

as the text of Chrysostom is concerned we have the authority of one of Montfaucon's own countrymen, himself a scholar of no mean repute, for regarding the best complete edition to be that of an Englishman, Sir Henry Savile.

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## ADVERSARIA PATRISTICA.

### I. 'WHO IS MY NEIGHBOUR?'

IN all three Synoptic Gospels (Matt. xix 19, xxii 39 : Marc. xii 31 : Luc. x 27) and in St Paul's Epistle to the Romans (xiii 9) the precept 'Thou shalt love thy neighbour as thyself' is repeated from the Old Testament (Lev. xix 18). In St Paul and in the first passage in St Matthew's Gospel, it is only introduced as a summary of those commandments of the Decalogue which deal with different aspects of man's duty to his neighbour. In the other three gospel passages it is the antithesis and the complement of the commandment 'Thou shalt love the Lord thy God'.

'And who is my neighbour?' was the further question put by the lawyer in the story as recorded by St Luke: and our Lord's answer to this further question was given in the form of the parable of the Good Samaritan. It did not need to be wedded to any theory of allegorical exegesis, to see in Christ Himself the Good Samaritan who healed the wounds of bruised and battered humanity: no Christian expositor could fail to find on these lines the primary application of the parable. But if so, it followed, when the language of the gospel was pressed, that Christ, ὁ ποιήσας τὸ ἔλεος, was the 'neighbour' to him that fell among the thieves, and therefore 'neighbour' also to all who, with the lawyer, ask the question what they must do to inherit eternal life and hear the answer that eternal life follows on the love of God and one's 'neighbour', —that is, on this interpretation, of God and Christ; as it is said elsewhere, 'This is eternal life, that they may know Thee the only God and Jesus Christ whom Thou hast sent'.

Such we may suppose to have been the genesis of the curious and at first sight purely trivial exegesis of ὁ πλησίον which the examples that I proceed to cite will shew to have been normal among Latin writers down to the end of the fourth century.

1. Cyprian *Ad Fortunatum* §2 'Quod Deus solus colendus sit' (Hartel i 322, 323). Under this head St Cyprian quotes Matt. iv 10 (= Luc. iv 8), Exod. xx 3, Deut. xxxii 39, Apoc. xiv 6, 7, and then continues 'sic et Dominus in euangelio commemorationem facit primi

et secundi praecepti dicens AVDI ISRAHEL. DOMINVS DEVS TVVS DOMINVS VNVS EST, ET DILIGES DOMINVM DEVM TVVM DE TOTO CORDE TVO ET DE TOTA ANIMA TVA ET DE TOTA VIRTUTE TVA. HOC PRIMVM, ET SECVNDVM SIMILE HVIC : DILIGES PROXIMVM TIBI TAMQVAM TE. IN HIS DVOBVS PRAECEPTIS TOTA LEX PENDET ET PROPHETAEL. et iterum HAEC EST AVTEM VITA AETERNA, VT COGNOSCANT TE SOLVM ET VERVM DEVM ET QVEM MISISTI IESVM CHRISTVM.' Here, since the subject of the whole chapter is that God only is to be worshipped, there would be no point in reciting the 'second commandment' as well as the first, unless both fell under the title of the chapter, i.e. unless the reader was intended to interpret the two commands as enjoining respectively the love of God and of Christ. And that interpretation is further emphasized by the (on this hypothesis) exactly parallel sentence next quoted from St John's Gospel.

2. Pseudo-Cyprian *de Rebaptismate* §13 (Hartel iii 85). 'Nihil proficit qui non habet dilectionem Dei et Christi, qui per legem et prophetas et in euangelio in hoc modo praedicatur : DILIGES DOMINVM DEVM TVVM IN TOTO CORDE TVO ET IN TOTA ANIMA TVA ET IN TOTA COGITATIONE TVA, ET DILIGES PROXIMVM TIBI TAMQVAM TE. IN HIS ENIM DVOBVS PRAECEPTIS TOTA LEX PENDET ET PROPHETAEL.'

3. Hilary of Poitiers *Comm. in Mattheum*.

*in Matt.* xix 19 (ed. Verona, A.D. 1730, I 762, 763). 'ADOLESCENS tamquam populus insolens et glorians in lege confidit, cui tamen obsecutus ex nullo est. iussus enim fuerat NON OCCIDERE : prophetas interfecerat. NON MOECHARI : hic corruptelam fidei et legi adulterium intulerat et deos alienos adorauerat. NON FURARI : hic antequam libertatem credendi in fide Christus redderet, furto legis praecepta dissoluit. NON FALSUM TESTEM FIERI : hic Christum negavit ex mortuis. PATREM ET MATREM iussus est HONORARE : hic ipse se a Dei patris atque ab ecclesiae matris familia abdicavit. PROXIMVM TAMQVAM SE AMARE praeceptus est : hic Christum, qui omnium nostrum corpus adsumpsit et unicuique nostrum adsumpti corporis conditione factus est proximus, usque in poenam crucis persecutus est.'

*in Matt.* xxii 39 (ib. 782). 'MANDATVM sequens et SIMILE significat idem esse et officii et meriti in utroque. neque enim aut Dei sine Christo aut Christi sine Deo potest utilis esse dilectio. alterum igitur sine altero nullum ad salutem nostram adfert profectum. et ideo IN HIS DVOBVS MANDATIS TOTA LEX PENDET ET PROPHETAEL ; quia lex et prophetia omnis Christi deputabatur aduentui, et aduentus eius per supplementum eorum cognoscendi Dei intellegentiam praestabat. nam de proximis frequenter admonuimus non alium intellegendum esse quam Christum : cum enim patrem matrem filios caritati Dei praeponere inhibeamur, quomodo dilectio proximi diligendi Deum SIMILE

MANDATVM est, aut relinquetur aliquid quod amori Dei possit aequari, nisi quia similitudo praecepti parem caritatem diligendi Patrem et Filium exigebat?’

