



THE MILITARY OATH

Coniuratio

Used at the Castra Aestiva & Hiberna

PREAMBLE:

- As the text of the pledge to the emperor has not survived, the following is an interpretation of what might have been used during the first and second centuries AD.
 - The obligatory oath was renewed annually on January 1st until it was changed under the Flavians to January 3rd
 - **Polybius** said that the oath was repeated by one soldier and all of the others present then said "*idem in me*" (the same for me)
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THE OATH:

The men of the unit are assembled at attention in muster formation. The aquilifer stands facing the formation with the administering officer between him and the formation. One soldier is called forth. The soldier and officer turn to face one another with the aquilifer visible to the men between them. The officer asks the soldier to repeat the following in a loud voice.

I (the soldier's name is spoken here), a soldier of Rome, do solemnly swear:

- To obey orders
- Not to desert
- Not to break the law
- Not to flee the battlefield or to abandon my place in the battle-line except to
 - recover or fetch a weapon,
 - save a friend or
 - strike an enemy

So help me, ***Jupiter Optimus Maximus***

The officer turns to the men and addresses them. He says something to the effect that:

This ***miles*** has renewed his pledge of allegiance to the emperor (or ***imperator*** or ***princeps***). What say you? Do I hear the words ***Idem in me***?

The men then should respond:

IDEM IN ME

SOURCES

Polybius (c. 200 BC to after 118 BC)

Writing of Republican practice **Polybius** (6.21.1-3) relates how one of the soldiers was selected to speak the whole of the oath, and the others simply said "**idem in me**" meaning the same for me."

http://www.yorku.ca/inpar/polybius_six.pdf

21. The roll having been completed in this manner, the tribunes belonging to the several legions muster their men; and selecting one of the whole body that they think most suitable for the purpose, they cause him to take an oath that he will obey his officers and do their orders to the best of his ability. And all the others come up and take the oath separately, merely affirming that they will do the same as the first man

Cincius - de Re Militari

Cincius, whose praenomen was likely Lucius and whose cognomen goes unrecorded, was an antiquarian writer probably during the time of Augustus. He is frequently confused with the annalist Lucius Cincius Alimentus, who fought in the Second Punic War, and some scholars still maintain that Cincius Alimentus was also the antiquarian. None of the works of Cincius is extant, but he is cited by Livy, Festus, and others. The several works attributed to a Cincius have been assigned to one or the other of these two writers by scholars whose criteria for distinguishing them produce varying results. The authorship of the book **De fastis** ("On the Fasti"), for instance, has been attributed to either one. T.P. Wiseman finds it likely that **Cincius** wrote "a **Pausanias**-like guide to the antiquities of the Capitol (if not the whole city)," including a collection of old inscriptions, and makes a jurist of him as well with a work **De officio iurisconsulti**.

Aulus Gellius, Noctes Atticae

Aulus Gellius (c. 125 – after 180 AD) was a Latin author and grammarian, who was probably born and certainly brought up in Rome. He was educated in Athens, after which he returned to Rome, where he held a judicial office. He is famous for his **Attic Nights**, a commonplace book, or compilation of notes on grammar, philosophy, history, antiquarianism, and other subjects, preserving fragments of many authors and works who otherwise might be unknown today. The following is from Aulus Gellius **XVI. 4** tr. J. C. Rolfe, *LCL*

<http://www.csun.edu/~hcfll004/cincius.html>

...in libro eiusdem Cincii *de Re Militari* quinto ita scriptum est: 'Cum dilectus antiquitus fieret et milites scriberentur iusiurandum eos tribunus militaris adigebat in verba haec (magistratus verba):

C. Laelii C. filii consulis, L. Cornelii P. filii consulis [190 B.C.] in exercitu, decemque milia pasuum prope, furtum non facies dolo malo solus neque cum pluribus pluris nummi argentei in dies singulos; extraque hastam, hostile, ligna, poma, pabulum, utrem, follem, faculam si quid ibi inveneris sustulerisve quod tuum non erit, quod pluris nummi argentei erit, uti tu ad C. Laelium C. filium consulem Luciumve Cornelium P. filium sive quem ad uter eorum iusserit proferes, aut profitebere in triduo proximo quidquid inveneris sustulerisve dolo malo, aut domino suo, cuius id censebis esse, reddes, uti quod rectum factum esse voles.

