

University of Wales – Classics
The Theory and Methodology of the Study of the Classics
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Assignment 1: Abstract MA dissertation

Legal Language in Pliny the Younger's Letters

1093 words

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Introduction of the subject of the thesis

My original proposal was to research something like “elements of legal style and a comparison with other letters by other authors.” I feel this would be very interesting, but exceed the scope of a thesis in this programme. 'Style' is a very broad concept, including the use of vocabulary, grammar, syntactical aspects like the length of sentences, the way arguments are presented etc. For this reason I narrowed the subject down to “legal language” in Pliny the Younger's letters.

Focussing on the legal vocabulary I feel may result interesting research into linguistic elements and to what effect, as far as we can tell, Pliny used them. This can only lead to a deeper understanding of the language and the meaning of the Letters.

Defining of concepts

One of the first things to do would be to define what I mean by 'legal language'. This would involve some exploration of concepts like 'industry terms' and 'jargon' and explain why and how they are different from other uses of language.

On a more basic, linguistic level, I will go into linguistic semantics of a concept like 'legal language'. How can we identify this concept? Does it simply mean something like legal vocabulary? (I don't think so; lawyers often use everyday words in a legal context, but at the same time not every word they use is legal language. So, where does 'everyday' end and 'legal' begin?).

The background of the Letters

In order to adequately assess the (legal) language of Pliny's letters they have to be seen in their historic, social, political and literary and of course their legal context. Was he influenced by specific writers or other sources? What can be said about genre and reception? The answers to these questions may provide valuable information about how to identify and explain Pliny's language.

Pliny's legal background

Pliny was 18 when he began practicing law. He ran the *cursus honorum* quickly and efficiently. It would be interesting to find out which sources he used as a lawyer and whether his use of language in the Letters reflects that.

Rhetoric

The relationship between the legal world (of Pliny's time) and rhetoric, persuading people by the clever use of words, is another matter that needs to be discussed, also to provide further demarcation. Not every rhetorical device can be said to be legal language.

In legal matters the use of rhetoric was (and is) extremely important, as there may be considerable financial and other interests.

Rhetoric was and is extremely important in the law and in politics. Legal reasoning is often rhetorical in nature. It is not the same, however as rhetoric. Rather, legal reasoning is part of rhetoric, not the other way round.

Therefore, although in this thesis I want to focus on legal aspects of language in the letters, there will be some overlap with rhetoric.

Pliny's motivation to write the Letters

Pliny wrote his letters the way he wrote them because in them he could link a number of his ambitions.

Practical ambitions

First of all letters served practical purposes: One had to communicate effectively. Letter writing was common in his time and was used for practices of business, pleasure, domestic affairs, etc.

Social and political ambitions

Pliny lived through a period of political upheaval. He must have felt pressure to side with specific political factions, but he managed to remain more or less neutral. What role did his letters play in this?

Literary ambitions

His letters are also an expression of his literary ambitions and his wish to be remembered as a great writer. As we are still reading the Letters after two millennia it seems he was successful in this.

Combining these ambitions demanded a delicate balancing act on his part. In this he was successful, as he lived a long life in the service of the state.

Main body of the thesis

In the main body of the thesis I will provide a number of textual examples of legal language, categorise them and elaborate on their (rhetorical) meaning, linking them to the aspects mentioned earlier, with the intention to enable a deeper or additional understanding of the text.

An example: In letter 4.2 Plinius suggests that Rufus benefitted from the death of his (Rufus's) son, using the concept of *mancipatio*. I intend to explore the legal meaning of this word in its historic, legal, etc. context, aiming improve our understanding of the text.

Conclusion

The conclusion of the thesis will reflect its findings.

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