

The purpose of this paper is to analyze how Seneca makes use of juridical language and references to Roman court procedures to structure his theory of self-governance. In particular I will focus on metaphors of property and theft to demonstrate that Seneca, while showing an in-depth knowledge of Roman law and related juridical issues, some of which were hotly debated in his day, nonetheless routinely glides over certain procedural and technical aspects of these very juridical institutions to turn them into philosophical metaphors and adapt them to his doctrinal discourse. By doing so he provides his writing with renewed expressive strength to convey, in a highly effective way, the philosophical knowledge that for the reader/disciple is at once a moment of learning and of salvation.

The presence of technical languages in Seneca has been extensively documented. Nonetheless little has been done to show the many inconsistencies that separate technical juridical matters from the use that Seneca makes of them. The technical legal concepts to be analyzed here include: *vindicatio*, *manus iniectio* and *missio in possessionem*. I will show how Seneca's handling of these ideas does not neatly correspond to, and sometimes directly contradicts, their regular deployment in the course of a law trial in Rome. Around these ideas Seneca builds his arguments not as a jurisconsult but as a Roman Stoic philosopher. Goldsmith (1969) pointed out that, for the Stoics, the typical temporal dimension is "the situation" and every quality becomes real only as much as it is part of an action undertaken by the subject. This is what interests Seneca in his many "legal" discussions of ownership: self-possession, he contends, is the only type of ownership that one exerts over something real (the soul). All other property, the very material objects to which the juridical institutions are usually directed (cf. *Ep.* 1.3), he categorizes as *alienum*, and thus he puts them into the category of things borrowed, and not truly one's own (cf. *Const. sap.* 5.7.3). For anyone who knows Roman legal system this comes as a shock. And that is the point of turning the metaphor this way: namely, to underscore the idea that to possess something truly means first to own one's own freedom, and thus to detach oneself from the very world where *res* are possessed, and from every known legal instance of *mancipium* (cf. *Ep.* 66.23).

I hope that this look at Seneca's philosophical use of known juridical institutions of property will allow us to consider his theory of self-governance in a different light. The *meditatio mortis*, I will conclude, can be reinterpreted as an attempt to take possession of one's own interiority, which is to say the true existence of a subject, versus everyday *res*. This is the tragedy of the wise man surrounded by things, who must understand that detaching himself from this world is the only acceptable way to live in it. The images of property work as a magnifying glass to show the many contradictions of this reality in a difficult time when nothing could be considered stable in the Roman state or in the philosopher's own life, except the indomitability of his own interior space.

Bibliography for: Property and interiority some aspects of juridical language in Seneca

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