Militibus autem scriptis, dies praefinibatur quo die adessent et citanti consuli responderent; deinde concipiebatur iusiurandum, ut adessent, his additis exceptionibus:

nisi harunce quae causa erit: funus familiare feriave denicales, quae non eius rei causa in eum diem conlatae sint, quo is eo die minus ibi esset, morbus santicus auspiciumve quod sine piaculo praeterire non liceat, sacrificiumve anniversarium quod recte fieri non pissit nisi ipse eo die ibi sit, vis hostesve, status conductusve dies cum hoste; si cui eorum harunce quae causa erit, tum se postridie quam per eas causas licebit, eo die venturum adiuturumque eum qui eum pagum, vicum, oppidumve delegerit.'

Item in eodem libro verba haec sunt:

Miles cum die, qui productus est, aberat neque excusatus erat, infrequens notabatur.

Also, in the fifth book of the same **Cincius On Military Science** we read the following: "When a levy was made in ancient times and soldiers were enrolled, the tribune of the soldiers compelled them to take an oath in the following words dictated by the magistrate:

'In the army of the consuls **Gaius Laelius**, son of **Gaius**, and **Lucius Cornelius**, son of **Publius**, and for ten miles around it, you will not with malice aforethought commit a theft, either alone or with others, of more than the value of a silver sesterce in any one day. And except for one spear, a spear shaft, wood, fruit, fodder, a bladder, a purse, and a torch, if you find or carry off anything there which is not your own and is worth more than one silver sesterce, you will bring it to the consul **Gaius Laelius**, son of

Gaius, or to the consul **Lucius Cornelius**, son of **Publius**, or to whomsoever either of them shall appoint, or you will make known within the next three days whatever you have found or wrongfully carried off; or you will restore it to him whom you suppose to be its rightful owner, as you wish to do what is right.'

Moreover, when soldiers had been enrolled, a day was appointed on which they should appear and should answer to the consul's summons; then an oath was taken, binding them to appear, with the addition of the following exceptions:

unless there be any of the following excuses: a funeral in his family or purification from a dead body (provided these were not appointed for that day in order that he might not appear on that day), a dangerous disease, or an omen which could not be passed by without expiatory rites, or an anniversary sacrifice, which could not be properly celebrated unless he himself were present on that day, violence or the attack of enemies, a stated and appointed day with a foreigner; if anyone shall have any of these excuses, then on the day following that on which he is excused for these reasons he shall come and render service to the one who held the levy in that district, village or town.'

Livy (59 BC – 12 to 17 AD)

"According to **Livy**, the Republican soldiers took the oath voluntarily, but when he deals with the period just before the Battle of Cannae he says that the tribunes formalized the taking of the oath and made it compulsory."

LIVY History of Rome Book 2 (<https://www.perseus.tufts.edu/hopper/text?doc=Liv.%2022.38.5>)

[22.38] "After completing the enrolment the consuls waited a few days for the contingents furnished by the Latins and the allies to come in. Then a new departure was made; the soldiers were sworn in by the military tribunes. Up to that day there had only been the military oath binding the men to assemble at the bidding of the consuls and not to disband until they received orders to do so. It had also been the custom among the soldiers, when the infantry were formed into companies of 100, and the cavalry into troops of 10, for all the men in each company or troop to take a voluntary oath to each other that they would not leave their comrades for fear or for flight, and that they would not quit the ranks save to fetch or pick up a weapon, to strike an enemy, or to save a comrade. This voluntary covenant was now changed into a formal oath taken before the tribunes."

