *Piso*.

Historians' accounts describe the last days of *Germanicus*' life in a horrific atmosphere worthy of Gothic fiction. Within the walls of the house inhabited by *Germanicus*, human remains are found, lead tablets engraved with spells of evil addressed to the name of *Germanicus*, the characteristic *tabellae defixionis*, where, by writing the name of the victim, he was consigned to the gods of the underworld. *Tacitus* writes [7;8]: "*saevam vim morbi augebat persuasio veneni a Pisone accepti; et reperiiebantur solo ac parietibus erutae humanorum corporum reliquiae, carmina et devotiones et nomen Germanici plumbeis tabulis insculptum, semusti cineres ac tabo obliti aliaque malefica quis creditur animas numinibus infernis sacrari. simul missi a Pisone incusabantur ut valetudinis adversa rimantes.*" (*Tac. Ann.* II, 69). In the reports of *Tacitus* and *Cassius Dio* [9] it is also reported how daily *Piso* spied on the course of *Germanicus*' health. He, increasingly distraught and in justifiable apprehension for his own fate, that of his wife *Agrippina* and six children, dictates a very harsh letter, in which he orders *Piso* to leave Syria immediately, dismissing him from all offices. *Piso*, together with his mother *Antonia*, set sail for Rome, but slowly, anticipating an immediate return in the event of his rival's death.

The End

Germanicus feels his strength failing him and senses the imminent end. He has his trusted friends gather around him and, on his deathbed, manages to express his despair, expressly accusing *Piso* of having used the work of a well-known professional poisoner, named *Martina*,

known to his wife *Munatia Plancina*, to eliminate him. *Germanicus* demands that justice be done. Those present, loyal friends, learn from the dying man's words, holding his hand, how he cares more about their safety than revenge. *Germanicus'* last words are addressed to his wife Agrippina: he implores her, for her memory and for her children, to accept with Roman virtue the cruel fate that has befallen them and, in that spirit, to return to Rome, taking care not to offend in any way the susceptibility of the powerful, especially the Emperor *Tiberius*. The doctors' last attempts at rescue were in vain and *Germanicus* expired. Below is the text with which the historian Tacitus reconstructs the last moments, the situation and the reactions with which his contemporaries greeted the news of his death: "*Tum ad uxorem versus per memoriam sui, per communis liberos oravit exueret ferociam, saevienti fortunae summitteret animum, neu regressa in urbem aemulatione potentiae validiores inritaret. haec palam et alia secreto per quae ostendisse credebatur metum ex Tiberio. neque multo post extinguitur, ingenti luctu provinciae et circumiacentium populorum. indoluere exterae nationes regesque: tanta illi comitas in socios, mansuetudo in hostis; visuque et auditu iuxta venerabilis, cum magnitudinem et gravitatem summae fortunae retineret, invidiam et adrogantiam eflugerat.*" (Tac. Ann. II, 72).

For the solemn obsequies, the forum of Antioch is chosen as the place to set up the funeral pyre. *Germanicus'* body, before being prepared and consigned to the flames, is subjected to a *post mortem examination*, as prescribed by Roman law for cases of suspected murderous death. After the funeral, his wife and family leave Antioch with the ashes.

Many awards were decreed in honour of *Germanicus*. Arches were built in whose reliefs and inscriptions his exploits were narrated; it was decreed that his name should be inserted and sung in the *Carmen Saliare* and that his ivory portrait should lead the opening procession of the circus games. A cenotaph was erected in Antioch, at the place where he was cremated, and a memorial monument in *Epidaphne*, where he had expired. His ashes were interred, with all honours, in the *Mausoleum of Augustus*. In the *Circus Flaminius* a statue of *Germanicus*, on a triumphal chariot, was placed in celebration. In the year 20 CE, the Emperor, probably to soothe the rumors and discontent that were swirling in the Senate and the people, as well as with the intention of protecting his dynasty's aspirations to the throne, held a trial in Rome to investigate the death of *Germanicus*. *Piso* was accused of insubordination and was charged with fomenting an uprising to regain the government in Syria. Aware that he could not rely on the support of *Tiberius*, according to sources he ended his life by cutting his throat with a sword. "*...redintegratamque accusationem, infensas patrum voces, adversa et saeva cuncta perpressus, nullo magis exterritus est quam quod Tiberium sine miseratione, sine ira, obstinatum clausumque vidit, ne quo adfectu perrumperetur. relatus domum, tamquam defensionem in posterum meditaretur, pauca conscribit obsignatque et liberto tradit; tum solita curando corpori exequitur. dein multam post noctem, egressa cubiculo uxore, operiri foris iussit; et coepta luce perfosso iugulo, iacente humi gladio, repertus est.*" (Tac. Ann. III, 15). The trial, however, ended without a definitive verdict on the cause of *Germanicus'* death, leaving every hypothesis on the table, and to the conjectures of historians.

