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Pliny's Progress: On a Troublesome Domitianic Career

aus / from

Chiron

Ausgabe / Issue **45 • 2015**

Seiten / Pages **1–22**

DOI: <https://doi.org/10.34780/chiron.v45i0.1002> • URN: <https://doi.org/10.34780/chiron.v45i0.1002>

Verantwortliche Redaktion / Publishing editor

Redaktion Chiron | Kommission für Alte Geschichte und Epigraphik des Deutschen Archäologischen Instituts, Amalienstr. 73 b, 80799 München

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ISSN der Online-Ausgabe / ISSN of the online edition **2510-5396**

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CHRISTOPHER WHITTON

Pliny's Progress: On a Troublesome Domitianic Career

The career of Pliny the Younger is among the best known of all senatorial *cursus* – and one of the most controversial. Two intermediate posts have proved particularly troublesome:¹ the praetorship and the prefecture of the military treasury (*praefectura aerari militaris* or PAM). The first of those is the only stage in Pliny's early and middle career which can be externally dated. It also fixes the timing of the famous Domitianic treason trials and (as usually reconstructed) contributes a unique piece of evidence about the *ius liberorum*. The prefecture, meanwhile, looms large in a debate about Pliny's «honesty». Did he owe that post, too, to Domitian? If so, how can he claim to have halted in his career once that emperor's «tyranny» had set in?

Critical orthodoxy has long made Pliny praetor in 93 and PAM in 94–96, precisely Domitian's last years. Dissent has been voiced from time to time, however, and a recent account shifts both posts out of the danger zone (praetor 89 or 90, PAM under Nerva, 96–97).² This revision is gaining ground and has so far gone unchallenged;³ since it is in my view problematic on several counts, reconsideration seems due. But the orthodoxy, we shall see, is also ready for scrutiny.

Teasing out chronology is a tricky business and certainty is evasive. Nevertheless, refining the parameters (and ruling out the impossible) must represent an advance in historical understanding and offer a sounder basis for any assessment of this (in)famous politician and apologist. After laying out the problem (I), this paper will demonstrate that Pliny cannot have been praetor before 93 (II), but also that scholars have

This paper has benefited from the criticisms of P. GARNSEY, R. GIBSON, M. LAVAN, S. OAKLEY and the editors of *Chiron*. My thanks also to R. DUNCAN-JONES, W. ECK and M. REEVE for helpful conversations, and to S. HORNBLLOWER for a gift. I gratefully acknowledge funding from the Alexander von Humboldt-Stiftung and the generous hospitality of C. REITZ (Rostock).

¹ The legalities of Pliny's proconsular posting to Bithynia–Pontus now seem settled: see ALFÖLDY 1999, modified by COTTON 2000, 233–234, and ECK 2001, 226–229. Otherwise on his consular career, which will not be a concern of this paper, see SHERWIN-WHITE 1966 (henceforth S-W), 78–80; BIRLEY 2000a, 16–17.

² BIRLEY 2000a, 9–16.

³ Endorsed by e.g. MARCHESI 2008, 2, GIBSON – MORELLO 2012, 265 (qualified) and, it is true, WHITTON 2013, 6 n. 29; considered irrefutable by STRUNK 2013, 95 n. 18 and 101–103, and WINSBURY 2014, 91–107.

been wrong to exclude 94, both for that magistracy (III) and for the trials of Senecio, Rusticus and the younger Helvidius (IV). Whatever Pliny's exact tenure at the *aerarium militare*, it was all but certainly a Domitianic appointment (V). Our protagonist emerges as a precise – but tendentious – chronicler of his preconular career.

I. The Problem

At several points in his Epistles Pliny claims proximity to «victims» of Domitian, and suggests that he came close to a similar fate.⁴ But nowhere is he more explicit than in the last sentence of the Panegyricus (95. 2–5), as he grandly pledges his humble loyalty as consul:⁵

uos modo fauete huic proposito et credite: (3) si, cursu quodam prouectus ab illo insidiosissimo principe antequam profiteretur odium bonorum, postquam confessus est substiti (4) (et),⁶ cum uiderem quae ad honores compendia paterent, longius iter malui; si malis temporibus inter maestos et pauentes, bonis inter securos gaudentesque numeror; si denique in tantum diligo optimum principem, in quantum inuisus pessimo fui: (5) ego reuerentiae uestrae sic semper inseruiam, non ut me consulem et mox consularem, sed ut candidatum consulatus putem.

Do you only look on my intentions with favour and believe me: if, having been advanced at something of a pace by that most treacherous emperor before he confessed his hatred of good men, I halted once he had confessed it and preferred, when I saw what shortcuts to magistracies lay open, the longer route; if I have numbered among the sorrowful and fearful in bad times, among the carefree and joyful in good; if, in short, I love the best of emperors as much as I was hateful to the worst, I shall always be so obedient to your reverence as to think myself not a consul and a consular thereafter, but a consular candidate.

Pliny holds out three proofs of his good faith (*si ... si ... si ...*). If the latter two can hardly be tested, the first is a specific claim: he admits to rapid advancement under Domitian (*cursu quodam prouectus*) but asserts that, once things turned sour, he «halted» (*substiti*). A strong statement – immediately modified and softened with a gloss, *longius iter malui*. But when did that rapid advance take place, when did Pliny stop, and what was the «longer route»?

⁴ E.g. Ep. 1. 5; 1. 7. 2; 1. 14; 2. 18; 3. 11. 3; 4. 21; 4. 24. 4–5; 7. 19; 7. 27. 12–14; 7. 33; 9. 13. On Pliny as martyr *manqué* see SHELTON 1987; CARLON 2009, 18–67; BARAZ 2012.

⁵ I follow MYNORS' Oxford texts of Pliny (Epistles, 1963; Panegyrici, 1964), with my own punctuation, translations and the emendation next defended.

⁶ SCHWARZ 1746, 487–488 (after GESNER), rightly rejected HEUMANN's conjectured *si* here, recognising *cum ... malui* as a parenthesis glossing *substiti*, but the asyndeton is hard to swallow (the Senecan «parallels» of DURRY 1938, 226, do not help). Hence my conjectured *et* (cf. 85. 7 *et cum*); alternatively, *cum*(*que*) (cf. 86. 2; also Ov. Tr. 1. 2. 99–105).

The orthodox view is essentially the reconstruction of MOMMSEN (1869),⁷ elements of which go back to MASSON's pioneering biography of 1703.⁸ It can be broken down into four stages:

(i) Ep. 3. 11 recalls Pliny's visit to the philosopher Artemidorus and loan to him, when Pliny was praetor and after the treason trials. Since those trials postdate the death of Agricola on 23 August 93,⁹ Pliny cannot have been praetor before 93.

(ii) The trials are assumed to have begun soon after Agricola's death and to have been expeditious, narrowing the *praetura* to 93 or 94.

(iii) In Ep. 7. 16 Pliny mentions his earlier magistracies. By a series of inferences MOMMSEN deduced that he was *tribunus plebis* and praetor in successive years. Since Pliny (a) abstained from advocacy as tribune (Ep. 1. 23. 2) and (b) prosecuted Baebius Massa for extortion in 93,¹⁰ he could not have been tribune in 93, nor then praetor in 94. Ergo his praetorship, and the treason trials, fall in 93.

(iv) MOMMSEN gave Pliny three years as PAM, which must therefore have run either 94–96 or 95–97 and be owed to Domitian.¹¹ The «halt» in Pan. 95 consisted in not becoming consul sooner than he did.

This carefully erected edifice, I shall argue, is correct in outline but open to contestation on several points and especially insecure in (iii), the sole element on which all subsequent critics have agreed.

The two most influential voices, SHERWIN-WHITE and SYME, followed MOMMSEN, varying only in their reconstructions of Pliny's *cursus* before the praetorship, in fixing PAM more confidently to 94–96, and in criticising Pliny for not mentioning the latter post (it is known only from his *cursus* inscriptions).¹² This being so, a reassertion of MOMMSEN's thesis, at least in part, might seem superfluous. But dissent has not been lacking. First was OTTO (1919), who redated the *praetura* to 95, allowed just two

⁷ MOMMSEN 1869, 79–88, in a paper now apparently cited more often than read. Revised versions can be found in his collected papers (1906, 366–468) and in French translation (1873).

⁸ MASSON 1703, 13–15 (= id. 1709, 59–66). This was the first attempt to date Pliny's career absolutely.