Dionysius of Halicarnassus (d. 8 AD)

"**Dionysius of Halicarnassus** (10.18.2) describes the army of the early republic when the soldiers swore

- to follow the consuls wherever they commanded
- not to desert
- not to break the law.

In another passage (11.43) he says that the generals were granted the power to execute deserters."

Vegetius (last part of the 4th Century AD)

"According to **Vegetius**, who wrote his military manual in the fourth century, the military oath had been heavily Christianized, so the recruits swore:

- by God, Christ, and the Holy Spirit, and by the majesty of the emperor
- to perform what the emperor commanded,
- to brave death in the service of the state, and
- not to desert."

"The oath was renewed each year, originally on 1 January, but under the Flavians the date changed to 3 January."

Flavius Vegetius Renatus, The Military Institutions of the Romans (<http://www.digitalattic.org/home/war/vegetius/>)

"They swear by God, by Christ and by the Holy Ghost; and by the Majesty of the Emperor who, after God, should be the chief object of the love and veneration of mankind. For when he has once received the title of August, his subjects are bound to pay him the most sincere devotion and homage, as the representative of God on earth. And every man, whether in a private or military station, serves God in serving him faithfully who reigns by His authority. The soldiers, therefore, swear

- they will obey the Emperor willingly and implicitly in all his commands, that
- they will never desert
- and will always be ready to sacrifice their lives for the Roman Empire."

“On the accession of a new emperor, everyone in the Empire, including soldiers and civilians, swore allegiance to him. Soldiers were obliged to renew their oath every year. The text of exactly what was pledged to the emperor has not survived, and it is disputed whether this oath is linked to the oath to which Augustus refers in the memoir of his achievements that he left at his death (Res Gestae 25.2).”

<http://classics.mit.edu/Augustus/deeds.html>

25. I restored peace to the sea from pirates. In that slave war I handed over to their masters for the infliction of punishments about 30,000 captured, who had fled their masters and taken up arms against the state. All Italy swore allegiance to me voluntarily, and demanded me as leader of the war which I won at Actium; the provinces of Gaul, Spain, Africa, Sicily, and Sardinia swore the same allegiance. And those who then fought under my standard were more than 700 senators, among whom 83 were made consuls either before or after, up to the day this was written, and about 170 were made priests.

“The oath of allegiance to each succeeding emperor may have been modelled on this successful version arranged by **Octavian**, but since no-one knows the words that were spoken, this is disputed. It is also disputed whether **Octavian** had in mind the precedent, already in use for centuries, of the military oath sworn by the soldiers when they enlisted. This too, is problematic because no source preserves the exact words.

(page 30) “Livy (Book 22 38.2-5) tells us that for the first time the military tribunes had formally administered an oath to the Roman soldiers and their Latin allies, legally binding them not to

“abandon their ranks for flight or fear, but only to take up or seek a weapon,, wither to smite an enemy or to save a fellow citizen.”

Win or die in place; there was to be no alternative.

(page 137) “Livy (22 38.2-5)... tells us that once the levies had arrived, the consuls had the military tribunes formally administer an oath to all the infantry and cavalry that they would depart from the ranks only to secure a weapon, kill an adversary, or save a comrade. Previously the historian notes, this had been a voluntary pledge among the soldiers themselves.”

(p168) T. Manlius Torquatus spoke about the negligence of the men who were captured at Cannae. “first, they fled the camp when it was their duty to stand firm and fight and second, they surrendered the camp. It was left unsaid but implied that all those who had left the battlefield, captives and escapees alike, had violated the oath administered before the battle never to break rank except in the pursuit of duty.”