4. Anonymus *Tractatus in Symbolum Nicaenum* (A.D. 365-380).

“Deum uerum de Deo uero”: hoc et Saluator in euangelio Iohannis HAEC EST AVTEM VITA AETERNA VT COGNOSCANT TE SOLVM ET VERVM DEVM, ET QVEM MISISTI IESVM CHRISTVM. monstrauit se sic debere intellegi uerum Deum quemadmodum patrem; quomodo et saepe, repetens quod in lege praedicarat, DILIGES DOMINVM DEVM TVVM EX TOTO CORDE TVO ET TOTA ANIMA TVA, similiter et PROXIMVM TVVM. qui non intelligentibus qui esset PROXIMVS et nescientibus patefecit, QUID VOS VIDETVR DE CHRISTO? . . . et in Luca cum Pharisaeus PROXIMVM non intellexeret, hominis uulnerati fecit comparisonem, qui Ipsius pietate curatus est.’

5. Ambrose *Expositio euangelii Lucae*, vii 69: on Luc. x 27 (ed. Schenkl [vol. xxxii, part 3, of the Vienna *Corpus script. eccl. lat.*] 1902, p. 311).

‘Et ex ipso primo legis capitulo docet esse legis ignaros, probans quod in principio statim lex et Patrem et Filium praedicauerit, incarnationis quoque dominicae adnuntiauerit sacramentum, dicens DILIGES DOMINVM DEVM TVVM ET DILIGES PROXIMVM TVVM SICVT TE IPSVM. unde Dominus ait ad legis peritum HOC FAC ET VIVES. at ille, qui nesciret proximum suum quia non credebat in Christum, respondit QVIS EST MEVS PROXIMVS? itaque qui Christum nescit nescit et legem.’

6. Pseudo-Chrysostom *Opus Imperfectum in Mattheum*.

*Hom.* xxxiii (Chrysostomi Opera, ed. Bened. VI cxxxviii): on Matt. xix 19. ‘ET DILIGES PROXIMVM TVVM SICVT SEIPSVM. Sed non dilexerunt Christum factum sibi PROXIMVM secundum carnis cognitionem.’

*Hom.* xlii (ib. VI clxxxi, clxxxii): on Matt. xxii 39. ‘Quis est PROXIMVS noster? Christus, qui suscipiens carnem nostram factus est proximus noster; sicut in parabola illa Christus ostendit, cum interrogat Pharisaeus ET QVIS EST MEVS PROXIMVS? introducit hominem uulneratum a latronibus et a sacerdotibus despectum, a Samaritano autem receptum, qui est ipse Christus . . . ut autem simpliciter intellegamus, PROXIMVM nostrum omnem hominem esse fidelem, qui hominem amat fidelem simile est sicut qui amat Deum, quia imago Dei est homo.’

The ‘simple understanding’ of the passage is not indeed unexampled among Latin writers. It is found not only in Chrysostom and Basil (see the quotations in the *Catena Aurea*), but in Jerome: not only in Irenaeus (IV xii 2 ‘Deum diligere ex toto corde et ceteros quemadmodum se’, IV xiii 4 ‘super omnia diligere eum, et proximum sicut seipsum, homo autem hominis proximus’), but in Tertullian (*de cultu*

*feminarum* ii 2 'expingamus nos, ut alteri pereant? ubi ergo est DILIGES PROXIMUM TVVM SICVT SEIPSVM'). Both explanations are found in Origen: the 'simple' alone in the commentary on St Matthew (at xix 19 and also at xxii 39), the simple and the allegorical in the commentary on Romans (xiii 9: ed. de la Rue iv 657), a quotation from which will bring this note to a fitting close. 'Puto tamen quod et in hoc uoluit nos apostolus aliquid compendiosius discere. nam si diligentius requiras quis sit proximus noster, disces in euangelio illum esse proximum nostrum qui uenit et iacentes nos uulneratos a latronibus et nudatos a daemonibus iumento corporis sui superposuit et ad stabulum ecclesiae detulit et stabulario pro cura nostra et diligentia (uel ipsi Paulo uel omni qui ecclesiae praeest) duos denarios noui ac ueteris Testamenti ad nostrae curae concessit expensas. hunc ergo proximum si diligamus, omnem legem et uniuersa mandata in ipsius amore complemus.'

## II. 'LET THINE ALMS SWEAT IN THY HANDS.'<sup>1</sup>

It is well known that in the *Didache*, as Bryennios published it, there is interpolated after the heading of the Doctrine of the Two Ways of Life and Death a cento of passages from the Sermon on the Mount (ch. §§ 3-6). This section is absent from the Two Ways as they reappear in the Epistle of Barnabas, in the 'Apostolic Church Order', in the fragment of a Latin version published by Gebhardt (after Pez) in Harnack's edition of the *Didache* p. 277, in the Athanasian or pseudo-Athanasian *Σύνταγμα Διδασκαλίας*, and in the pseudo-Athanasian *Fides Nicaena*: the seventh book of the *Apostolic Constitutions* is in fact the only authority so far known which offers any parallel to this part of the *Didache*.

At the end of the Christian interpolation occur the words, 'Ἀλλὰ καὶ περὶ τούτου εἶρηται: Ἰδρωσάτω ἡ ἐλεημοσύνη σου εἰς τὰς χεῖράς σου μέχρις ἂν γῆς τίνι δῶς. Scriptural authority is clearly claimed for this clause, and it was accordingly included by Resch in his collection of *Agrapha* as Logion 35 (*Texte und Untersuchungen* v [A. D. 1889] pp. 111, 212). Resch was at first unable to produce any real parallel: but in a supplementary note on p. 288 he drew attention to a passage detected by Loofs in Cassiodorus's Exposition of Psalm xl, and again on p. 464 to further passages in Petrus Comestor and Piers Plowman, all of which were undeniably relevant. Harnack, whose encyclopaedic knowledge had put Resch in possession of this new material, made some further additions in his own *Altchristliche Litteratur* i (A. D. 1893) p. 88: 'Augustin Serm. in Ps. 102 c. 12; 146 c. 17; Gregor. Magn. Moral. III 30; Bernhard, ep. 95 (T. CLXXXII p. 228 Migne)': but there seems to be an error in the reference to St Gregory, which should

<sup>1</sup> The merit of what is new in this note belongs primarily to Dom H. L. Ramsay of Downside Abbey, who kindly communicated his material to me.

apparently be not *Moralia* III 30 but *Reg. Past.* III 20. These references I am able, by Dom Ramsay's help, to supplement with one more from St Augustine (*Enarr. in Ps. ciii Serm. 3 § 10*), one more from Cassiodorus (*in Ps. ciii 14*), and one from Abelard (*Sermo de Eleemosyna*).