⁹ Tac. Ag. 44. 1–45. 2.

¹⁰ Ep. 7. 33. 4–9; also 1. 7. 2; 3. 4. 4; 6. 29. 8. This date for Massa's trial is not quite secure (below, Section IV).

¹¹ From (circa) January 98 Pliny was *praefectus aerari Saturni*, a post he held until his suffect consulate in September–October 100 (S-W 75–78).

¹² S-W 763–771 (adapted from SHERWIN-WHITE 1957); more censoriously, SYME 1958, 76–78 and 656–658; id. 1991, 561–565. The inscriptions are CIL V 5262 (= ILS 2927, Comum) and 5667 (Vercellae). If Pliny commissioned the former (ECK 2001), he evidently did not suppress PAM altogether (STRUNK 2013, 100–101) – though epigraphic and literary self-portraiture hardly served the same audience and purpose.

years as PAM (96–97), and branded Pliny a liar.¹³ Based as it is on one false inference¹⁴ and several questionable ones, his chronology now finds scant favour¹⁵ – though in framing the debate as a question of «honesty», OTTO kicked off a «damn or defend» contest which still thrives in some quarters to this day.¹⁶

A challenge to both MOMMSEN and OTTO came from HARTE (1935), who moved the praetorship the other way, to 90 or 91. Assuming that a three-year PAM followed at once, he had Pliny clear of office by the end of 93 or 94 – well before Domitian's death, and with honour intact. HARTE's case was countered by SHERWIN-WHITE, elaborated by KUIJPER, refuted again by SOVERINI, and revived with variation by BIRLEY, in his short but significant *vita*.¹⁷ BIRLEY, who does not mention KUIJPER or SOVERINI, makes Pliny praetor earlier still, in 89 or 90, and gives him a brief Nervan tenure as PAM, from late 96 until the end of 97¹⁸ – so producing the fullest exoneration of all, for those anxious about Pliny's integrity. *Prima facie* it seems unlikely. Six or seven years as a praetorian senator with no administrative post would look dangerously like *inertia* – perilous at the time,¹⁹ and grounds for a bolder claim afterwards than *longius iter malui*. But there are more specific reasons to be sceptical.

¹³ OTTO 1919, 43–50 (cf. 52 «menschlich höchst unerfreulich»); id. 1923, 11 («bewußt gelogen»).

¹⁴ Namely that Pliny abstained from advocacy during all his magistracies (misprising *promiscue* in Ep. 10. 3a.1; cf. S-W 765 n. 6); this would exclude 93 for the *praetura*.

¹⁵ Refutations begin with BAEHRENS 1923; see first S-W 763–769 and SOVERINI 1989, 523–526, demonstrating the frailty of his arguments and improbability (if not absolute impossibility: n. 82) of his conclusion. The scheme was endorsed by HANSLIK 1948, 126–127 (see contra S-W 770–771 and JONES 1968, 138–139), and has just occasionally resurfaced since (e.g. BENGTSON 1979, 234–236; LUDOLPH 1997, 44–48). Though he rejects OTTO's dating, STROBEL 1983 and 2003 is notable for his harsh view of Pliny as «Mitläufer» and «Wendehals» (summarised in id. 2010, 124–5). One may question how far modern experiences of dictatorship and rehabilitation – which doubtless inform much that has been written on Pliny's Domitianic career – help us comprehend the senatorial mentality of the period.

¹⁶ It reaches an acme in the «trial» of Pliny staged by WINSBURY in his introductory biography (2014, 11–12 and 91–107).

¹⁷ S-W 769–770; KUIJPER 1968 (an entertaining but exasperating blend of tendentious ingenuity and tub-thumping advocacy); SOVERINI 1989, 526–530 (with patient acumen); BIRLEY (as n. 2 above). Brief retorts to KUIJPER also in LEPPER 1970, 568–569; STROBEL 1983, 47–48; SHELTON 1987, 122–123.

¹⁸ This Nervan date was already suggested by OERTEL 1939, 184 (who, however, put the *praetura* in 95).

¹⁹ *Inertia* was fatal to Herennius Senecio (Dio Xiph. 67. 13. 2 with ECK 2010, 352); cf. Tac. H. 1. 2. 3 *omissi ... honores pro crimine*.

II. Epistles 3. 11 and a terminus a quo

The opening of Epistles 3. 11 provides the first and most secure step in dating Pliny's praetorship.

(1) *est omnino Artemidori nostri tam benigna natura ut officia amicorum in maius extollat. inde etiam meum meritum ut uera, ita supra meritum praedicatione circumfert.* (2) *equidem, cum essent philosophi ab urbe summoti, fui apud illum in suburbano, et, quo notabilis (hoc est, periculosus) esset, fui praetor; pecuniam etiam, qua tunc illi ampliore opus erat ut aes alienum exsolueret contractum ex pulcherrimis causis, mussantibus magnis quibusdam et locupletibus amicis mutuatus ipse gratuitam dedi.* (3) *atque haec feci cum septem amicis meis aut occisis aut relegatis – occisis Senecione Rustico Heluidio, relegatis Maurico Gratilla, Arria Fannia –, tot circa me iactis fulminibus quasi ambustus mihi quoque impendere idem exitium certis quibusdam notis augurarer.* (4) *non ideo tamen eximiam gloriam meruisse me, ut ille praedicat, credo, sed tantum effugisse flagitium.*

Our friend Artemidorus is altogether so good-natured that he exaggerates the kindnesses of his friends. And so he advertises my good deed too with commendation that is accurate, but more than it deserves. It is true that, after philosophers had been banished from the city, I visited him at his villa out of town, and, to make it more conspicuous (that is, dangerous), I did so while praetor; I also lent him money, of which he needed a considerable sum at that time in order to settle a debt he had incurred (for the finest of reasons): while certain important and rich friends were putting him off, I borrowed it myself and gave it to him as a free loan. And I did these things when seven of my friends had been killed or exiled (Senecio, Rusticus and Helvidius killed, Mauricus and Gratilla, Arria and Fannia exiled) and when I, scorched, as it were, by so many thunderbolts flashing around me, was led by certain sure signs to believe that the same fate was impending for me too. Nevertheless, I do not therefore think that I have earned outstanding glory, as Artemidorus proclaims, but simply that I escaped disgrace.

Pliny dates his visit and loan to Artemidorus to the aftermath of the treason trials, and to a time when philosophers had been expelled from Rome. Since those trials took place after Agricola's death in 93, Pliny cannot have been praetor before that year.

In contesting this conclusion, BIRLEY reprises HARTE's arguments almost whole:

(i) In references to his prosecution of Baebius Massa in 93 (n. 10), Pliny does not mention having been praetor at the time.

(ii) The words *cursu quodam prouectus* (Pan. 95. 3) are incompatible with a *praetura* in 93, two or three years later than the minimum age.

(iii) Ep. 7. 16. 2 shows that he held his early magistracies *anno suo*.

(iv) Ep. 3. 11 must then refer to events on two separate occasions: a visit to Artemidorus when Pliny was praetor in c. 90, and a loan to him some years later, after the treason trials.

(v) Pliny writes *cum essent philosophi ab urbe summoti* (Ep. 3. 11. 2), but after the treason trials philosophers were expelled from all Italy. It is an expulsion from Rome alone in c. 89 to which he refers.

The first argument, of course, is *ex silentio*. In Ep. 3. 11 Pliny has a specific reason to mention his magistracy: the journey to Artemidorus' villa and back could hardly be discreet with a praetor's complement of six lictors.²⁰ In comments on the Massa trial, he has none. Even if one grants the argument weight,²¹ its relevance depends on the false premise (considered below) that Pliny cannot have been praetor in 94.

The second claim is impressionistic and frail: progression from (say) quaestor in 89 to praetor in 93 is more than enough to justify *cursu quodam*,²² the more so given Pliny's privileged status as *quaestor Caesaris* and, for each of these magistracies, as *candidatus Caesaris* (two details which he does not conceal from readers of the Epistles).²³

As to (iii): if Pliny demonstrably held his magistracies *suo anno*, this would indeed be compelling evidence. Unfortunately, as we shall see (Section III), Ep. 7. 16. 2 proves nothing of the sort.