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<http://books.google.com/books?id=hR73TNLYMAC&pg=PA56&lpg=PA56&dq=manipular+legion+340+bc&source=web&ots=2etEQJPHps&sig=PKgdOofhbPXxAcZetuGM9Um03oc>

“soldiers swore an oath (the **sacramentum**) to obey the commands of their general. It reinforced the consul’s power of coercion (**coercitio**), which allowed him to punish citizens summarily when on campaign (up to and including the death penalty...In addition to the **sacramentum**, Roman soldiers also appear to have sworn an oath (**coniuratio**) more formally amongst themselves, “not to flee the battlefield or abandon their place in the battle-line” (Livy 22.38.2-5 **Frontinus**, **Strat** 4.1.4)...It was not until 216 BC that the state appropriated this latter oath and combined it with the **sacramentum** as an oath of loyalty to the commanders...The Roman soldier’s oath (**coniuratio**) “not to flee the battlefield or abandon their place in the battle-line,” had an interesting qualification: soldiers undertook to stay in the ranks “except to recover or fetch a weapon, save a friend or strike an enemy” (Livy 22.38.2-5). While the first part of the oath may have promised group cohesion, the latter part suggests that there was considerable freedom of movement on the battlefield...As **Livy** reports it, the oath reveals an expectation that soldiers could leave the battle-line during combat to get new weapons (perhaps from an attendant) , or that they might be recovered (probably after being thrown), or that they could move out in advance of the line to engage individual enemies or indeed rescue friends in a similar situation...Indeed, during the battle of **Sentinum**, it is reported that the Romans spent time gathering up the Javelins lying scattered on the ground between the two armies to reuse against their Gallic adversaries (**Livy** 10.29.6).”

The Romans from Village to Empire (p 304" Box 9.2: Oath of Loyalty)

"It was specifically to Augustus and his family that soldiers came to be required to take a regular oath of loyalty. Despite no more than a random scatter of evidence, it is clear that Augustus also used oath taking as a means of promoting civilians 'loyalty' to himself – even if not necessarily on the same regular basis, or with quite the same degree of legal compulsion. ... There follows the text of a Latin oath sworn by the magistrates, senate, and people of Conobaria, not far north of Gades (modern Cadiz) in southern Spain, probably in connections with the introduction of Gaius Caesar to public life in 5 BC. ... The text survives on a bronze tablet with holes drilled top and bottom so that it could be posted in public.

In all sincerity I avow my concern for the safety, honour, and victory of emperor Caesar Augustus, son of the Divine Julius, pontifex maximus, and of Gaius Caesar, son of Augustus, Leader of youth, consul designate, pontifex and of Lucius Caesar, son of Augustus, and of Marcus Agrippa, grandson of Augustus. I shall bear arms, and shall hold as friends and allies the same ones I understand to be theirs. I shall consider as my enemies, too, those whom observe to be in opposition to them. And should anyone take action against them, I shall pursue him to the death by land and by sea. (AE 1988. 723)"

Roman Civilization – Sourcebook II: The Empire; Lewis & Reinhold; Harper & Row, NY 1966 (pp 85-87)

"Upon the accession of a new *princeps* appropriate celebrations were proclaimed throughout the Empire. In addition following the precedent established by Augustus, the military forces and the entire civilian population took an oath of allegiance to the new emperor, and renewed this oath on each anniversary of his accession. And every year on January 3 prayers were offered in the Capitol in Rome and in the military camps and the provinces throughout the Empire for the health and safety of the emperor during the year ahead.

Oath of the Aritensians

I solemnly swear that I will be an enemy to those who I learn are enemies to Gaius Caesar Germanicus. If anyone brings or shall bring danger to him and his welfare, I will not cease to pursue him with arms and deadly war on land and on seas until he has paid the penalty to him; I will hold neither myself nor my children dearer than his welfare; and I will regard as enemies of mine those who have hostile intentions against him. If I knowingly swear or shall swear falsely, then may Jupiter Best and Greatest and the deified Augustus and all the other immortal gods cause me and my children to be deprived of fatherland, safety and all good fortune."