To save the time of those who may wish to pursue the subject further, I subjoin in full the citations hitherto discovered of the Agraphon in question:—

1. *Didache* i 6. ἀλλὰ καὶ περὶ τούτου δὲ εἴρηται· Ἰδρωσάτω ἡ ἐλεημοσύνη σου εἰς τὰς χεῖράς σου, μέχρις ἂν γνῶς τίνι δῶς.

2. Augustine *Enarr. in Ps. cii § 12* (ed. Antwerp IV 841). 'Mendicus te quaerit, iustum tu quaere. de alio enim dictum est *Omni petenti te da*, et de alio dictum est *Desudet eleemosyna in manu tua donec inuenias iustum cui eam tradas*. et si diu non inuenitur, diu quaere, inuenies.'

3. Id. *Enarr. in Ps. ciii Serm. 3 § 10* (ed. Antwerp IV 868). 'Sicut enim de illo qui te quaerit dictum est *Omni petenti te da*, sic de illo quem tu debes quaerere dictum est *Sudet eleemosyna in manu tua donec inuenias iustum cui eam tradas*.'

4. Id. *Enarr. in Ps. cxlvi § 17* (ed. Antwerp IV 1228). 'Alius te quaerit indigens, alium tu debes quaerere indigentem. utrumque dictum est, fratres mei, et *Omni petenti te da* (modo lectum est), et alio loco scriptura dicit *Sudet eleemosyna in manu tua quousque inuenias iustum cui eam tradas*. alius est qui te quaerit, alium tu debes quaerere. nec eum qui te quaerit relinquo inanem, *Omni enim petenti te da*: sed alius est quem tu debes quaerere *Sudet eleemosyna in manu tua quousque inuenias iustum cui des*.'

5. Cassiodorus *in Ps. xl* (Migne *P. L.* lxx 295). 'Sed licet multi patres de hac re plura conscripserint, oritur tamen inter eos de hoc articulo nonnulla dissensio. legitur enim *Omni petenti te tribue*: scriptum est etiam *Desudet eleemosyna in manu tua donec inuenias iustum cui eam tradas*. sed si omnes iustos credimus, imperatam constringimus largitatem.'

6. Id. *in Ps. ciii 14* (Migne *P. L.* lxx 733). 'PRODVCAV FOENVIVMENTIS: id est eleemosynas faciat his qui passim petunt, de quibus dictum est *Omni petenti te tribue*. . . HERBAM UERO SERVITVTI HOMINVM, hoc est ut illi necessaria tribuantur de quo scriptum est *Desudet eleemosyna in manu tua donec inuenias iustum cui eam tradas*.'

7. Gregory *Regula Pastoralis* iii 20 (ed. Bened. II 64). 'Ne sub obtentu largitatis ea quae possident inutiliter spargant, audiant quod scriptum est *Sudet eleemosyna in manu tua*.'

8. Abelard *de Eleemosyna Sermo* (Opera, ed. Cousin, i 552). '*Sudet* sicut scriptum est *eleemosyna in manu tua donec inuenias qui dignus sit*.'

9. Bernard *Ep.* xciv (to Thurstan, archbishop of York: Migne *P. L.*

clxxxiii 228). 'Ideo ait *Desudet eleemosyna in manu tua donec inuenias* [al. *uideas*] *instum cui des.*'

10. Petrus Comestor *Historia scholastica: hist. Deuteronomii* cv. 'Dictum est *Desudet elemosina in manu tua donec inuenias cui des.*'

### III. 'FIGURA CORPORIS MEI' IN TERTULLIAN.

What is the true meaning of *figura* in Tertullian? The question is not quite so easy to answer as it might seem to be on superficial examination: and even one who is not acquainted at first hand with the history of philosophical terms may venture to contribute some material which ought to be taken into account before a conclusion is finally reached. It is well known that in a passage of his book against Marcion Tertullian paraphrases or explains the 'Hoc est corpus meum' of the Gospel in the words 'id est figura corporis mei': and there have not been wanting those who have claimed him, on the strength of this language, as an exception to the type of thought prevalent in the early Church in respect to the holy Eucharist. Nor is it to be denied that instances can be quoted from his works in which our own word 'figure' is the obvious or even the only possible representation of 'figura': and since this is not denied, it will be enough to adduce a single example, *de monog.* 6 'aliud sunt figuræ, aliud formæ'. But while this is true, there are two other considerations which are equally true and which are more likely to be overlooked: the first, that our English word has gained, through the use of the adjective 'figurative' and the like, associations of unreality which make it, in many passages of Tertullian, a quite unsuitable rendering of 'figura': the second, that there are traces, in both classical and Christian writers, of the employment of 'figura' in a sense incompatible with any shade of meaning ever attached to the word 'figure' in our own tongue.

#### 1. 'Figura' in other writers.

Seneca *Ep.* 65 § 7: 'Deus . . . plenus his figuris est, quas Plato *ιδέας* appellat, immortales, immutabiles, infatigabiles.' Here 'figuræ' can only be represented by 'forms'.

Original Old Latin version of Phil. ii 6 (as quoted in Cyprian *Testimonia* ii 23, iii 39, and in an anonymous commentary on the Nicene Creed<sup>1</sup>, c. A. D. 365-380): 'in figura Dei constitutus [= *Gr. ἐν μορφῇ θεοῦ ὑπάρχων*] non rapinam arbitratus est esse se aequalem Deo sed se [ipsum] exinaniuit formam serui accipiens.'