So far, then, the proposal (iv) that Ep. 3. 11 refers to two events several years apart lacks any motivation. It also violates Latinity. Consider Pliny's careful presentation of his kindness to Artemidorus.²⁴ It concerns what he first styles a single *meritum* (§ 1), then displays in a rising tricolon:

- (i) I visited him at his villa while praetor (§ 2 *equidem ... praetor*);
- (ii) at that time (*tunc*) I also lent him money (§ 2 *pecuniam ... dedi*);
- (iii) and I did all this at a time of great danger (§ 3).

Pliny brackets the two events, visit and loan, closely: they are casually linked (§ 2 *etiam*) and appear to have coincided (§ 2 *tunc*); he specifies that both of them (§ 3 *haec*) were subsequent to the deaths of Senecio, Rusticus and Helvidius and the relegation of their family members. Now, it need not follow that he is describing a single occasion. Pliny did not need to be at Artemidorus' villa when he instructed his bankers. (Nor did Artemidorus.) And *tunc*, it is true, resists dogma: when SHERWIN-WHITE insists that it must refer «to the immediately preceding sentence – *fui praetor*», his

²⁰ Literally *notabile (hoc est, periculosum)*. On the number of lictors, see SCHÄFER 1989, 211–212; for their continual presence, RE 13, 1 (1926) 511–512, s. v. lictor (KÜBLER). It might be half a day's ride to Artemidorus' *suburbanum* (cf. CHAMPLIN 1982).

²¹ Or if one believed with BAUMAN 1974, 35 – in clear disregard of Ep. 1.23 (pace id. 1966, 429–30) –, that *all* serving magistrates were debarred from advocacy.

²² The dates of MOMMSEN 1869, 87 (to be finessed below).

²³ Ep. 2. 9. 2 and 7. 16. 2 with S-W. In his *cursus* inscriptions *quaestor imp(eratoris)* appears with «Domitian's name suppressed» (BIRLEY 2000a, 8) – as one would expect after *damnatio* (examples in CÉBEILLAC 1972, 101).

²⁴ On Pliny's self-display in Ep. 3. 11 see SHELTON 1987; for an apologetic reading, STRUNK 2013, 95–97.

claim is fragile as well as linguistically suspect.²⁵ Rather, it refers approximately to the time of Pliny's visit, or (most strictly) to the time following an expulsion of the philosophers. In making the particle cover a period of three or four years, HARTE tests its malleability to breaking-point;²⁶ but the claim, however outlandish, is hard to refute outright.

What, though, of *haec*? HARTE (p. 53) explained that it is «used in its strict sense ... of «the latter things»», with merry disregard for the absence of *illa* or similar, and for Pliny's failure to mention more than one thing which could be called «latter». Seeing the problem, KUIJPER attacked the text (*atque haec feci*), asserting that γ read *atque ita hoc feci* and, no less implausibly, defending that as the better reading.²⁷ BIRLEY does not mention it. But until it can be explained how *haec feci* can not mean «I did these things», then the case is cut and dried: Pliny both visited Artemidorus and lent him money after the executions. A *praetura* before 93 is impossible.

That leaves HARTE's corroborative argument (ν) on the philosophers, for our purposes, beside the point. Still, Pliny's wording (*ab urbe summoti*) calls for comment. An expulsion of philosophers from Italy in connection with the treason trials is well documented. Why then does Pliny say «from Rome»? And what is Artemidorus doing *in suburbano*?²⁸ HARTE saw reference to an earlier measure of 89, in which (he thought) philosophers were banished from Rome alone.²⁹ That an expulsion had occurred around then, as Eusebius states³⁰ and Dio may imply,³¹ is possible, despite the failure

²⁵ Cf. BIRLEY 2000a, 13; S-W 240. *Fui praetor* means «I was *apud eum* while praetor» (rightly SOVERINI 1989, 527 n. 48).

²⁶ So even HARTE 1935, 54: «this interpretation ... is not the obvious or natural one». On KUIJPER's (1968, 49 n. 2) more inventive explanation of *tunc*, see SOVERINI 1989, 527.

²⁷ KUIJPER 1968, 43–47 (cf. SOVERINI 1989, 527 n. 47). He relies on several fifteenth-century manuscripts, all of the same provenance (probably GUARINUS' copy of γ). MVF (i.e. both α and β families) agree on *haec*, as does D – which seems the best witness to γ . Like GUARINUS or whoever else wrote it, KUIJPER lacks an adequate parallel for *ita ... cum*.

²⁸ Packing his bags, according to S-W 240 (cf. p. 769 «summary reference»).

²⁹ HARTE 1935, 53.

³⁰ The Armenian translation of his Chronicle has an entry for 89/90 (i.e. 3 October 89 to 2 October 90), «Domitian expelled the astrologers and philosophers of the Romans», and another for 93/94, «Domitian cast out the astrologers and philosophers of the Romans again». For text and Latin translation see AUCHER 1818, 2. 276–279 (more reliable than KARST 1911; my thanks to J. CLACKSON for help with the Armenian). On the conversion of Eusebius' regnal years – still often mangled in this connection – see S-W 764, as modified by BURGESS 1999, 28–30. Jerome's version has corresponding entries for 88/89 and 95/96 (Chron. 190n and 192c HELM). On the relative chronological merits of Eusebius and Jerome, which do not directly concern us here, see S-W 764–765; also Section IV below.

³¹ Dio Xiph. 67. 13. 3 «and all the rest were banished from Rome again» (αὐθις). Whether αὐθις refers to a prior Domitianic expulsion or to another, such as that under Vespasian (Dio Xiph. 65. 13. 2), is an open question. Zonaras drops it («and the rest were expelled», Epit. 11. 19).

of other authors to mention it when referring to the later measure.³² But there is no call to suppose that this putative expulsion was from Rome alone, a theory founded solely³³ on a tendentious inference from Jerome.³⁴ In any case, Ep. 3. 11 must refer to a ban in force after the treason trials, and apparently imposed not long before Pliny's visit (as *cum essent ... summoti* would imply). The plausible explanation is that, whatever happened in c. 89, there were two different measures in c. 93. Gellius cites a senatorial decree containing two elements: the philosophers were *ieicti* and they were *urbe et Italia interdicti*. Given the run of his sentence (the previous clause refers to republican expulsions from Rome), *ieicti* appears to mean «evicted from Rome».³⁵ If that was indeed a single decree, the measures may have been staggered in timing: immediate expulsion from the city, followed by *interdictio* valid from a given date.³⁶ Alternatively, Gellius has conflated two *senatus consulta* which followed, or were interwoven with, the trials.³⁷ Given the untidiness of our sources, this seems as close to a satisfactory reconstruction as we may come.³⁸ It is certainly preferable to an unsupported hypothesis which is impossible to square with Pliny's narrative.

On this account, Pliny is precise: he visited Artemidorus when the philosophers had been banished from Rome but not yet from Italy, or at least before the latter expulsion

³² Tac. Ag. 2. 1, Suet. Dom. 10. 3, Gell. NA 15. 11. 5. The hyperbolic generalising of Pliny Pan. 47. 1 (reworking Ag. 2.1) does not imply two different expulsions.

³³ For HARTE, Ep. 3. 11 provides (circular) corroboration. KUIJPER 1968, 50–51, seeks further support in Philostratus' Life of Apollonius of Tyana, where Demetrius refer to a recent measure against philosophers (VA 7. 11, with MOMMSEN 1869, 85) while still in Italy, apparently in 92 (cf. VA 8. 7. 11). But Philostratus' romance can hardly be relied on for geographical and chronological precision (see e.g. BOWIE 1978, 1657–1659).

³⁴ HARTE contrasts Jerome's «rather peculiar phrase» *Romana urbe pepulit* in his entry for 88/90 (190n) with *urbe Italiaque summouit* in Suet. Dom. 10. 3. But that is apples and oranges. Jerome, who also restricts his second expulsion to Rome (*philosophos Roma per edictum extrudit*, 192c), is doubtless reflecting his Greek original: whereas Suetonius and Gellius preserve the Latin legalism «from Rome and Italy», Eusebius simplifies, as usual in Greek, to «Rome» or «the Romans» (cf. Dio Xiph. 67. 13. 3 (cited in n. 31) and e.g. 57. 15. 8; 65. 9. 2; Syncellus Ecloga chron. p. 419. 14 MOSSHAMMER; Suda s. v. Δομετιανός). *Romana urbs* is a variant Jerome uses from time to time (Chron. 183i; 202c; 207f). His *per edictum* also looks like free composition: Gellius cites a *senatus consultum*, the likely sequel to senatorial trials (Tac. Ag. 45. 1; compare the SC banning Senecio's Vita Heluidi, Ep. 7. 19. 6).