THE SOURCES: CONTEXTUALIZATION OF THE AUTHORS AND TEXTS

What was the cause of *Germanicus'* early death? How far and by what method can one go to speculate and answer the question? This trial is theoretical, held millennia later, and relies on evidence from the past.

The reconstruction of the facts is based exclusively on documentary elements, which are used to write a kind of forensic report afterwards. Four classic memoirs concerning the death of Germanicus were subjected to textual analysis and comparison. In the philological analysis, it was necessary to follow criteria of historicising linguistic expression, as the authors of the accounts lived in times after the events, used sources that are no longer available and were influenced by the political and cultural contexts in which they wrote.

The following four releases were analysed and compared:

- a. Caius Suetonius Tranquillus, *De vita duodecim Caesarum libri VIII*, IV 1, 23, 1. [10].
- b. Cassius Dio Cocceianus, *Historia romana* - 'Ρωμαϊκή ἱστορία LVII, 18, 6-9. [9].
- c. Publius Cornelius Tacitus, *Annales*, II 69-73, 3-4. [7].
- d. Josephus Flavius, *Ἰουδαϊκὴ ἀρχαιολογία*, XVIII, 54. [11].

The analysed passages are prefaced by a brief historical and critical profile of their author to introduce the cultural climate of the work from which they were taken.

Suetonius

The Writer:

Gaius Suetonius Tranquillus (69/70 - 122 E), hereafter *Suetonius*, is a figure in some respects akin to a modern researcher; he was a scholar of his own and past times, a biographer and historian, but also a grammarian and rhetorician. His texts enjoyed authority, as he held the office of praetorian prefect under the emperor Hadrian and was the latter's personal secretary: he had privileged access to all sources, including those covered by state secrecy or confidential. His office was that of *procurator a studiis* and *ab epistulis*, i.e. superintendent of the archives and curator of Imperial correspondence.

It was by virtue of his office that *Suetonius* had access to some of the most important documents in the Imperial archives and enjoyed this privilege even during Trajan's empire. Indeed, we know that Pliny the Younger himself, a mutual friend and confidant, personally recommended him to Trajan. In *Suetonius'* research and books, his admiration for the models of the *Antiquaria* and for the work that *Varro*, who before him, had performed in the service of this literary genre, shines through. He also drew his personal interpretation of the historical biographical genre from this model.

The '*De vita duodecim Caesarum libri*' [10], the work from which the passage is extrapolated, was composed between the years 115 and 120 CE, and thus belongs to the period when the author was, enjoying high regard, employed at the court of the emperor Hadrian.

The style, which appears detached and almost ruthless in revealing the contents of the documents of the period, openly highlights the scandalous and decadent aspects of the Empire, quite bluntly.

Text:

"(Germanicus)... (1, 2) Consul deinde iterum creatus ac prius quam honorem iniret ad componendum Orientis statum expulsus, cum Armeniae regem devicisset, Cappadociam in provinciae formam redegisset, annum agens aetatis quartum et tricensimum diuturno morbo Antiochiae obiit, **non sine veneni suspicione**. Nam praeter livores, qui toto corpore erant, et

*spumas, quae per os fluebant, cremati quoque **cor inter ossa incorruptum** repertum est, cuius ea natura existimatur, ut tinctum veneno igne confici nequeat. (2, 1) Obiit autem, ut opinio fuit, fraude Tiberi, ministerio et opera Cn. Pisonis ..."*

The text analysis excludes juridically influential additions or tendentious personal contributions of the author (Suetonius) to the examined texts as references, including any court documents.