Epistle of Damasus and the council which met at Rome to consider the case of Auxentius to the Eastern bishops (see Lucas Holsten *Collectio Romana* i 165): 'ut Patrem Filium Spiritumque sanctum unius deitatis, unius uirtutis, unius figuræ, unius credere oporteret substantiæ.'

<sup>1</sup> The same (hitherto unpublished) commentary from which the quotation on p. 592 *supra* has been drawn.

Here, as in the last case, it is obvious that 'figure' will in no sense represent the Latin 'figura'.

Nicene Creed according to the Gallic version (see my *Ecol. Occid. Monumenta Iuris Antiqua* i 174): 'Qui propter nos homines et propter nostram salutem descendit et corpus atque figuram hominis suscepit.' This represents in Greek τὸν δι' ἡμᾶς τοὺς ἀνθρώπους καὶ διὰ τὴν ἡμετέραν σωτηρίαν κατελθόντα καὶ σαρκωθέντα, ἐνανθρωπήσαντα: and, though it is not possible to speak with the same certainty here, it is difficult to believe that the sense of ἐνανθρωπήσαντα, 'made man', is satisfied by anything like the meaning 'figure'.

2. Some uses of 'figura' in Tertullian.

*adv. Marcionem* iv 40: 'Acceptum panem et distributum discipulis corpus suum illum fecit, HOC EST CORPVS MEVM dicendo, id est figura corporis mei. figura autem non fuisset, nisi ueritatis esset corpus. ceterum uacua res, quod est phantasma, figuram capere non posset: aut si propterea panem corpus sibi finxit quia corporis carebat ueritate, ergo panem debuit tradere pro nobis.' To this passage and to what follows presumably refer the words of *adv. Marc.* v 8: 'Proinde panis et calicis sacramento iam in euangelio probauimus corporis et sanguinis dominici ueritatem aduersus phantasma Marcionis.'

*Apol.* 21: 'Iste igitur Dei radius . . . delapsus in uirginem quandam et in utero eius caro figuratus nascitur homo deo mixtus.' I do not know how we can translate the word here otherwise than by 'given the form of flesh'.

*adv. Marc.* ii 21: 'Longum esset figuras argumentorum omnium creatoris expandere.' Perhaps this should be translated 'outlines'.

*Scorpiace* 12: 'Cui potius figuram uocis suae declarasset quam cui effigiem gloriae suae reuelauit, Petro Iohanni Iacobo et postea Paulo?'

Enough has perhaps been said to shew the inadequacy of 'figure' as a constant rendering. In the passage of Tertullian from which we started it is clear that, so far from conveying the faintest suggestion of unreality, it corresponds in some very definite way to the reality of Christ's human nature. I imagine that the Greek word which would best express Tertullian's underlying thought here would be not σχῆμα but χαρακτήρ.

In conclusion, the idea may be thrown out that the motive for introducing 'figura' into the passage at all was that the phrase '[id est] figura corporis mei' occurred in the liturgy with which he was familiar. In (pseudo?) Ambrose *de Sacramentis* iv 5 the words of the consecration prayer are thus given: 'Dicit sacerdos: Fac nobis, inquit, hanc oblationem adscriptam ratam rationabilem, quod figura est corporis et sanguinis domini nostri Iesu Christi qui pridie quam pateretur', &c.<sup>1</sup> And similar phraseology at the same point may be found in the Greek

<sup>1</sup> I owe the reference to Dr Swete's article, *J. T. S.* iii 173 n.

rite of bishop Serapion of Thmuis (*J. T. S.* i 105): *Σοὶ προσηγάκαμε τὸν ἄρτον τοῦτον, τὸ ὁμοίωμα τοῦ σώματος τοῦ μονογενοῦς. ὁ ἄρτος οὗτος τοῦ ἁγίου σώματος ἐστὶν ὁμοίωμα, ὅτι ὁ κύριος Ἰησοῦς Χριστὸς ἐν ἡ νυκτὶ παρεδίδοτο κ.τ.λ.* It is possible, then, that Tertullian, conscious that 'figura' stood in the canon of his own rite, and anticipating the use that his Marcionite opponent might make of it in the Docetic interest, adopts the word himself and gives it its Catholic interpretation. But whether that is so or not, it remains true that Tertullian is here using Eucharistic doctrine as a weapon against Marcion's Docetism, and that no interpretation of 'figura' can be admitted which does not square with that cardinal fact.

#### IV. THE PSEUDO-CYPRIANIC *De Montibus Sina et Sion* WRITTEN IN ROME.

Among the many interesting and early documents heaped together by the editors of St Cyprian in the appendix to his genuine works, few are more interesting, and none certainly is earlier, than the *de montibus Sina et Sion*. Dr Harnack, who was perhaps the first to concentrate attention on these pseudo-Cyprianic writings, has only dealt briefly with the *de montibus* (*Texte und Untersuchungen*, N.F. v 3, pp. 135-147), and of its place of origin he confines himself to saying that 'sie ist höchst wahrscheinlich afrikanischen Ursprungs, wie der Bibeltext beweist'. And it is no doubt true that in the case of any book later than the date (say) of St Cyprian, the use of the 'African' biblical text would point to Africa. But Harnack himself puts the *de montibus* in the first half of the third century, and it would be a quite unwarrantable assumption that at that early time the 'African' text was not in use outside Africa. The truth is, that the term 'African text', like the larger term 'Western text' itself, is only a tentative definition of a type of biblical version by the name of the locality where its use was first clearly established. We now know in fact that the Western text was used before the end of the second century not only in the West but by Clement of Alexandria and by the Syriac translators: and if for convenience' sake we still speak of the 'Western text', we do not in the least mean to prejudge thereby any question as to its ultimate origin. In much the same way we mean, by the phrase 'African text', the earliest form of the Latin bible, for which the evidence first becomes overwhelming in connexion with St Cyprian; and we do not (or ought not to) prejudge the question where the Cyprianic bible first saw the light. In my own opinion, if I may express it here, the probabilities point to Rome as being the source not only of the African creed and the African liturgy, but of the African bible also. No doubt by about the middle of the third century the Roman version of the Latin bible had begun to diverge considerably from the African: but there is

nothing in that to cause surprise, or to constitute even a presumption that the *de montibus*, if written anywhere near the beginning of the third century, could not have been written in Rome.