³⁵ NA 15. 11. 5 *neque illis solum temporibus nimis rudibus ... philosophi ex urbe Roma pulsati sunt, uerum etiam Domitiano imperante senatus consulto ieicti atque urbe et Italia interdicti sunt*.

³⁶ The decree presumably set a *dies excedendi* on which the ban took effect (cf. Dig. 48. 22. 7. 17 with MOMMSEN 1899, 976).

³⁷ The combined accounts of Tacitus, Dio and Suetonius might invite one reconstruction as follows: trials of Senecio and Rusticus – philosophers expelled from Rome – trial of Helvidius – Pliny's visit to Artemidorus – philosophers expelled from Italy (cf. n. 77).

³⁸ It seemed obvious to Pliny's astute commentator GIERIG 1800, 262: «*ab urbe submoti, nempe a Domitiano a. Chr. 93 ... Videntur autem primum urbe tantum, mox Italia quoque expulsi esse*»; cf. GSELL 1894, 285. Accept Philostratus' portrait of Demetrius (n. 33) but not his chronology, and that vignette too could fall between the two measures.

came into effect. A brave deed (duly paraded), but – of course – a scrupulously legal one. At all events, *haec* shows that he did so after the deaths of Senecio and the rest, and thus establishes 93 as a *terminus a quo* for his praetorship. With that, HARTE'S thesis can (I hope) finally be put to rest. But were those events, and the contested office, in 93 itself?

III. From Quaestor to Praetor

In Ep. 7. 16. 2 Pliny recalls how he was promoted in step with his dear friend Calestrius Tiro:³⁹

simul militauimus, simul quaestores Caesaris fuimus. ille me in tribunatu liberorum iure praecessit, ego illum in praetura sum consecutus, cum mihi Caesar annum remisisset.

We did military service at the same time and were Imperial Quaestors at the same time too. He preceded me in the tribunate thanks to the law of children, but I caught up with him at the praetorship, after the emperor granted me a year.

Pliny and Tiro were military tribunes, quaestors and praetors at the same time.⁴⁰ Tiro became tribune of the plebs a year earlier because he had a child, but Pliny «caught up» when Domitian allowed him to miss a year before the *praetura*. What can be deduced from these neatly arranged remarks? Two well-known principles of the *cursus* are relevant. One concerns minimum ages: a man had to be at least in his twenty-fifth year (i.e. aged 24) on the day he assumed the *quaestura*, and his thirtieth (i.e. aged 29) for the praetorship, except that these thresholds could be reduced by a year for each of his first three children (by the so-called *ius liberorum*).⁴¹ The second concerns gaps between offices: the precise rules in our period are uncertain, but seem to have prescribed ordinarily one clear year between successive magistracies.⁴² That Tiro and Pliny were each allowed to «miss a year» only makes sense if they progressed from quaestor to praetor at the maximum rate.⁴³ But how fast was that?

³⁹ For Tiro's career as usually reconstructed see GROAG, PIR² C 222, and references in BIRLEY 2000a, 44–45 (adding JONES 1968, 116).

⁴⁰ Perhaps holding the military tribunate in the same province, as usually assumed (and as in 7. 31. 2 *simul militaremus*); but *simul* here need show nothing more than simultaneity (cf. Pan. 91. 7 *nos duos consulatus simul accepimus, simul gerimus*).

⁴¹ On which see MORRIS 1964, 317; S-W 420. Not to be confused (as by the same MORRIS 1964, 320) with the *ius trium liberorum* that Pliny later obtained from Trajan (Ep. 10. 2).

⁴² Cf. MOMMSEN 1887, 1.523–536 (Intervallierung) and 1.572–577 (Minimalalter); more briefly MORRIS 1964, 317 and TALBERT 1984, 17–18. On «one clear year» (arguably the practical application of a *biennium*) see MOMMSEN 1887, 1.535; S-W 74; TALBERT 1984, 18.

⁴³ So MOMMSEN 1869, 85 (also id. 1887, 1.536), followed by OTTO 1919, 50–51, and S-W 74 and 420; MORRIS 1964, 322 reaches the same conclusion. Only SYME dissented, arguing that minimum ages and intervals were not the norm: he first made Pliny quaestor 87 or 88, praetor in 93 or 94 (SYME 1958, 653), and later settled on quaestor 87, tribune 91, praetor 93 (id. 1991,

Born in 61 or 62,⁴⁴ Pliny was first eligible to serve as quaestor for either 86 or 87. Had he done so, and continued to hold magistracies at the minimum age, he would have been praetor in 90 or 91 (aged 28, thanks to his «remitted» year). But Ep. 3. 11, we have seen, rules out a *praetura* before 93; Pliny must then have been quaestor after the minimum age. That leaves two possibilities. If late starters could move only as fast as those holding office *anno suo*, Pliny needed five years minus the year «remitted» to get from quaestor or praetor;⁴⁵ assuming for a moment that he was praetor in 93, he was thus quaestor for 89. If, conversely, late starters were subject only to the «one clear year» rule, Pliny needed just four years minus the one «remitted»: hence quaestor 90, praetor 93.⁴⁶

Which is right? Leverage may be forthcoming, strangely enough, from HARTE. Earlier I deferred discussion of his claim that Pliny held his early magistracies *anno suo*. It is grounded in our passage of Ep. 7. 16, and based on the assumption that his «remitted» year was only possible for men advancing at the minimum age. KUIJPER claimed the same for Tiro's *ius liberorum*.⁴⁷ Both accordingly made Pliny quaestor in 86 or 87 and praetor in 90 or 91. BIRLEY went one better, giving him the same *quaestura* but making him progress by the «one clear year» rule, as if he were a late starter; Pliny thus mysteriously reaches the *praetura* in 89 or 90, not one but two years below the minimum age.⁴⁸

That last slip can be left aside, and HARTE's assumption about Pliny's «remitted» year is vulnerable (even without the counter-evidence of Ep. 3. 11): sure parallels in the careers of late starters are few, but there are some; and it is a priori likely that arbitrary imperial intervention could apply at any age.⁴⁹ But Calestrius Tiro's case is different. MOMMSEN himself admitted that we lack any other evidence that *ius liberorum*, well attested for «Minimalalter», applied to «Intervallierung».⁵⁰ Either Tiro's career is the sole evidence that it did, or something is amiss. One might also note the coincidence that, if Tiro and Pliny were the same age but did not progress *anno suo*,

561–563). SYME's arguments from career patterns are impressive, but he never explained how his reconstruction was compatible with the application of *ius liberorum* and imperial waiver attested in our letter.

⁴⁴ Seventeen when Vesuvius erupted on 24 August 79 (Ep. 6. 16. 4; 6. 20. 5), Pliny was born between 25 August 61 and 24 August 62.

⁴⁵ So MOMMSEN 1869, 85.

⁴⁶ So S-W 74 and 420, followed by VIDMAN, PIR² P 490.

⁴⁷ HARTE 1935, 51 (without argument); KUIJPER 1968, 41 (a questionable inference from Dig. 4. 4. 2).

⁴⁸ BIRLEY 2000a, 14.

⁴⁹ Cf. MOMMSEN 1869, 86 (Sallius Aristaenetus, third century); S-W 74 (Vespasian, aedile and praetor in successive years). MORRIS 1964, 320 assumes (sic) that Pliny's dispensation was «an honorary grant of *ius liberorum*».

⁵⁰ MOMMSEN *ibid.*; MORRIS 1964, 322 similarly (but without saying so) depends solely on Tiro in concluding that *ius liberorum* could apply to late starters.

they embarked on their careers with identical delays: not impossible, but certainly curious.⁵¹

In fact, something *is* amiss. A false premise underlies all these reconstructions: that Pliny and Tiro were precise coevals.⁵² All Pliny says is that they progressed in parallel. Why not suppose that Tiro was two or three years his junior, and that he served *anno suo*, while Pliny did not? It makes sense of the magistracies and causes no problems with their overlapping stints as military tribunes: Pliny could have gone to Syria⁵³ for a year or two (or three)⁵⁴ at the age of 21 or 22,⁵⁵ while Tiro went out to his province⁵⁶ aged 19 or 20.⁵⁷ On this account, the delay to Pliny's career occurred not after the military tribunate, as usually supposed, but before it, and perhaps before his decemvirate too. Tiro's progress, by contrast, was a textbook case.