- The words '*non sine ueneni suspicione*', in bold type in the text, immediately attract attention. In particular - *u(v)enenum*, *i* - does not appear to be a legally casual choice, given the extreme care of the Latin language in not creating ambiguity and, indeed, intuitively specifying the semantic content through terms with culturally explicit roots common to the speakers. The term, which is of archaic etymology, derived from *venus*, *us-I*, is always used with the meaning of a toxic drink or potion, a vehicle of spells (*Apul. Met. 10, 11., Dig., V., Sall. Cat. 11, 3., also in Hor., Cic., Prop.*: also, other sources summarized in Tab.1), with the appearance of misleading and intent to harm. The athematic declension from which the root of the word itself comes, found in the PIE languages, leads to the Latin verb *volo -volo, vis, vult, volui, velle* - (expressive of *to will*), and to the term *vis*, which renders both the second person singular of that verb (you will) and the noun force. [12-17].
- The anatomic-pathological observations from the necropsy are details of a technical, medical and forensic nature that were added with the aim of documentary thoroughness, to complete the description. Germanicus' body also shows widespread ecchymoses (*livores*), and fluids leaking from the mouth: "*spumas, quae per os fluebant*".
- The finding that the heart had resisted cremation carries (we shall see later) a decisive forensic significance and Suetonius does not hesitate to put forward the interpretation: the resistance to fire is due to the poison that impregnates it. Having made such a judgement, the following sentence (2.1) proposes a criminological explanation of the instigator, executor and underlying motive. Venom on commission is an accusation against Piso.

Cassius Dio

The Writer:

Cassius Dio Coccoeanus of Nysaea (Bithynia), (155 -235 CE), Dio, was consul under Emperor Commodus and, for the second time, during the reign of Alexander Severus. He is the author of a History of Rome from the origins to the year 229 CE, based on the surviving annals of the Republican period, on Livy or his sources, on Imperial annals, on tradition and on first-hand sources for contemporary events. From the volumes remaining to the present day, one can see Dio's profound knowledge in dealing with sources, mastering texts and arguments.

Text:

Dio treats the story of the end of Germanicus in books 57 and 58 of the History [11]. The text shows some affinities with the writings of Suetonius and Tacitus, such as to suggest that the three had at least one source in common. This is now identified with Servilius Nonianus. If, therefore, for this reason the writing shows common traits with the other two mentioned authors, Dio enhances the documentation with news from later Imperial records, accessible only to him. The spirit of the documents of imperial memory deserves great consideration if

one considers the very special divine prerogative of the emperor, which is not subject to restrictions: quoting Dio himself, the emperor '*never had to reveal what he really thought*'. (*Cassius Dio*, Roman History, LVII, I, 1-2. Transl. by the auth.) [11].

The excerpt from Book 57 of the History is reported below, in English translation; from the original Greek text, which is readily available, it appears in a short passage, quoted in bold, in brackets.

(*Germanicus*) '... He died in Antioch, falling victim to a conspiracy hatched by Piso and Plancina; in fact, while Germanicus was still alive, human bones were found walled up in the house where he lived next to leaden foils bearing formulas of curse engraved next to his name. The fact that he had been murdered with poison was revealed by the condition of his body **(ὅτι δὲ καὶ φαρμάκῳ ἐφθάρη, τὸ σῶμα αὐτοῦ ἐξέφηνεν)**, which was transferred to the Forum and shown to those present.' (*Cassius Dio*, Roman History, LVII, 18, 9. Transl. by the auth.) [11].

The Text Analysis:

Dio organises the annalistic coverage in such a way as to reconcile the needs of the topic at hand with those of the audience. The rhetorical narrative model consists of the Attic style and focuses on political aspects. In accordance with this stylistic choice and the ideal model, represented by Thucydides, Dio avoids making personal judgements and comments. The criteria of truth selection are intended to identify the way of the tradition reported in the sources. Dio's Greek text notes historical facts through the relationship between the writer and his sources, removing or composing contradictions and contrasts. Alongside the suspension of judgement is an icaistic purpose: that no doubts remain when a fact is being recorded. This applies to the sentence glossed above, in bold type, where the verbs *ἐφθάρη* and *ἐξέφηνεν* represent legal terms, semantically characterising elements in an assertive sense concerning how the matter took place. In particular, Dio uses the strong passive aorist of *φθείρω* to record the death of Germanicus: he died, was killed, by means of, a poison: *ἐφθάρη* returns in a dual way, both as a signifier of being ruined, of dying as one undergoes death, and with the value of the verbal mode and tense, connected to the semantic aspectual value of the verbal modes and tenses of the Greek language, which enhanced the action with its intrinsic qualities². A crime has been committed and Germanicus is the victim: this is the allegation formulated by *Cassius Dio* [13;15;16;17].

