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A LOST LEGATE OF AQUITANIA

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## A LOST LEGATE OF AQUITANIA.

I. Revision of a familiar text often has wide repercussions. By paradox it may even cause a fact to be extruded and passed over by scholars in the sequel. Such has been the fate in the recent time of Salvius Valens, a governor of Aquitania who in the Digest receives a rescript from Antoninus Pius (48.7.2.2) and who stood as PIR<sup>1</sup> S 116.

His name occurred as the second (following Vindius Verus) in the list of jurists favoured by Pius, according to the text in the Historia Augusta (12.1). For centuries it abode without question until 1870, when Mommsen saw that something was out of order: the great Julian omitted, P. Salvius Iulianus (cos. 148).<sup>1</sup>) Error was patent, and so was the remedy. Author or copyist had amalgamated two jurists, Salvius Julianus and Aburnius Valens. The latter, registered by the Digest as successor to Javolenus Priscus in leadership of the Sabinian School, benefits from epigraphic testimony to nomenclature and early career, being L. Fulvius C.f. Pup. Aburnius Valens, quaestor to Hadrian about the year 125.<sup>2</sup>)

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II. Forfeiting a place among the counsellors of an emperor, Salvius Valens the legate of Aquitania has suffered occlusion. He could not secure admission to two recent ca-

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1) Duly cited by Dessau in PIR<sup>1</sup> S 116.

2) On Aburnius (registered as PIR<sup>2</sup> F 526), who has failed to attract much attention, see 'The Jurists Approved by Antoninus Pius', forthcoming.

talogues of provincial governors.<sup>3)</sup> The Digest had delivered three other Salvii of the period, viz.

1) Salvius, legate of Aquitania under Hadrian (48.3.12). PIR<sup>1</sup> S 94.

2) Salvius Carus, proconsul of Crete and Cyrene under Hadrian (48.16.14). PIR<sup>1</sup> S 99.

3) Salvius Marcianus, under Pius, province not specified (48.19.9.12). PIR<sup>1</sup> S 106.<sup>4)</sup>

Now Salvius might be supposed identical with Salvius Carus, whose proconsulate in Crete-Cyrene has acquired a date, 134/5 (AE 1951, 122). If attractive or at least harmless, the notion fails to persuade.<sup>5)</sup> This province avows a low rating. Proconsuls of Crete-Cyrene are not likely to end as consuls, hence not likely to proceed to a province such as Aquitania which offers firm prospect of a consulship, as stated for Iulius Agricola, as to be assumed without discomfort for others.

To be sure, anomalies arise. The inscription of Q. Caecilius Marcellus Dentilianus reveals a career that lacked high promise in the first three posts after the praetorship: he was legate to the proconsuls of Crete-Cyrene and Baetica, proconsul of Crete-Cyrene.<sup>6)</sup> After that, however,

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3) G. Alföldy, *Konsulat und Senatorenstand unter den Antoninen*, 1977, 252 f.; B.E. Thomasson, *Laterculi Praesidium*, 1985, 36 f. To be cited hereafter by the authors' names only.

4) Along with Salvius Valens omitted all four from RE I A (1914).

5) Due hesitation was briefly expressed by W. Eck, RE Suppl. XIV, 592; Chiron 13, 1983, 176 f.

6) CIL VIII 14291 = ILS 1096. The first post was left out in ILS 1096 - which not all scholars discerned, not even Groag in PIR<sup>2</sup> C 56. For the second, *leg. provinc. Hispan.*, Baetica rather than *iuridicus* in *Tarraconensis* won the preference of Alföldy in *Fasti Hispanienses*, 1969, 178.

he proceeded to the command of the legion XII Fulminata and the governorship of Aquitania. What happened is no mystery. An influential patron intervened - and no cause to conceive hesitations about his consulship. It probably falls c. 149.<sup>7)</sup>

Another governor of that province had previously been proconsul of Crete-Cyrene. It is the polyonymous senator who had 'Fidus' for one of his names on a fragmentary inscription at Lugdunum (PIR<sup>2</sup> F 153). In this instance the proconsulate came between the command of a legion and Aquitania. Apart from being subsequent to Hadrian, the document does not permit a close dating.<sup>8)</sup>

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III. If it were thought desirable to reduce the Salvii of the Digest from four to three, an easier solution was to hand, redeeming and exploiting Salvius Valens, that neglected character. Simply, Salvius in Aquitania under Hadrian identical with Salvius Valens there under Pius.

For a praetorian legate bridging the two reigns an explicit parallel offers. P. Pactumeius Clemens, holding Cilicia before Hadrian died, became consul (in absence) in the summer of 138, continuing as governor under Pius (ILS 1077). Again, Ti. Claudius Saturninus, attested in Belgica under Hadrian, in Moesia Inferior in 145. Therefore ascending from Belgica to the consulate c. 140.<sup>9)</sup>

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7) Alföldy, o.c., 1977, 202 f. See further below.

8) Fidus happens to be absent from Alföldy's book although it goes down to the year 180.

9) For Saturninus, Alföldy 142.

In this context, no call to adduce the *Historia Augusta: factus Imperator nulli eorum quos Hadrianus provexerat successorem dedit* (Pius 5.3). The contrary would surprise, given the known character of the new ruler. The item may derive from the basic source of the biography.