However that may be, it is the purpose of this note to bring forward, from the contents of the *de montibus*, a piece of positive and tangible evidence which seems to point indubitably to Rome as the residence of the writer and of those whom he addressed: evidence indeed (as I think) so clear that I cannot help wondering that it has not, to my knowledge, hitherto been adduced. The tract concludes with a sort of parable, in which our Lord is represented as the servant in charge of a vineyard, the intrinsic interest of which will be a sufficient excuse for quoting it at length (*Cypriani Opera*, ed. Hartel, iii 117. 11—118. 17):—

‘Christus custos uineae suae, dicente Salomone POSVERUNT ME CVSTODEM IN VINEAM. inuenimus uero in conuersu huius mundi in similitudinem spiritalem figuraliter esse uineam habentem dominum et possessorem suum. uero tempore maturo prope dies uindemiarum ponunt in mediam uineam custodem puerum in alto ligno media uinea confixo, et in eo ligno faciunt speculum quadratum de harundinibus quassatis, et per singula latera quadraturae speculi faciunt cauerna terna, quae fiunt cauerna duodecim: per quam quadraturam cauernorum custos puer omnem uineam perspicuens custodiat cantans, ne uiator ingrediens uineam dominicam sibi adsignatam uexet uel furans uiam uineae uestiget<sup>1</sup>. quod si inportunus fur egens in uineam uoluerit introire et uiam demere, illic puer, sollicitus de uinea sua, deintus de speculo dat uocem maledicens et comminans, ne in uineam uiator fur audeat accedere, dicens “Rectum ambula”: fur autem timens uocem pueri sibi comminantem refugit de uinea, speculum uidet, uocem audit, puerum intus in speculo sibi comminantem non uidet, timens post uiam suam uadit.

hic conuersus saecularis similatus gratiae spiritali. ita est enim et in populo deifico sicut in uinea terrena. uinea dominica et spiritalis plebs est christianorum, quae custoditur iusso Dei patris a puero Christo in ligni speculum exaltatum. quod si uiator diabolus perambulans uiam saecularem, si ausus fuerit de uinea spiritali hominem de plebe dominica separare et uexare, statim a puero caeleste correptus et flagris spiritalibus emendatus exul[ul]ans<sup>2</sup> ad centesimum effugit in locis aridis et desertis. hic custos est puer filius dominicus qui uineam suam sibi a patre commendatam saluandam et reseruandam [custodiat]<sup>3</sup> . . .’

The feature to which I wish to draw attention occurs in the explanation of the parable. The thief convicted of stealing grapes from the

<sup>1</sup> *Furans . . . uestiget* is the reading of  $\mu^*$ : *furus . . . uestigent* of  $\mu^2$  T, followed by Hartel.

<sup>2</sup> *Exulans*  $\mu^2$  Hartel: *exulans*  $\mu^*$  T.

<sup>3</sup> *Saluandam et reseruandam custodiat*  $\mu$ : *saluandam et reseruandam* T: *saluandam tenet et reseruandam* Hartel.

vineyard is scourged and then banished 'ad centesimum', to the hundredth milestone. Hundredth from where? Why, of course, from Rome. The hundredth milestone was the well-known limit of the jurisdiction of the Praefectus Urbi: and though I believe that at a later period traces may be found of a similar jurisdiction in relation to other Western cities, such as Milan and Carthage, the reference would have been meaningless, at the date of the *de montibus*, for any other place than the capital<sup>1</sup>. The limit of jurisdiction itself, according to Mommsen<sup>2</sup>, must have been derived from the customary habit of the City Prefect of inflicting sentences of banishment beyond the hundredth milestone, so that sentences of this sort—though the exact scope is never mentioned before imperial times—must be 'relatively old'<sup>3</sup>.

For an example of this penalty in the fourth century, it may be worth while to cite the following passages from the rescript of Gratian to Aquilinus, Vicar of Rome, in the matter of the controversy between Pope Damasus and his rival:—

'serenitas nostra mitibus persuasit edictis ut omnes qui impios coetus profanata religione temptarent uel ad centesimum Urbis milliariae pellerentur. . . :

post haec nisi omnes, ut nominatim iussionis nostrae summa complectitur uel quos turbas istiusmodi molientes sanctorum episcoporum concilia consensu ostenderint, ultra centesimum milliarium ab Urbe depuleris, atque earum ciuitatum finibus extorres esse praeceperis

<sup>1</sup> A law of Arcadius and Honorius in A. D. 400 banishes any deposed bishop who attempts to regain his see to a distance of 100 miles from it: 'Quicumque residentibus sacerdotibus fuerit episcopali loco detrusus et nomine, si aliquid uel contra custodiam uel contra quietem publicam moliri fuerit deprehensus rursusque sacerdotium petere a quo uidetur expulsus, procul ab ea urbe quam infectis secundum legem diuae memoriae Gratiani centum milibus uitam agat'. As a matter of fact the law of Gratian (if, as appears probable, the reference is to the passage quoted immediately below) was concerned, in so far as it mentions the hundredth milestone, only with Rome. With regard to Milan, all that can be said is that Symmachus, when in 391 he asked as consul for the restoration of the Altar of Victory, was hurried from the imperial presence at Milan, and set down at the hundredth milestone: [Prosper] *liber de promissionibus et praedictionibus Dei* iii 38 'quem statim a suis aspectibus pulsum in centesimo lapide rhedae non stratae impositum ea die manere praecepit'. See Dill *Roman Society in the Last Century of the Western Empire* p. 26.

<sup>2</sup> *Römisches Strafrecht*, 1899, p. 970. Instances of banishment to a distance of 400, 500, and 200 miles, are all found in republican or very early imperial times; oddly enough no specific mention of the 100 miles' limit seems to be found before Ulpian (or the *de montibus*).