Tacitus

The Writer:

Publius Cornelius Tacitus (56 -c.120 C.E.), *Tacitus* is widely regarded as one of the greatest Roman historians. His style, while owing some debt to Sallust, is characterized by a prose that remains unrivalled in its genre. There is some discussion about the neutrality of *Tacitus'* narrative. Tacitus appears careful in recounting the tension that characterized the exercise of power between the Senate and the Emperor, equally careful, and alarmed, in emphasizing the growing corruption of the government and of all classes in Rome, a growth resulting from the

² The modes and tenses of Greek verbs indicate the 'quality of the actions, the perception and attitude they induce in the speaker, as well as information about the moment in which they take place; thus, they convey content in addition to the meaning and chronological location of the action'. In: Meledandri G, *La lingua latina*, VII, 4.2. [17].

disproportionate and deformed growth of wealth, power and misery. Hence, *Tacitus* cannot refrain from expressing an opinion on the facts he narrates.

Text:

Tacitus' report in the *Annals* is extensive and elaborate; for this reason, while referring to the text [7;8] for a complete reading, we quote (in italics) only a few passages extracted from Book II.

LXIX. *"At Germanicus Aegypto remeans cuncta quae apud legiones aut urbes iusserat abolita vel in contrarium versa cognoscit. hinc graves in Pisonem contumeliae, nec minus acerba quae ab illo in Caesarem intentabantur. dein Piso abire Syria statuit. mox adversa Germanici valetudine detentus, ubi recreatum accepit votaque pro incolumitate solvebantur, admotas hostias, sacrificalem apparatus, festam Antiochensium plebem per lictores proturbat. tum Seleuciam degreditur, opperiens aegritudinem, quae rursum Germanico acciderat. saevam vim morbi augebat persuasio veneni a Pisone accepti; et reperiebantur solo ac parietibus erutae humanorum corporum reliquiae, carmina et devotiones et nomen Germanici plumbeis tabulis insculptum, semusti cineres ac tabo obliti aliaque malefica quis creditur animas numinibus infernis sacrari. simul missi a Pisone incusabantur ut valetudinis adversa rimantes."*

Here comes the first mention of *Germanicus'* sudden illness: *"mox adversa Germanici salute"*, on his way back from Egypt, and Piso's behaviour in this circumstance. His hostility accompanies the course of the illness: *'ubi recreatum...'*, awaiting events. Germanicus suspects that he has been poisoned and is being watched, on behalf of Piso; signs of witchcraft, human remains and *tabellae defixionum*, are found in his house.

LXX. *"Ea Germanico haud minus ira quam per metum accepta. si limen obsideretur, si effundendus spiritus sub oculis inimicorum foret, quid deinde miserrimae coningi, quid infantibus liberis eventurum? lenta videri veneficia: festinare et urgere, ut provinciam, ut legiones solus habeat. sed non usque eo defectum Germanicum, neque praemia caedis apud interfectorem mansura. componit epistulas quis amicitiam ei renuntiabat: addunt plerique iussum provincia decedere. nec Piso moratus ultra navis solvit moderabaturque cursui quo propius regrederetur si mors Germanici Syriam aperuisset."*

Germanicus fears that upon his death his wife and children might fall into the hands of his enemies. To them, the effects of the poison seem too slow (*lenta videri veneficia*). *Piso*, invited to leave Syria, hesitates to return promptly at the time of *Germanicus'* death.

LXXI. *Germanicus* looks sure to have been the victim of poison; he is convinced that he will die, not by the will of Fate, but by the intrigues of a killer woman (*muliebri fraude cecidisse*).