Naturally that is conjecture. Perhaps Tiro was Pliny's coeval after all, or just a year or so younger:⁵⁸ if so, MOMMSEN's inference that *ius liberorum* applied to late starters would be justified. But it now stands revealed as a speculative inference rather than a necessary one, it remains unparalleled, and it brings us back to the problem of coincidental delays. The reconstruction proposed here, by contrast, is obedient to Occam, and indeed saves the need to explain some surprising modesty on Pliny's part: if he had held office *anno suo*, would he have neglected to let us know?⁵⁹ Conversely, it is easy to see why he might allow Ep. 7. 16. 2 to mislead the unwary – not just to achieve that characteristic parallel, but to train readers' minds on his intimacy with Tiro (and the superiority of his own subsequent career).⁶⁰

⁵¹ Suggestions for the delay in Pliny's case include *nouitas*, illness and electoral failure (OTTO 1919, 51; SYME 1958, 653; id. 1991, 562 and 564; MORRIS 1964, 320; S-W 74).

⁵² Assumed implicitly by all, explicitly by SYME 1969, 360 (postulating a shared birth year of 62), and BIRLEY 2000a, 18 («an exact contemporary»). I am anticipated in questioning it by SOVERINI 1989, 530, who however does not pursue the consequences.

⁵³ Ep. 1. 10. 2; 3. 11. 5 (cf. 7. 4. 3). Other references to his *militia* at 7. 31. 2; 8. 14. 7; 10. 87. 1.

⁵⁴ One year used to be assumed, but see (with varying views) E. BIRLEY 1953, 200 (resurrected in A. BIRLEY 2000c, 104–105); ECK 1974, 175–176; FRANKE 1991, 354–355.

⁵⁵ His age in 84, one possible date among several. We know only that his Syrian service fell between decemvirate and sevirate. The former, in which Pliny presided over the centumviral court, cannot have coincided with his debut in the same court aged 18 (Ep. 5. 8. 8); he therefore held it (depending on his year of birth) not before 80, 81 or 82. That it was common to proceed directly from that to a military tribunate does not show that Pliny did so. The sevirate came in an unknown year before his quaestorship (CIL V 5262): thus 89 at the latest, on the view of the *quaestura* reached below.

⁵⁶ Whether or not Syria (n. 40).

⁵⁷ On usual and exceptional ages (some as low as 16 or 17), see BIRLEY 2000c, 104.

⁵⁸ It seems especially unlikely that Tiro was *older*, given the preaching in Ep. 9. 5.

⁵⁹ That Ep. 7. 16. 2 «legt ... die Annahme nahe, dass beide Bewerber ihre Laufbahn in dem gesetzlichen Minimalalter begonnen haben» (MOMMSEN 1969, 85) and that elsewhere «*nothing shows him a late starter*» (SYME 1969, 360) – my emphasis – is a different matter.

⁶⁰ In Ep. 7. 16 Pliny is a consular of several years' standing; Tiro, off to govern Baetica, is (thus) still a praetorian (cf. SYME 1969, 779–781).

With the very possibility of teasing Tiro's and Pliny's ages apart, the case for Plinian promotion *anno suo* collapses. If, as seems likely, Tiro *did* proceed at the minimum age, further consequences follow. MOMMSEN's thesis that late starters could advance no faster than men moving *anno suo* is confirmed, ruling out SHERWIN-WHITE's faster progression for Pliny:⁶¹ four years from quaestor to praetor seems certain. But must they run from 89 to 93?

MOMMSEN's date for the *quaestura* came with a curious rider. A quaestor entered office on the 5 December preceding «his» year; provincial quaestors, however, presumably served in practice for twelve months from the following summer.⁶² In his «Lebensgeschichte» MOMMSEN posited that provincial quaestors formally entered office on 1 June, and further speculated that the same was true in the principate of urban quaestors. As quaestors for 89, Tiro and Pliny should therefore have served from June 89 to May 90.⁶³ This would preclude any further magistracy in 90;⁶⁴ hence the confident dating of Tiro's tribunate to 91 and Pliny's to 92.

MOMMSEN later modified his views about the quaestorian year, but seems not to have revisited his Plinian workings.⁶⁵ Yet the removal of that premise makes quite a difference. Pliny and Tiro may still have been quaestors in 89 and praetors in 93, but with their tribunates earlier, 90 and 91 respectively.⁶⁶ But if we allow Pliny a year between tribunate and *praetura* like this, the standard basis for excluding a praetor-

⁶¹ Along with the slower advance of SYME (n. 43).

⁶² MOMMSEN 1887, 2.258–259 (cf. n. 65 below). This thesis was faulted for lack of evidence by GROAG 1922–4, 439 n. 45, and is widely ignored (as by RE 24 [1963] 801–827 s. v. quaestor [WESENER]). The notion (if not the date of 1 June) is borne out, however, by the movements of Cilician quaestors in 51–50 BC (cf. Cic. Ad Att. 5. 11. 4; Ad Fam. 2. 19) and by the obvious limitations of the sailing season – to which quaestors, no less than proconsuls (cf. TALBERT 1984, 497–498), were doubtless subject.

⁶³ MOMMSEN 1869, 81–82 and 86.

⁶⁴ A tribunate for 90 began on 10 December 89, assuming republican practice remained unchanged (MOMMSEN 1869, 81; id. 1887, 1.603–604).

⁶⁵ MOMMSEN concluded that all quaestors took office on 5 December, with provincial quaestors, on tour from (he now held) 1 July, spending their last six months as proquaestors (1887, 1.606 n. 5; 2.258–259; 2.531). In his translation of the «Lebensgeschichte», MOREL amends some of the offending paragraphs (MOMMSEN 1873, 55–56, with 56 n.2) but not the one concerning Pliny and Tiro (ibid. 60). HIRSCHFELD caught them all (MOMMSEN 1906, 417 and 420), but his note (p. 417) confuses the point.

⁶⁶ Whether the tribunate (or curule aedileship) normally fell – if there was a norm – one year after the *quaestura* or two is unclear. Agricola's career – quaestor in 64 aged 23 (with a son), tribune 66 (having had a daughter), praetor 68 – is taken to show that two years was normal (e.g. MOMMSEN 1869, 80 n. 4; SYME 1958, 652; MORRIS 1964, 320). But Agricola (unlike Tiro) held a provincial quaestorship, which should then have run well into 65 (despite commentators, Tac. Ag. 6. 3 does not certify twelve months between *quaestura* and *tribunatus*). We therefore cannot say whether the tribunate was accelerated by his daughter or not.

ship in 94 – that it would require an impossible tribunate in 93 – vanishes.⁶⁷ The whole run of dates (including Tiro's birthday) could then equally well fall back a year, making Pliny quaestor in 90, tribune in 92 and praetor in 94. The elimination of MOMMSEN's quirky view of quaestors thus leaves us with not one but three possible shapes to Pliny's *cursus*: 89 – 92 – 93, or 89 – 91 – 93, or 90 – 92 – 94.

To summarise. Discard the unwarranted assumption that Tiro and Pliny were coevals, and three things follow: (i) Calestrius Tiro's career should probably be replotted; (ii) nothing shows that Pliny was promoted *anno suo*; (iii) a *praetura* in 94 cannot be ruled out. Can we reach a firmer answer?

IV. The Treason Trials

Late in Domitian's principate, several senators were convicted on counts of *maiestas*. Among them were Herennius Senecio, Arulenus Rusticus and the younger Helvidius, all executed; four relatives were exiled.⁶⁸ Their trials occurred not before Agricola's death (Section I); but how long after? Conventional wisdom has them over by the end of 93, on the basis that Pliny was certifiably praetor in that year. That premise, we have seen, is insecure. Leaving aside for now Pliny's subsequent *praefectura aerari militaris* (Section V), two lines of enquiry remain: indications from other authors and the likely course of the trials.