<sup>3</sup> Dio Cassius in the imaginary conversation which he makes Augustus hold with Agrippa and Maecenas includes among the latter's suggestions to the emperor the creation of an urban prefecture with jurisdiction up to 750 stadia [the same Greek equivalent for 100 miles is found in Dio iv 26]: *πολιάρχος δὲ ἢ τις . . . ἀποδεικνύσθω . . . ἵνα δὲ τῆς πόλεως προστατῆ . . . καὶ τοῖς ἐξω αὐτῆς μέχρι πεντήκοντα καὶ ἑπτακσίαν σταδίων κρήνη.*

quarum plebem uel ecclesias uel per se uel per simile sui uulgus exercent, praeter aestimationis iniuriam cuius apud bonos non leuis iactura est, piaculum neglectae sanctionis incurres.'

That such penalties as scourging and expulsion from Rome should have been inflicted for the mere theft of a few grapes from the vineyard may well astonish the reader who recalls the liberal permission of the Mosaic law to the wayfarer to pluck ears from the standing corn. But the crime, if such we may call it, is still visited with Draconian severity among the Swiss cantons at the present day, and the Roman law of the Twelve Tables appears to have singled out the stealing of crops by night for special penalties: 'frugem aratro quaesitam furtim noctu pauisse ac secuisse puberi XII tabulis capitale erat, suspensumque Cereri necari iuebant grauius quam in homicidio conuictum; impubem praetoris arbitratu uerberari noxiamae duplionemue decerni' (Pliny *H.N.* xviii 3. 12, cited by Mommsen, p. 772 n. 4). In the third century A.D., as we learn from a quotation of Ulpian in the *Digest* of Justinian<sup>1</sup>, civil process in the case of theft had been generally superseded by criminal process. From the same writer's book *de officio proconsulis* (*Dig.* xvii 11. 7) it appears that certain categories of thieves 'fustibus castigantur' or 'ad tempus relegantur'. And 'abigei' (thieves who made a practice of stealing cattle and sheep) might be condemned, according to a rescript of Hadrian's (see again Ulpian in *Dig.* xvii 14), to the mines, or even in extreme cases to death. We may conclude, therefore, that the penalties indicated in the *de montibus* would hardly have been considered excessive, 'particularly if the *furtum* was *manifestum*' [as the simile in the *de montibus* obviously implies] 'or the thief was a *persona humilis* or slave'.

#### V. FRAGMENT OF AN EARLY MS OF ST ATHANASIUS.

Seeing that the papers by Bishop Wallis and Professor Lake, in previous numbers of the JOURNAL (iii 97 [Oct. 1901], 245 [Jan. 1902]: v 108 [Oct. 1903]), constitute the fullest account to be found anywhere, so far as I know<sup>2</sup>, of the manuscript authority for the writings of St Athanasius, there seems to be a special advantage in calling attention here to the investigations of an Italian scholar, Dr. G. Bertolotto, published in the *Atti della Società Ligure di storia patria*, 1892, pp. 1-63. Bertolotto reproduces the correspondence which passed in the year 1602 between Rome and Genoa, when Clement VIII vainly asked after a MS of St Athanasius which Cardinal Sirleto (died 1581) had borrowed,

<sup>1</sup> *Dig.* xvii 2. 93. For this and the following references I am indebted to the kindness of Prof. Goudy.

<sup>2</sup> When these lines were written I had not yet come across the full account of the MSS in von der Goltz's recent defence of the genuineness of the work *de uirginitate* ascribed to Athanasius.

as it appears, from the collection which Francesco Sauli, bishop of Brugnato, had bequeathed at his death in 1528 to the Hospital for Incurables at Genoa. The said MS is thus described: 'Tra i libri dell' Hospitaletto di Genova era un libro greco scritto a mano, molto antico, il quale haveva nel principio due versi greci in lode di esso Santo, et 66 o 67 tra epistole, apologie, et diversi trattati dell' istesso autore: il qual libro fu portato a Roma vivente il cardinale Sirletto bo. mem.; et se hoggi non si ritrova nell' Hospitaletto, sarà tra' libri che furno di mons. Giustiniano vescovo di Ginevra, in mano del quale fu rimandato. Oltre di questo, nel detto Hospitaletto vi sono delle opere di S. Athanasio sparse in altri volumi di diverse cose, cioè nel libro di no. 31, 92, 96, 123, et di più v' è un libro di Serapione contro i Manichei, dove è insieme Tito Bostrense contro i medesimi et molte altre cose di Padri, et di Concilii, il quale servirebbe a questo et anco per i Concilii.'

In answer to the papal request the Genoese authorities sent to Rome a list of the Greek books and manuscripts still to be found in the Hospital. In this list, which Bertolotto publishes, barely forty MSS are enumerated, and time after time the description is limited to the phrase 'alcuni libri senza principio scritti a mano'. It is hardly to be wondered at that the pope was dissatisfied, and requested the Genoese to employ some person who was 'practical and experienced in this sort of business'. But he had no better success this time than before: no MS of St Athanasius was to be found.

In 1744 what remained of the collection was catalogued by a competent scholar, Father Pietro Maria Ferrari, and, possibly through his intervention, the MSS passed shortly afterwards from the possession of the Hospital to the library of the 'Missioni Urbane' in the same city, where they still remain. Bertolotto prints, as an appendix to his paper, a brief account of the present numeration, condition, and contents of each of the thirty-nine MSS, from which it appears that more than half are attributed to the tenth or eleventh century—among them a MS of Epiphanius (no. 3)—that the Serapion *adversus Manicheos* (no. 26: saec. xi) and the canonical collection (no. 31: A. D. 1322) are both of them still extant, and, finally, that a fragment of a MS of Athanasius (no. 4) also survives, which being mutilated at the commencement no doubt escaped the notice of the ignorant investigator employed by the Genoese republic in 1602.