Loyal friends pledge to do justice at the cost of their lives, holding the hand of the dying man. *"... iuravere amici dextram morientis contingentes spiritum ante quam ultionem amissuros."*

LXXII. *"Tum ad uxorem versus per memoriam sui, per communis liberos oravit exueret ferociam, saevienti fortunae summitteret animum, neu regressa in urbem aemulatione potentiae validiores inritaret. haec palam et alia secreto per quae ostendisse credebatur metum ex Tiberio. neque multo post extinguitur..."* *Germanicus'* final recommendations and prayers are gathered. *'Tum*

ad uxorem oravit... alia secreto', and the fear that the instigator was the Emperor. Then the death occurs.

Germanicus is still conscious, lucid, in a condition to speak, not in coma; this is an element of extreme legal importance, highlighted in *Tacitus'* narrative.

LXXIII. "... corpus antequam cremaretur nudatum in foro Antiochensium, qui locus sepulturae destinabatur, praetuleritne veneficii signa parum constitit; nam ut quis misericordia in Germanicum et praesumpta suspicione aut favore in Pisonem pronior, diversi interpretabantur."

Text:

Tacitus' account is very significant on the forensic level. *Tacitus* states '... before being cremated, the body was denuded in the forum of Antioch, the place chosen for the funeral, it is unclear whether it showed signs of venom; in fact, the various clues were interpreted according to personal piety towards *Germanicus* and propensity to suspicion or favourable inclination towards *Piso*.' [7]. The text, as mentioned, is long and circumstantial; in the following paragraphs it provides further arguments. The references to poisoning, to fraud, by female hand, are repeated and in accordance with Roman custom for this type of crime. The mention of the *maleficio*, practiced and demonstrated by the *tabulae* found in *Germanicus'* house, is consistent with the historical and narrative context. The period "*paratellurite veneficii signa parum constitit*" is one more piece in the mosaic of the present discussion. If we isolate the term *venefici* (*veneficium*, ii) we go back to the meaning of "poisoning by means of a drink", as in *Livy* and *Pliny*; also in *Cicero* we find that this term meant a filter, in drink, created and used for the purpose of evil, prepared by female hands, expert in the art, devoted to witchcraft: witches or professional poisoners [18,19]. *Tacitus'* overall opinion then transpires from the final sentence, which sounds almost sarcastic towards the critical capacity and objectivity of human judgement: prejudice conditions judgement, to the detriment of objectivity.

Josephus Flavius

The Writer:

Flavius Josephus (37/38 - 100 C.E.), *Flavius Josephus*, hereinafter abbreviated to JF, was a Jewish antiquarian, researcher, historian, religious man and philologist, author of important and appreciated works during the Flavian era; he was active especially along the Principate of *Vespasian* and *Titus* but began a brilliant career already during the empire of *Nero*, thanks to the favor granted to his *Poppaea*. JF reports the story of *Germanicus* in the *Jewish Antiquities*, XVIII, 54 [11;18].

JF was a Pharisee, faithful to the rules and rituals of Jewish Law, he expressed a favorable and captivating attitude toward Rome and intended to accredit the image of a Judaism compatible with the pagan world. His cultural education is syncretistic in the reading and political interpretation of the sources, in accordance with the Hellenistic model. JF, according to *Momigliano*, is indifferent to the categories and teachings of the Christian message, "he is alien to the experience of the divine. He ignores prayer, love and fear of God, messianism, sin, faith in the resurrection. He cannot understand the messianic ferments that animated the rebellion against Rome: his constant loyalty to Rome is entirely in good faith." [18].

The Jewish Antiquities, from which the text analyzed here comes, in 20 books, completed in 93/94 CE, are conceived on the model of the Roman Antiquities by *Dionysius of Halicarnassus* [6]. The Bible³, both in the Greek Septuagint version and in the Aramaic and Jewish texts, represents the primary source for books I-XIII. Books XIV-XVII are inspired by Nicholas of Damascus [19] and the rabbinical texts of the time. In books XVIII-XX, Roman sources probably prevail, including *Cluvius Ruphus* [18], in addition to the edicts and all the other documents accessible to JF due to the role he held.

Text:

The report we find in the Jewish Antiquities is short and direct: it provides a concise account of the event. We quote the text in its original Greek version, and in the authoritative translations of W. Whiston.