Not so the next sentence, alleging that good governors were kept on for seven or nine years. That would be repugnant to sound administration, even did not the facts refute.<sup>10)</sup> Pretty full evidence avails both for most of the consular commands and for several of the more important of the praetorian provinces in the portion of Caesar.<sup>11)</sup>

The aberrant notion reflects the author's idiosyncrasy. It recurs in one of the fictional biographies. Pescennius Niger indited letters to Marcus and also to Commodus, urging that to no governor of any type (*praesidi vel legato vel proconsuli*) should be assigned a tenure of less than five years (Pesc. 7.2).

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IV. On the present hypothesis, Salvius Valens (PIR<sup>1</sup> S 116 + 94) brings supplement to the meagre register of Aquitanian legates from the beginning of the reign down to M. Censorius Paullus (suff. 160).<sup>12)</sup> After Valens (?136-9) there is a gap before T. Prifernius Paetus (suff. 146).<sup>13)</sup>

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10) A.R. Birley, *Corolla ... Swoboda*, 1966, 43 ff.

11) For the legates of Pannonia Superior from 106 to 161, *Historia* 14, 1965, 342 ff. = *Danubian Papers*, 1971, 225 ff. For parallel the figures for the other one-legion provinces (Numidia and Dacia are there adduced).

12) Alföldy 252 f.; Thomasson 36. For Censorius Paullus, Alföldy 175.

13) His full career is supplied by *AE* 1972, 153 (Trebula Mutuesca).

Perhaps to be filled by Q. Caecilius Marcellus Dentilianus (ILS 1096). Yet he might follow Paetus, with a consulship c. 150.<sup>14)</sup> Otherwise Licinianus (PIR<sup>2</sup> L 169) is not excluded, whom a fragmentary inscription at Praeneste shows legate of Aquitania, consul, *censitor* of a province under Antoninus Pius (CIL XIV 2927). Yet again, perhaps consul c. 157: that is, preceding Censorinus Paullus in Aquitania).<sup>15)</sup>

Finally, the chance subsists that the mysterious Fidus (PIR<sup>1</sup> F 253) belongs to the last decade of the reign).<sup>16)</sup>

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V. A further consequence ensues when Salvius Valens is recovered and put into circulation. That is, a new consul suffect c. 139. As had obtained for a long period hitherto, a governor in one of the three Gallic provinces will accede to the *fasces* - unless he dies meanwhile or commits a grave political error.

It is appropriate to add that another consul accrues in the vicinity: from the revision of the passage in the *Historia Augusta* (Pius 12.1, discussed above). After Vindius Verus (suff. 138) and Salvius Iulianus (cos. 148) the original text had named Aburnius Valens.

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14) Thus Alföldy 202 - with however hesitance, 'wenn überhaupt Konsul'.

15) Alföldy 252, cf. 193. However he stands before Prifer-nius Paetus on Thomasson's list (o.c. 36), with the remark *sub Pio (vel paullo ante?)*.

16) Omitted by Alföldy, and for Thomasson put among the legates *incerti aevi* (o.c. 37).

The dedication at Lugdunum was set up by the *civitas Lemovicum* (CIL XIII 1803). He bears for tribe the *Galeria* and is noteworthy as being the first and the only known senator from Lugdunum, as pointed out by H. Des-sau, *Hermes* 45, 1911, 11.

Quite apart from that eminence, the social distinction which the inscription of the youthful Aburnius advertises was enough to guarantee a consulship (ILS 1051). He was not merely quaestor to Hadrian. At the head, after his name, stands *pontifex*. Observe, at the same stage in his career, *augur* for the younger Minicius Natalis, who was the emperor's quaestor in 121 (ILS 1029). Indeed, the sacerdotal honour might have been awarded previous to their quaestorships.<sup>17)</sup>

Further, Natalis was the son of a highly successful consular (suff. 106); and the parent of Aburnius has emerged on the *Fasti Ostienses* as consul suffect in 109.

Natalis did not reach the fasces until 139 (a certain retardation).<sup>18)</sup> Aburnius was about four years younger.<sup>19)</sup> Hence quaestor c. 125. His consulship may have come a year or two short of the standard age, towards the year 140.

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VI. To conclude. The period from 123 to 148 produced a plethora of Salvii. Recent additions are T. Salvius Rufinus Minicius Opimianus (suff. 123) and C. Salvius Capito (suff. 148, from the *Fasti Ostienses*).<sup>20)</sup> The latter came

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17 See further 'Some Early Priesthoods', ZPE 77, 1989, 241 ff.

18) Perhaps due to loss of favour with Hadrian in the late epoch of the reign.

19) Since, as the inscription states, he was *praefectus urbi* on the occasion of the Latin Games, in the year 118. Next, *triumvir monetalis*, likewise a rare distinction for a non-patrician.

20) Opimianus, with for colleague Cn. Sentius Aburnianus, was disclosed by a military diploma (AE 1973, 459 = RMD 1978, no. 21).

from Venusia, that city's first known consul.<sup>21)</sup> Most, if not all, of the other Salvii are to be presumed Italian by *patria*. Salvius Iulianus, it is true, has been claimed for Africa.<sup>22)</sup> Better, Brixia in Transpadane Italy.<sup>23)</sup>

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21) Alföldy 306, cf. C. Camodeca, *Epigrafia e ordine senatorio* II, 1982, 147.

22) For no good reason. The honorary dedication at Pupput, made when he was proconsul, affords no help, cf. Des-sau's admonition on ILS 8973.

23) T.D. Barnes, *Bonner HAC* 1968/69 (1979), 45 ff.