The fragment is ascribed by its discoverer to the eleventh century, and it would certainly appear not to be older than that date. It consists of the 13th, 14th, 15th, and 16th gatherings<sup>1</sup>, together with the first leaf of the 17th, of a MS which must have lost some ninety leaves or more at the commencement, as well as an unknown quantity at the end. On the first page are the final words of the *de Incarnatione*, followed by

<sup>1</sup> Of these the 13th, 15th, and 16th are quaternions, the 14th a ternion.

the *Disputatio adversus Arium*, τοῦ αὐτοῦ διάλεκτος ἐν τῇ κατὰ Νικαίαν συνόδῳ—πρὸς Ἄρειον: the *Disputatio* ends on fol. 31a, ἐπληρώθη σὺν θεῷ ἢ τοῦ ἁγίου Ἀθανασίου κατ' Ἄρειον ἀριστεία, and on fol. 31b (the last leaf of the MS) is the title and commencement of the *Epistola ad episcopos Aegypti et Libyae*, τοῦ αὐτοῦ πρὸς τοὺς ἐπισκόπους Αἰγύπτου καὶ Λιβύης ἐπιστολὴ ἐγκύκλιος κατ' Ἄρειανῶν.

What conclusions can we draw from these premisses?

(1) It cannot be by accident that the first extant leaf contains the commencement, and the last extant leaf the close, each of a single treatise. For some purpose which it is impossible to define, the *Disputatio adversus Arium* was taken out of a larger MS, and has alone survived.

(2) But we need be at no loss in establishing the contents of the portion lost from the commencement of the codex Saulianus. Comparison with the lists of the British Museum MS L (see *J. T. S.* iii 106) and the Basle MS B (ib. 246) shews that the order *de Incarnatione*, *Disp. contra Arium*, *Ep. ad episc. Aegypti et Libyae*, is common to both those MSS with our fragment: and in both MSS the three treatises occupy the second, third, and fourth places, being preceded by the *contra Gentes* and by it only. Now in B the *Disputatio* occupies fifteen leaves, the *contra Gentes* and *de Incarnatione* together forty-seven leaves. In our fragment the *Disputatio* occupies thirty leaves, and therefore the *contra Gentes* and *de Incarnatione* would have taken up about ninety-four leaves—exactly the number which the missing twelve quaternions at the beginning of our MS might have reached. There can therefore be no doubt that our MS when complete contained (1) *contra Gentes*, (2) *de Incarnatione*, (3) *Disputatio contra Arium*, (4) *Ep. ad episcopos Aegypti et Libyae*. How much has been lost after this, we have of course no means of deciding with certainty: but it is reasonable to conjecture that the rest of the contents, as far as they went, were also in agreement with the contents of L.

Bertolotto has no hesitation in identifying our MS as part of that which had been sent to Cardinal Sirleto. At best it can have been but a small part of it, seeing that it contains only a single treatise, whereas Sirleto's MS contained sixty-six or sixty-seven 'letters, apologiae, and miscellaneous treatises of the same author'—figures which I see not the least reason for not accepting. In any case therefore the greater part by far of Sirleto's MS still remains undiscovered. The mention of Bishop Giustiniano of Geneva suggests the suspicion that the Sirleto MS may have found its way not back to Genoa but to Geneva, where we know several MSS of Athanasius found a home. But the Felckmann MSS at Geneva (see *J. T. S.* iii 107) appears to be all of the sixteenth century, and the Sirleto MS was 'molto antico'.

<sup>1</sup> It might be worth considering whether one or other of these MSS may not be a sixteenth-century transcript of the Sirleto codex.

One further possibility is suggested by a comparison of Bertolotto's account of the Genoa fragment with Prof. Lake's account of the Athos MSS: for it appears that in one Athos representative of the L B group, Vatopedi 5, 6, saec. xiv (Prof. Lake calls it K), the order of the early treatises in the MS is disturbed exactly by the absence at the proper point of the *Disputatio contra Arium*, which instead of occurring as no. 3 only comes as no. 27. It is conceivable therefore that K was copied from a MS of the L B group which had lost the *Disputatio*, and that the Genoa fragment is the missing portion of the archetype of K. If this were so, of course the dislocation of the MS took place at a date long anterior to Cardinal Sirleto, and Bertolotto's identification would necessarily fall to the ground.

#### VI. PRISCILLIAN AND THE ACTS OF JUDAS THOMAS.

Among the extant letters of pope Leo the Great, few are of more interest and importance than that which in July A. D. 447 he addressed to Turribius, bishop of Asturica or Astorga, a town in further Spain, situated on the southern slopes of the Gallician mountains<sup>1</sup>. Turribius was appealing to the pope's assistance in view of a recrudescence of Spanish Priscillianism—it was just sixty years since Priscillian, the founder of the sect, had been put to death at Trèves—and laid before him a summary statement ranged under sixteen heads of Priscillianist opinion: the letter itself is unfortunately lost, but the papal answer obviously embodies a good deal of the material contained in it and deals one by one with the sixteen charges brought by Turribius. That Leo had no first-hand acquaintance with Priscillianism is pretty clear: he depends on the information of his correspondent, and his personal contribution to the subject is a comparison of the Spanish Priscillianists with the Roman Manicheans, into whose doctrine and practices he had himself conducted an official investigation<sup>2</sup>. Whether the infor-

<sup>1</sup> I have not yet had an opportunity of examining the arguments by which Künstle *Antipriscilliana* seeks to impugn the genuineness of this letter. But I do not for one moment suppose that they have any validity.

<sup>2</sup> See in this epistle (no. xv in the Ballerini arrangement) § 4 Priscillianists fast on Sunday, 'cognatis suis Manichaeis per omnia consentientes, qui, sicut in nostro examine detecti atque conuicti sunt, dominicum diem, quem nobis Saluatoris resurrectio consecrauit, exigunt in moerore ieiunii': § 5 the soul of man is of the divine substance, 'impietatem ex philosophorum quorundam et Manichaeorum opinione manentem': § 7 they condemn marriage and procreation of children, 'in quo, sicut paene in omnibus, cum Manichaeorum profanitate concordant': § 8 the body is the devil's work and will have no resurrection, 'uirus de Manichaeae impietatis specialiter fonte procedens': § 16 outward conformity, 'faciunt hoc Priscillianistae, faciunt Manichaei, quorum cum istis tam foederata sunt corda ut solis nominibus discreti sacrilegiis autem suis inueniantur uniti'... [Leo admits one point of difference in that the Priscillianists accept, the Manicheans reject, the Old Testament. He sends Turribius the 'gesta' of the commission of enquiry, held

mation thus extracted about the Manicheans was reliable or not, may perhaps be questioned: but at any rate the imputation to Priscillianists of the crimes of Manicheans—on the sole ground apparently that both sects, to avoid the rigours of persecuting edicts, were in the habit of conforming outwardly to the Church—seems to have rested on nothing more than a *priori* conjecture.