54. “καὶ ψηφίζεται ἡ σύγκλητος Γερμανικὸν πέμπειν διορθώσοντα τὰ κατὰ τὴν ἀνατολὴν πραγματευομένης αὐτῷ τῆς τύχης εὐκαιρίαν τοῦ θανάτου· καὶ γὰρ γενόμενος κατὰ τὴν ἀνατολὴν καὶ πάντα διορθώσας **ἀνιρέθη φαρμάκῳ** ὑπὸ Πείσωνος, καθὼς ἐν ἄλλοις δεδήλωται.” [11].

54. “So the senate made a decree that Germanicus should be sent to settle the affairs of the East, fortune hereby taking a proper opportunity for depriving him of his life; for when he had been in the East, and settled all affairs there, **his life was taken away by the poison** which Piso gave him, as hath been related elsewhere.” (Tranl. William Whiston) [21].

The Text Analysis:

As said, JF faithfully followed the Law. The narrative of historical facts that he offers adheres scrupulously to the teachings of *Ecclesiastes*: “Do not refrain from speaking at the appropriate time, do not hide your wisdom. In fact, wisdom is recognized by the word and instruction in the sayings of the tongue. Do not contradict the truth, but be ashamed of your ignorance.” We agree with Momigliano [6] in believing that, according to such an inspiring principle, the historical authority of JF is further accredited by partially indirect sources, such as Cluvius Ruphus, but above all direct ones, unfortunately now lost, as they are contained in the imperial archives. From a linguistic point of view, the short text of the Jewish author “**ἀνιρέθη φαρμάκῳ**” leaves no doubts to the translators. JF is direct and assertive in admitting and validating a factual truth, also recognized by previous authors of whom he makes no explicit mention: the whole truth, nothing but the truth.

THE CRIME OF POISONING IN ANCIENT ROME

The hypothesis that *Germanicus'* premature death was due to poisoning is raised and supported by many authors. It is also found in the narrative and in the documents of the trial that was brought in Rome against Piso. Before discussing what emerged from the previous textual analyses, some space was dedicated to the crime of poisoning, contextualizing the circumstances in the historical period in which *Germanicus'* drama took place.

It is agreed that the culture of ancient Rome was imbued with superstition, conditioned by fear of the occult and mythology. Given that the practice of poisoning was widespread since ancient times, this substrate also represented fertile ground for a large and profitable business [22-24].

³ *Roman Catholic Bible*, (2001), CEI, Rome.

It is difficult to find a clear line of demarcation between the medicine of the time and magical practice.

The situation finds a clear confirmation in jurisprudence, so much so that the administration of substances with criminal intent appears already mentioned and regulated by the Laws of the 12 Tables, 451 BCE [24;25]. The commas of this archaic code regulated poisoning of livestock, spells and curses to cause damage, causing infirmity, illness or death to an athlete, a spouse, family members, poisoning anyone in any way, by proxy, and the poisoning of offspring by the mother. The context, as can be seen, contemplated a broad and complex case law. The Roman law required an explicit distinction between substances, as "good, harmless or poisonous", therefore considering aspects such as dosage and contemplating the eventuality that a drug, a medicine, could be poisonous. The term drug is of Greek etymology and in Latin, especially in legal language, it was necessary to specify the effect in the name, distinguishing a *venenum bonum* from a *venenum malum* [24;25]. The social and judicial relevance of the crime of poisoning, carefully considered, recognized a specific competence in the *Quaestio de sicariis et veneficiis*, a permanent court (*Quaestio*) operating in Republican Rome, established with the *Lex Cornelia Sullae de sicariis et veneficis*, approved by Sulla in 81 BCE, which judged and punished the crime of voluntary poisoning. This jurisprudence admitted testimonial and factual evidence, even provided by means of post-mortem examination of the victim. In the *Rhetorica ad Herennium* (Ret ad Her 4. VIII.12) [26], by an anonymous author and attributed by some to Cicero, we find the explicit annotation establishing the admission of evidence of death by poisoning in the presence of a deformed, swollen corpse with alterations in skin colour. In addition to the anonymous author cited above [26], Cicero (*Cic., De Inv.* 1.liv.104.) [27] and Quintilian (*Quint. Inst. Or.* 6.2.21) [28] also provide methodological rules followed during trials that contemplated the accusation of poisoning through the so-called *ἀντιπαράβολή*, the procedure of exclusion of other possible causes of death. In Pliny (*Plinius Secundus*, 23-79 CE) we find a systematic and detailed description of various plant species from which poisons could be extracted for medicinal, magical, or criminal purposes [29].