The indications are three: (i) According to Eusebius (in the Armenian version), «Domitian killed and exiled many of the nobles» in the year 93/94, i.e. 3 October 93 to 2 October 94.⁶⁹ Jerome agrees.⁷⁰ (ii) Dio records Senecio's trial and the expulsion of philosophers «in a section between the last wars of Domitian [i.e. 92] and events of A.D. 95–6».⁷¹ (iii) Tacitus moves from Agricola's death to the treason trials with a non-committal *mox* (Ag. 45.1).⁷² That leaves 95 looking least likely, late 93 possible, 94 no less attractive.⁷³

Now the sequence of events. When Agricola died on 23 August 93, *Massa Baebius etiam tum reus erat* (Tac. Ag. 45. 1). The charge was «aggravated extortion» in Baetica;

⁶⁷ A standard premise since MOMMSEN (above at n. 10); cf. (inter al.) OTTO 1919, 50; HARTE 1935, 52; S-W 764.

⁶⁸ Ep. 3. 11. 3, quoted above. For the charges see Ep. 7. 19. 5; Tac. Ag. 2. 1; Suet. Dom. 10. 3–4; Dio Xiph. 67. 13. 2; for discussion (e.g.) ROGERS 1960; SYME 1991, 568–587.

⁶⁹ Translated from AUCHER 1818, 2.279. This entry immediately precedes that for the second expulsion of philosophers (n. 30).

⁷⁰ *Domitianus multos nobilium perdidit, quosdam uero et in exilium misit* (Chron. 191h HELM), also for 93/94.

⁷¹ S-W 764, on Dio Xiph. 67. 13. 3 (n. 31); cf. JONES 1992, 120.

⁷² «Subsequently» or «later», not «soon» (cf. ROSE 1927).

⁷³ Cf. (even) S-W 764 «*mox* ... might be thought to favour 94».

the prosecutors were Helvidius Senecio and Pliny.⁷⁴ In due course Massa was convicted and condemned to relegation with confiscation of property. After the trial Senecio and Pliny intervened to block asset dissipation, at which Massa accused Senecio of *impietas*.⁷⁵ Pliny's quick wit saved the day, and Massa (it seems) dropped the charge. At some later date, Senecio was accused of *maiestas* by Mettius Carus in one of the trials in which Rusticus and the younger Helvidius were caught up (perhaps their catalyst).⁷⁶ How long those trials took is an open question: elaborate reconstructions extending them to six months or more are obviously speculative,⁷⁷ but a swift run is equally hard to prove.⁷⁸ Why insist, though, that they started «not long after Agricola's death»?⁷⁹

Reus erat tells only that Massa had been charged, not that hearings were ongoing. We do not know when he had returned from Baetica; he was presumably indicted in late 92 or in 93. Indictment triggered an *inquisitio* in the province and so a delay of months, perhaps a year, before the trial proper,⁸⁰ which could easily have fallen, therefore, in 94. Even if it *was* heard in 93, there is a good chance it was late in the year. September and October were slow months, a sort of senatorial recess;⁸¹ unless Massa slipped into the last days of August, his case might have waited until November at the

⁷⁴ See Pliny's self-heroising account in Ep. 7. 33. 4–9. The trial is known only from his references (n. 10) and Tac. Ag. 45. 1; for other reports of Massa see RUTLEDGE 2001, 202–204. I adopt the term «aggravated extortion» from S-W 444.

⁷⁵ Ep. 7. 33. 7. Whatever that charge entailed (cf. BAUMAN 1974, 33–35; HENNIG 1978), it can be safely distinguished from the one with which Carus brought Senecio down.

⁷⁶ Not before Baebius Massa returned to play his part (as Tac. Ag. 45. 1 implies) – if his relegation (Ep. 7. 33. 4 with S-W) had actually been imposed (no sign in Ep. 6. 29. 8). Carus' role as protagonist is apparent from Ep. 1. 5. 3.

⁷⁷ OTTO 1919, 44–48; KUIJPER 1968, 52–59. In particular, the suggestion that the younger Helvidius' prosecution (allegedly for mocking Domitian's divorce) came first, prompting Senecio to compose his Life of Helvidius Priscus, is feeble. All the charges (n. 68) could have been dredged up from the past, and Domitian's divorce was topical in 83, not 93 (SYME 1991, 575; compare the *ueteres ioci* of Aelius Lamia, Suet. Dom. 10. 2). If anything, Senecio's prosecution (apparently for his Life of Priscus) seems the most likely trigger; if so, the order of names in Ep. 3. 11. 3 (*Senecione Rustico Heluidio*) is precise, followed by the exiled relatives – two each for Rusticus and Helvidius – in typically tidy parallel (*Maurico Gratilla, Arria Fannia*).

⁷⁸ S-W 766 cites the swift justice after the Pisonian conspiracy (but those were no senatorial trials) and the convictions in short order of several associates of Caecilius Classicus (but these arose from a single *cognitio*, Ep. 3. 9. 6; 19). SYME 1958, 657, nods in his appeal to *uelut uno ictu* in Tac. Ag. 44. 5 (note *uelut*). Ag. 45. 1 *eadem strage* is more pressing; but this too, like Hist. 4. 42. 4 *eadem ruina* (Montanus on Regulus' Neronian delations), may be more rhetorical than documentary.

⁷⁹ A hardy doctrine: e.g. MASSON 1709, 61 «paulo post»; MOMMSEN 1869, 84 «nicht lange nach»; JONES 1992, 122 «not long after».

⁸⁰ On *inquisitio* (attested for this case in Ep. 6. 29. 8) see e.g. S-W 232; 352. Marius Priscus' prosecution on the same count took from late 98 to January 100 (Ep. 2. 11 with S-W 56–58).

⁸¹ TALBERT 1984, 211–212. That could be interrupted – but for a trial *de repetundis*?

earliest. How long passed between sentencing and the skirmish over his assets, incidentally, is unknown.

Even if the treason trials followed hard on Massa's conviction, *and* proceeded rapidly, it is thus wholly plausible that they fell in 94, or at least ran into it. Allow (with Tacitus' *mox* in mind) for a slower train of events and «plausible» becomes «probable». If so, 94 stands as the near-certain date for the expulsion of philosophers and Pliny's *praetura* – and Domitian's final «reign of terror» turns out to be rather shorter than usually thought.⁸² Other possibilities remain open. If Massa was indicted before 10 December 92, treason trials and *praetura* are fixed to 93.⁸³ If he was indicted later than that, but the treason trials were still over within 93, Pliny's *praetura* (and the expulsion of philosophers from Italy) could date either to that year or to 94. That is as close to certainty as we can come, but let me propose what may be the most satisfactory view. Having been tribune for 92, Pliny prosecuted Massa while free of office (between 10 December 92 and the end of 93);⁸⁴ the treason trials followed in 93, 94 or across both calendar years; Pliny was praetor (and philosophers were expelled from Italy) in 94. His subsequent office as prefect of the military treasury remains to be considered, but will throw up no pressing objection to that reconstruction. Alternatively, the whole run of events must be dated to 93.

Does Pliny emerge from all this with a black mark for having served as praetor in 93 or 94, the year(s) that saw several of his professed friends killed or exiled? I see no reason why he should – nor, evidently, did he, given his advertisement of the fact in Ep. 3. 11. He had been designated at the start of 92 or 93⁸⁵ – in either case well before the treason trials, which were presumably as much of a surprise to him as they were to the defendants. Nor is there any reason to suppose that his position as praetor gave him any special role in those trials.⁸⁶ It is with PAM that the «honesty» problem becomes more pressing.

⁸² Probably proving Eusebius right, on 93/94 at least (nn. 30 and 69). This timing would also slightly modify Tacitus' known biography, whether he is held to have been present at the trials (BIRLEY 2000b, 235) or not (WOODMAN 2014, 76–77, on Ag. 2. 1 *legimus*). «Reign of terror»: that these trials were the turning-point of Domitian's principate, as commonly assumed, is questionable (SYME 1983). «Near-certain»: a *praetura* in 95, however unlikely, cannot positively be ruled out, though it should be borne in mind that even OTTO endorsed it only after excluding 93 and 94.

⁸³ Because 92, as well as 93, would be excluded for Pliny's tribunate (for 10 December, cf. n. 64), producing a certain *cursus* as quaestor 89, tribune 91, praetor 93. He acted in the Massa trial from start (Ep. 6. 29. 8) to finish (Ep. 7. 33. 5).

⁸⁴ So quelling anxieties in some quarters (above at n. 21). That Pliny was given the case as *tribunicus* is plausible enough: his co-prosecutor Senecio was only *quaestorius*.

⁸⁵ Praetors were designated a year ahead (MOMMSEN 1887, 1.589–590; TALBERT 1984, 207).