The fifteenth of Turribius's heads dwelt with the Priscillianist scriptures: their *codices* of the canonical writings were 'most corrupt', and they circulated also many apocryphal writings under apostolic names. What these writings were, or what names they bore, the papal letter does not say: we only learn that there were in them 'some things which might seem to have a show of religion', and that they also contained attractive stories, '*fabularum illecebras*'.

The pope wound up his letter by informing Turribius that he had instructed the bishops of the four Spanish provinces, Tarraconensis, Carthaginiensis, Lusitania, and Galicia, to meet in common council on the subject. Should that course prove impracticable, at least the Gallician episcopate must meet under the guidance of Idacius Ceponius and Turribius himself.

Turribius, either before or after his letter to Leo, addressed to these same bishops, Idacius and Ceponius, an extant epistle in which he enters into much fuller detail than Leo about the apocryphal writings current in Priscillianist circles, and the canonical authority attributed to them. Among these writings he names in the first place the Acts of Thomas, which he singles out for special reprobation as containing a command to baptize not with water but with oil; but he mentions further, as of Manichean origin, the Acts of Andrew, the Leucian Acts of John, and the '*blasphemissimus liber*' called *Memoria Apostolorum*. That Turribius had actually seen and read all the three last books I should not like to affirm categorically; but that he had read some of the Priscillianist apocrypha follows from his language '*in illis quos legere potui apocryphis codicibus*', and I do not think it is open to doubt that among those he had read he means to assign a foremost place to the Acts of Thomas. Of the use of oil for baptism, with which he reproaches the Acts, mention is made in the extant text, both Greek and Syriac, on at least half a dozen occasions<sup>1</sup>, and it is exactly the

in open court, into the practices of the Manicheans] . . . '*quod autem de Manichaeorum foedissimo scelere, hoc etiam de Priscillianistarum incestissima consuetudine olim compertum multumque uulgatum est; qui enim per omnia sunt impietate sensuum pares, non possunt in sacris suis esse dissimiles.*'

For further details about the Manichean enquiry see Ep. vii '*Leo uniuersis episcopis per Italiae prouincias constitutis*', and Ep. viii, a Constitution of the Emperors Theodosius II and Valentinian III, addressed to the prefect Albinus.

<sup>1</sup> Act ii, baptism of King Gundaphorus (Syriac, Wright's translation, p. 166; Greek, M. Bonnet's text, p. 142); Act v, baptism of the woman in whom the

sort of feature, in that strange and weirdly fascinating story, which would arrest the attention of an orthodox reader in the fifth century.

If Turribius found the Acts of Thomas circulating among the Priscillianists, the book must presumably have been translated into Latin: for neither Greek nor Syriac would have been a familiar tongue to these isolated heretics in a remote corner of Spain.

But when and how did the Acts of Thomas get to Spain? Prof. Burkitt calls my attention to the fact that the so-called Silvia during her pilgrimage to the East, read at Edessa 'aliquanta ipsius sancti Thomae': and 'Silvia' is now generally identified with the Spanish lady Egeria or Etheria, so that she 'may have had some share in bringing the ancient Edessene romance westwards'. But it seems to me more than probable that Priscillian himself had these Acts in his hands: for at the opening of his third tractate (ed. Schepss, p. 44), where he is defending by scriptural example the use of apocryphal literature, he not only identifies the apostles Jude and Thomas but interprets the name Thomas or Didymus as meaning Twin with the Lord, 'didymus Domini'; and I do not see from what other source this double conclusion can be derived than from the Acts of Judas Thomas.

'Ait Iuda apostolus clamans, ille didymus Domini, ille qui deum Christum post passionis insignia cum putatur temptasse plus credidit, ille qui uinculorum pressa uestigia et diuinae crucis laudes et uidit et tetigit: PROPHETAVIT DE HIS INQUIT SEPTIMVS AB ADAM ENOC DICENS ECCE VENIT DOMINVS IN SANCTIS MILLIBVS FACERE IVDICIVM ET ARGVERE OMNEM ET DE OMNIBVS DVRS QVAE LOCVTI SVNT CONTRA EVM PECCATORES. quis est hic Enoc quem in testimonium profetiae apostolus Iudas adsumpsit?'

The passage is in some of its details difficult and perhaps corrupt: but the epistle of Jude is clearly quoted as the work of Jude the apostle, and he in turn is further defined as the apostle who saw and touched the marks of the nails, who was called Thomas or Didymus because he was Twin with the Lord Himself. Priscillian lived at a time when the Catholic Church was making a sustained effort to sift finally the canonical from the apocryphal literature, but the movement was not yet strong enough to affect remote districts or half-instructed theologians: and it is hardly surprising either that he defends the use of the extra-canonical writings, or that in defending them he betrays acquaintance with, and recognizes the authority of, so striking a specimen of that class as the Acts of Judas Thomas.

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demon dwelt (Syriac, p. 188; Greek, p. 164); Act vii, prayer over the flock of Xanthippus (Syriac, p. 205; Greek, p. 184); Act x, baptism of Mygdonia (Syriac, p. 258; Greek, p. 230); *ib.* baptism of Siphor (Syriac, p. 267; Greek, pp. 239-240); Act xiii, baptism of Vizanes (Syriac, pp. 285, 289; Greek, pp. 261, 265-266). On most of these occasions a baptism by water follows in both Greek and Syriac; but it may be doubted whether it formed part of the original text.