From Kaufmann's book [22] a list of contributions, with their respective authors, on the theme of poisoning in Roman culture and society has been extracted and proposed below as an integration in table 1.

Tab. 1: Poisoning in ancient Rome, as reported in bibliographical references: indicated by source, author and historical context (Kaufmann [29], see text).

	Anno	Autore e fonti
1	189-c BCE	Plautus, <i>Truculentus</i> 762.
2	130-c BCE	Polybius, <i>The Histories</i> , p 269, Fragments of Book VI121 VI.13.4.
3	66 BCE	Cicero, <i>Pro Cluentio</i> 148.
4	41-c BCE	Horace, <i>Epodes</i> III.8.
5	36 - CE	Seneca, <i>Controversia</i> II.13.13; <i>Porphyrio Horati epistulae</i> I.5.9.
6	118- CE	Tacitus, <i>Annales</i> II.74; III.7.
7	118- CE	Tacitus, <i>Annales</i> XII.66.
8	120- CE	Juvenal, <i>Saturae</i> I.71.
9	120- CE	Juvenal, <i>Saturae</i> VI.661.
10	121- CE	Suetonius, <i>Nero</i> 33.
11	160 - CE	Apuleius, <i>Metamorphosis</i> X.11 and 25-26.

12	200 - CE	Plutarch, <i>Demetrius</i> XX.2.
13	220 - CE	Cassius Dio, Roman History Vol. VIII p3 Epitome of Book LXI.
14	533 CE	<i>Digestum</i> , XLVIII.8.3; XLVIII.8.3.2.

The sources examined provide information that fully inform about the symptoms suffered from *Germanicus* before dying. The poison used appears to have been mixture containing belladonna, strophanthus and ouabain, all substances easily available on the Syrian market. We know from modern medicine that their combined toxic effects would have induced progressive malaise, without determining a state of coma and culminating in cardiac arrest in systole. The resistance of the cardiac muscle to cremation, which has been punctually noted by Tacitus, is mentioned in toxicology among the peculiar manifestations following ouabain poisoning [22-24;30;31].

CONCLUSION

The practice of poisoning was well known in the years in which *Germanicus* died: it was carefully detailed, based on the knowledge of the time, on a forensic medical level. Making use of this art was easily accessible in the territory of the Empire and, perhaps even more so, in the region where *Germanicus* was located. If we agree with the hypothesis that the Roman commander had attracted reasons of jealousy, envy or worse, imperial hostility, exploiting his social and family context would have been easy.

Using a drug as a criminal weapon, using expert hands, was easy, cheap and convenient to hide and dissimulate, guaranteeing the impunity of the instigators and hitmen. A final reflection, exquisitely technical although hypothetical, can be dedicated to the local availability of substances considered suitable for the purpose. Among these, some present fitting characteristics to the target and correspond to the descriptions of the authors analyzed, making them excellent candidate, as very easy to handle instruments of death. In a previous study [32], which compares a series of diseases, with poisoning, as possible, and alternative, causes of *Germanicus'* death, the outcome of the inference procedure supports with very strong significance (p. 001) the hypothesis of poisoning, and decisively discards the morbid cause of death. A forensic reading of the sources that essentially provide all the information available today, supports the same hypothesis: indeed, it strengthens it also philologically.

The authors have written down to history a factual reality and, epistemologically speaking, it could be argued that they "made the truth", almost anticipating the Augustinian criterion of faith and justice "*Volo eam (veritatem) facere in corde meo coram te in confessione, in stilo autem meo coram multis testibus.*" (Ag. Conf. X,1) [33]. All the authors have meticulously used their own language, personal knowledge and mastery of the facts, to document an event of extreme historical importance. The death of *Germanicus* altered the succession to the imperial throne: *Tiberius* was succeeded by *Gaius (Caligula)*.

The historians who wrote, in the Empire that followed, took note of what had happened and transmitted the event clearly, prudently and compatibly with the political pressures that conditioned them. They used all the available linguistic tools and artifices; interpreting them contextually is a priority to reconstruct today the events documented by their writings, to recognize their efforts and to translate their clear and distinct knowledge. Their legacy formulates an indictment and writes the resulting verdict.

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