⁸⁶ On praetors' various roles see MOMMSEN 1887, 2.207–238; Pliny mentions only his games (Ep. 7. 11. 4) and claim to *modestia* (Pan. 95. 1). He presumably participated in the trials as jurymen (cf. Ep. 8. 14. 9 *participes malorum*), as did every other senator present: we hear of no heroics à la Thrasea Paetus. That he had a hand as praetor in the executions themselves (S-W 425) or

V. *Praefectura aerari militaris*

Our ignorance about Pliny's prefecture at the *aerarium militare*, and about the post in general, is great.⁸⁷ His own tenure is known only from the two *cursus* inscriptions (n. 12). Other evidence is scarce: we cannot identify any other prefects of this treasury from literary sources, and the post is far more rarely attested epigraphically than the prefecture of the treasury of Saturn (*praefectura aerari Saturni*, or PAS).⁸⁸ One thing is sure: it was a praetorian post, junior to PAS.⁸⁹ Another is probable: designation was in the gift of the emperor.⁹⁰ A third is apparent, that a three-year tenure was routine;⁹¹ a fourth a (common) guess, that prefects took office on 1 January. If all those obtain, Pliny must have served for 94–96 or 95–97. Much is uncertain, however. Nothing actually proves that such imperial posts had a fixed tenure or handover date. Even if they did, irregularities might intervene: resignation due to ill health,⁹² for instance; death in office; the knock-on effects of suffect consulates.⁹³ On a sceptical view, then, the only secure conclusion is that Pliny held office for an unknown period at an unknown time between *praetura* and PAS.

That may leave little to choose between the various speculations on offer.⁹⁴ But on one question much is at stake and traction can, I think, be gained: was Pliny appointed by Domitian or by Nerva? SHERWIN-WHITE found proof of the former in signs of long vacations in late 96 and in 97. From these he produced a curtailed stint as PAM from 94 to mid-96; this would confirm a praetorship in 93 and open a small escape-hatch for *substiti* (Pan. 95. 3) by giving Pliny a few weeks or months out of post before

the concomitant book-burnings (GRIFFIN 1999, 147) seems unlikely. These were senatorial trials, outside the praetors' jurisdiction. Executions and burnings were usually contracted by the *tresviri capitales* (MOMMSEN 1887, 2.594–601; CIASCONE 1999); although historically answerable to the urban praetor, these magistrates are on record taking orders from various higher authorities; in Cremutius Cordus' case (Tac. Ann. 4. 35. 4) it was the aediles.

⁸⁷ On the *aerarium militare* and its prefecture see MOMMSEN 1887, 2.1011; CORBIER 1974, 664–9, 699–705; GÜNTHER 2008, 34–37.

⁸⁸ Likewise absent from the literary record are *praefecti frumenti dandi* and all PAS apart from those named by Pliny (ECK 1974, 163–164). For a catalogue of known PAM see CORBIER 1974, 347–466, adding Domitius Apollinaris, suff. 97 (SYME 1991, 591).

⁸⁹ Confirmed for Pliny, if confirmation were needed, by the inscriptions.

⁹⁰ PAM were chosen by lot «for several years» (ἐπὶ πλείω ἔτη) after Augustus instituted the post in AD 6 (Dio 55. 25. 3); the change to imperial designation is credibly but not certainly dated to Claudius' time (CORBIER 1974, 664–665). Nothing in known career patterns gives cause to doubt imperial appointment by Pliny's day.

⁹¹ Dio 55. 25. 2–3 reports that it was so instituted, and does not say it had changed (while specifying other details that had).

⁹² Such as Pliny's *grauissima ualetudo* in 97 (Ep. 10. 5. 1; 10. 8. 3).

⁹³ As when Pliny laid down PAS to become consul in September 100 (n. 11).

⁹⁴ Principally (details in Section I): 94–96 or 95–97 (MOMMSEN); 94–96 (SYME); 94–96 but ending early (SHERWIN-WHITE); 96–97, appointed by Domitian (OTTO); 96–97, appointed by Nerva (OERTEL, BIRLEY). The dating c. 91–93 (HARTE, KUIJPER) can now be disregarded.

Domitian's death.⁹⁵ Unfortunately SHERWIN-WHITE's dates for Pliny's trips are not watertight,⁹⁶ and the premise that prefects of the *aerarium militare* were restricted in their movements is speculative;⁹⁷ besides, once we reduce the stint by six months, why assume it was not shorter still? If not impossible, then, this reconstruction is hardly compelling.

A Nerva appointment, by contrast, seems specifically improbable. To make Pliny begin as PAM in the last quarter of 96⁹⁸ is arbitrary, not to say special pleading: even if tenure was not tied to calendar years, there is no reason to connect a change of prefect with Domitian's death.⁹⁹ But, whatever the month, the Nerva hypothesis derives solely from misplaced faith in Pliny's own (supposed) testimony. Nothing in the Epistles rules out a prefecture in Domitian's last years.¹⁰⁰ If that emperor was a tyrant, it is only topical that Pliny should have feared him (without daring refuse promotion),¹⁰¹ and that Domitian secretly hated him in return.¹⁰² Not that we need believe such claims, of course. Pliny is no dispassionate chronicler, whether in the Epistles or in the Panegyricus. Indeed, his careful wording at the end of that speech – our sole point of leverage, in fact – points clearly towards a Domitianic appointment.

Consider, first, what Pliny does *not* say. He elaborates on his nomination as PAS (Pan. 90. 6–91. 1), but breathes not a word of his prior prefecture. That does not

⁹⁵ S-W 767–768 (SYME 1958, 657–658, rules out 97 on similar grounds).

⁹⁶ Namely for Pliny's stays in Etruria (Ep. 1. 4; 1. 6 and perhaps 1. 7. 4) and Comum (Ep. 1. 8), each requiring over a month's absence from Rome, which he assigned to summer 96 and autumn 97 respectively (S-W 102–103; 105–106). Pliny's paraded fear of *ambitio* in Ep. 1. 8. 17 hardly shows a Domitianic date; and the Etruscan trip could as well be in 96 (the silence on Nerva's accession proves nothing). Professions of writerly *desidia* (Ep. 1. 2. 8; 1. 8. 2) show nothing about *negotia*; other signs that Pliny is not shackled to Rome (Ep. 1. 13. 6; 1. 22. 1) may refer to the local *secessus* afforded by his Laurentine villa, and/or fall to the objection next raised.

⁹⁷ SHERWIN-WHITE argues by analogy with PAS, who apparently needed permission for absence of even a month (Ep. 10. 8. 3 with S-W 573). But that was a more onerous office (below), shared by just two men (PAM numbered three: Dio 55. 25. 2).

⁹⁸ OERTEL 1939, 184; BIRLEY 2000a, 15–16.

⁹⁹ There are no signs of individuals elsewhere suddenly losing or gaining positions. Julius Proculus (PIR² I 497), apparently Domitian's *quaestor Caesaris* for 96, completed his year under Nerva (CIL X 6658 with SYME 1958, 656 n. 1; ECK, DNP s. v. Iulius II. 116). Bittius Proculus (PIR² F 544) was appointed PAS by Domitian and apparently served throughout 96–97; a suffect consulate followed in 99 (not 98, as once thought: ECK, DNP s. v. Fulvius II. 7). Pliny's friend Titinius Capito (PIR² O 62) was *ab epistulis* to Domitian, Nerva and Trajan. See in general CROOK 1955, 51–52 and 55; WATERS 1969, 385–405.

¹⁰⁰ Some pertinent passages in n. 4.

¹⁰¹ Cf. n. 19 on *inertia*. This point and the next are also raised by STRUNK 2013, 102.

¹⁰² Cf. Pan. 95. 3 *proeuctus ab illo insidiosissimo principe, 95.4 inuisus pessimo fui*. The tyrant's jealousy is of course a topos (e.g. Pan. 14. 5; 63. 3; Suet. Dom. 3. 2; Tac. Ag. 41. 1 *infensus uirtutibus* with WOODMAN 2014, 294). An alleged denunciation against Pliny (Ep. 7. 27. 12–14) need not imply that he was out of office (pace BIRLEY 2000a, 14). Nor need Domitian's failure to act on it imply the opposite (pace OTTO 1919, 52).

exclude direct progression from one to the next.¹⁰³ It is hard to imagine, though, that if Pliny had owed PAM to Nerva *and* been promoted to the *aerarium Saturni* so quickly, he would not have made some capital out of it. The absence of the post from the Epistles may be a less pressing (if not negligible) consideration, since others go unmentioned too.¹⁰⁴ But this consular peroration has specific rhetorical exigencies: Pliny pledges his worth by listing all his recent offices (tribune, praetor, PAS) and services (as senatorial advocate),¹⁰⁵ celebrating the confidence placed in him by Nerva and Trajan – and yet omits this one post. It is an argument from silence, but the silence is loud.

Second, the passage where we began, with its notorious *substiti* (Pan. 95. 3). For many this either convicts Pliny of fraud or proves him innocent: how can he claim that his career halted if he held a «prestigious position»¹⁰⁶ through some or all of Domitian's last years? Well, partly because «prestigious» is an overstatement.¹⁰⁷ From what little we know, PAM was a mundane job, overseeing collection of certain taxes and the funding of military veterans;¹⁰⁸ unlike the higher-ranking PAS, it seems to have entailed no juridical function¹⁰⁹ and was not necessarily the ticket to a consulate or high consular career.¹¹⁰ Nor is it likely to have involved «collaboration» in stripping the assets of fellow-senators.¹¹¹ If Pliny was appointed straight out of the *praetura*, Domitian's earlier favour (evident in his *sevirate*, *quaestura Caesaris* and accelerated

¹⁰³ Pace S-W 768. If Pliny was PAM for (say) 95–97 or 96–97, the awkward fact of Domitianic designation might outweigh the satisfactory nature of this next advancement. Progression from PAM to PAS, immediate or not, seems to have augured a bright future (CORBIER 1974, 615).

¹⁰⁴ Pliny nowhere names his PAS or consular *curatura alvei Tiberis* in the «private» Epistles, though he refers to both (Ep. 1. 10. 9 and 5. 14. 2). Other offices not mentioned are from younger and humbler days: decemvirate, *sevirate* and an early *flaminiate* at Comum – not proving, then, that the more sensitively timed PAM was unproblematic.

¹⁰⁵ In the Massa trial (cf. S-W 59).

¹⁰⁶ HOFFER 1999, 111–112; cf. GIOVANNINI 1987, 233 «très honorable».

¹⁰⁷ Cf. VIDMAN, PIR² P 490: *officium hoc non tanti fuit*.

¹⁰⁸ How far PAM controlled tax collection is unclear: revenues may have come via the *aerarium Saturni*. In any case, the actual business was done by contracted *publicani* (cf. ECK 1979, 125–145; GÜNTHER 2008, 57–87). On the range of praetorian posts see ECK 1974, 181–206 (p. 195 on PAM); BIRLEY 1981, 16–24.

¹⁰⁹ Cf. CORBIER 1974, 703–704; ECK 1979, 144. On PAS see CORBIER 1974, 689–693.

¹¹⁰ On PAM see CORBIER 1974, 610–617 and 699–705; for the impressive consular careers of PAS see *ibid.*, 528–531 and 540–552. By ECK's count (1974, 196), 14 of 17 known PAS became consul, 13 of them at once; adjusted for Apollinaris (n. 88) and Proculus (n. 99), that becomes 16 of 19 (13 or 14 at once).

¹¹¹ Pace BARTSCH 1994, 168–169; FLOWER 2006, 263–265; WINSBURY 2014, 100. The notion is (mis)appropriated from GIOVANNINI 1987, who argued that (i) PAS personally handled the wills of senatorial victims (unproved) and (ii) PAM and PAS worked together on such cases, on the basis that they apparently called each other *collegae* (Ep. 3. 4. 3). But so did consuls and praetors (TLL III 1586. 32–43) or governors of different provinces (Dig. 48. 3. 7): this is hardly evidence of committee work.

praetorship) continued;¹¹² but that is just one possibility, and a different question – historical fact, against rhetorical opportunity.

For the essential answer to the *substiti* «problem» is to recall the gloss that qualifies it – *cum uiderem quae ad honores compendia paterent, longius iter malui* – and to note the rhetorical possibilities of a distinction between magistracies (the traditional *cur-sus*) and administrative posts in the imperial service. In those terms, Pliny *did* «halt» after the praetorship, being designated for no further magistracy.¹¹³ Instead *longius iter*, an ordinary plod through the praetorian offices: accepting PAM *was* to take the «longer route».¹¹⁴ In the event Pliny became consul remarkably fast.¹¹⁵ But the implied affirmation that he could have done so faster, or even at the same pace, had he turned *delator*¹¹⁶ – and had Domitian not been assassinated – is impossible to test.¹¹⁷ Not that he spells it out. PAM goes forgotten, and the inference is all too easy that he held no post at all.¹¹⁸ Yet if Pliny had really been able in the Panegyricus to brandish several years without office, would he have settled for so understated a claim as *longius iter malui*?

Admire or condemn Pliny's careful footwork as you please:¹¹⁹ tendentious, yes; dishonest, not quite. But it does nothing to prove a Nervan appointment, and indeed is far better explained by the alternative. We can only guess the precise dates, but it would be perverse not to conclude that he took the office under Domitian.

¹¹² *Seuiri* (n. 55) were selected by the emperor (cf. ECK 1974, 177), making that magistracy Pliny's first sure sign of imperial favour (not the decemvirate, according to the principles established by BIRLEY 1953).

¹¹³ MOMMSEN felt no need to spell this out; DURRY 1938, 226, is explicit.

¹¹⁴ Cf. SOVERINI 1989, 532–533.

¹¹⁵ Emphasised by SYME 1958, 652–656; id. 1991, 561–563. Patricians apart, ten years from praetor to consul looks normal (cf. MORRIS 1964, 331–336; id. 1965, 25).

¹¹⁶ The clear implication of *compendia* (e.g. SCHWARZ 1746, 488; MOMMSEN 1869, 88).

¹¹⁷ Whether Pliny could have become consul by Domitian's death (the usual debating point) is not at issue.

¹¹⁸ For at least some readers of the published Panegyricus. What Pliny had said in the senate is of course an open question; but, even for the best informed, his formulation is too precise to be called a lie.

¹¹⁹ Preferably in the ethical terms of his time (however reconstructed), rather than our own (cf. n. 15). Tacitus is sometimes invoked for unflattering comparison (Hist. 1. 1. 3 *dignitatem nostram ... a Domitiano longius prouectam non abnuerim*, against Pan. 95. 3 *cursum quodam prouectum ...*). But that needs a pinch of salt: Tacitus' rhetorical requirements differ (a proemial claim to authority as consular historian), and so did his situation, if he had reached not just praetor but consul designate under Domitian (so e.g. SYME 1958, 70). On WOODMAN's account (above, n. 82), for all the talk of corporate guilt in the treason trials (Ag. 45. 1), Tacitus does not neglect to show that his own hands were clean.

VI. Progress?

It would be tidy if we could assign Pliny's praetorship and prefecture of the military treasury to precise years; so too the treason trials and concomitant expulsion(s) of philosophers. Unfortunately, decisive evidence is lacking. It has been possible, however, to rule out a praetorship before 93 and a career *suo anno*; the routine exclusion of 94 for the praetorship and the treason trials, conversely, turns out to be groundless. Exact dates for PAM are beyond reach, but we can safely judge that the appointment was not Nerva's. To resume:

Pliny's first senatorial magistracies ran

- either quaestor 89, *tribunus plebis* 91 or 92, praetor 93
- or quaestor 90, *tribunus plebis* 92, praetor 94.¹²⁰

He was almost certainly appointed *praefectus aerari militaris* by Domitian, whether he served for three years (94–96 or 95–97) or for some shorter term.

The trials of Senecio, Rusticus, Helvidius and their relatives took place in 93, in 94 or across both years.

Calestrius Tiro's career should probably be replotted.

Take Pliny's word at your peril. But he will not be caught lying.

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¹²⁰ On Pliny's pre-senatorial career see Section III.

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Der CHIRON wird jahrgangweise und in Leinen gebunden ausgeliefert.
Bestellungen nehmen alle Buchhandlungen entgegen.

Verlag: Walter de Gruyter GmbH, Berlin/Boston

Druck und buchbinderische Verarbeitung: Hubert & Co. GmbH & Co. KG, Göttingen

*Anschrift der Redaktion: Kommission für Alte Geschichte und Epigraphik des
Deutschen Archäologischen Instituts, Amalienstr. 73b, 80799 MÜNCHEN, DEUTSCHLAND
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