

INDICE DEL VOLUME E ABSTRACTS

Piero Bellini

Cristianesimo e diritto romano pag. 7

ABSTRACT. The apocalyptic vision of Christianity at its origins, its spiritual and eschatological aim, collided inevitably with Romanity, of which it denied the constitutive values. But in the long run, when the promise of an impending *parousia* showed itself to be fallacious, Christianity became more and more worldly; its primary *contemptus mundi* was transformed in a more peaceful *evangelizatio mundi*. So Christianity, also by the influence of a moderate practical stoical philosophy, approached to Romanity and, as a consequence, to *jus Romanum*, which underwent an equal philosophical influence. From here, at last, we had a twinning – so to say – of Christianity and Romanity. However, the contribution of Christian ideas to *jus privatum* was poor; on the contrary, their impact on *jus publicum* was determinant. Consequently, Christianity became an instrument of a coercive accomplishment of religious values, in spite of the spontaneous assent of each individual.

Lucio De Giovanni

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ABSTRACT. Lucio De Giovanni examines two documents of the Constantinian age, apparently distant in the subjects: the Spello's rescript and the Nicagora' epigraph. In reality, the aspects which are attested by the cited sources (the emperor's relation with the polytheism in the first source and with the pagan neoplatonic culture in the second one) represent two important moments for the valuation of the Constantinian policy, which we have to bear in mind with the same attention. Ultimately, the essay proposes some considerations on the religious policy of the first Christian emperor, on the valuation of the different forces which utter it, as so as on the methodology of the approach to the late antiquity juridical sources, whose the Spello's rescript is a very significative witness.

Andrea Pellizzari

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ABSTRACT. Along Libanio’s work the terms σωτήρ and σωτηρία can be found very often repeated when he refers to actions or measures taken by governors or civil servants which, even if not clearly indicated, aim at protection of towns and their institutions. It’s important to note that these phrases are not only to be found in letters and orations singularly addressed to one person or to a more numerous public, but even in writings with education purposes as *progymnasmata* and *declamationes*; this means that in Libanio’s political lexicon they did not have just a merely laudatory function, but they had an absolute power which had to be instilled into the minds and hearts of his young students, future civil servants and *buleutas*.

Elio Doveve

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Carla Castelli

**Οὐ συγγραφῆς ἔργον ψιλῆς
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ABSTRACT. The epideictic narrative is intrinsically selective. The orators, starting from Isocrates, are highly aware of this: the inevitable selectivity soon became a laudatory *topos*. In Aelius Aristides’ *Panathenaicus*, this kind of awareness leads to a reflection about the encomiastic narration. The author opposes laudatory διήγησις and συγγραφή / ψιλῆ συγγραφή / ἀπλή διήγησις. The laudatory διήγησις is complex: it faces the difficulty of selecting the material and must be proportionate to the duration of

the speech. The *συγγραφή* tends to give an account of events in a systematic and complete way, but it tends to occupy an infinite time. The first is a true rhetorical way of expression; the second is a kind of “non-oratorical prose” (Russell-Wilson), well documented in technical treatises. The need to construct a selective narrative emerges also in the *Sacred Tales*, and helps to bring out their encomiastic intent.

Maria Elvira Consoli

La percezione dei Germani in Tacito e nei Tardoantichi:

Paolo Orosio e Ammiano Marcellino » 91

ABSTRACT. The acquisition of information about the Germans, given by authors of different ages, is due to the need of performing a more complete mediation of what arrived to us about them, and to the unbreakability of an epistemological *μετάνοια*. If it came true, it would be possible to make a more correct *παιδεία* of the ancient world, that would allow a full knowledge in a diachronic *continuum*, overcoming in this way the usual and misleading division between heathen and Christian conception of the historic process. This aim can be achieved through the analysis and in-depth investigation of events occurred between Germans and Romans, by means of a close examination of historical-literary testimonies, which go from the I to the V century. Therefore a balanced review of Late Antique sources relating to the Germans will allow to overcome the *dimidiata* view of their events, which have been always related exclusively to the names of Caesar and Tacitus, respectively authors of heathen and Roman-centric culture. Wrongly, indeed, it is customary to neglect, in research as in teaching, what stated in Late Antiques about the wars conducted by the Romans against the Germans, still in the last period of the Empire. The data acquired in Paolo Orosio and Ammiano Marcellino help to complete the information given by Tacitus about the German peoples, who were never actually submitted to the Romans.

Valerio Neri

Costantino e i maghi: CTh 9, 16, 3

nel contesto della storia della repressione penale della magia . . . » 105

ABSTRACT. The law of Constantine (*CTh.* 9, 16, 3) condemns magic not generally as a science, but to the extent that it produces significant criminal actions, which are identified in the damage

to health and physical integrity and that to the social dignity of the victims; simultaneously the emperor recognizes the legitimacy but also the effectiveness of magic in terms of health and control of the weather events. With this attitude Constantine goes against a widespread tendency in Roman law condemning magic as a science, attested from the second century, but is in the line of traditional interpretations of the *lex Cornelia de sicariis et veneficis* condemning black and erotic magic as assimilated to *veneficium*, the first soon, the second later and not without controversy. This attitude is far from the generalised christian condemnation of magic as an art of the devil as well as from the widespread assimilation of *magi* and *malefici*, which later became firmly established in the late legislation from Constantius II, nevertheless refraining from explicitly referring to christian vocabulary and concepts.

Mariarosaria Pugliarello

Martirio orthographus: lezioni di corretta scrittura » 123

ABSTRACT. The *grammaticus* Martyrius in his treatise, *De B muta et Vuocali*, focuses on one orthographic problem and aims to present a reference handbook, with *regulae* and examples which are easy to memorize. The paper examines the didactic strategies employed by Martyrius, who uses the tools of the grammatical teaching: *ars grammatica*, etymology, lexicography, *differentiae uerborum*, and examples of the authors. All the texts of the ancient scholastic curriculum take part in the composition of the treatise and contribute to its success, attested by the *De orthographia* of Cassiodorus and the following scholastic tradition.

Manuela Mensorio

Su Vittorino, De nativitate 8-14 » 145

ABSTRACT. The *codex Vaticanus Reginensis Latinus* 582 contains two short poems, the *De lege Domini nostri Iesu Christi*, and the *De nativitate sive passione vel resurrectione Domini*. The *De nativitate* consists of 107 rhythmical hexameters and tells the basic events, summed up, of Jesus Christ and the events preparing it and connected with it. Here, I have taken into account the verses 11-12, more widely between verses 8- 14, revealing an exegetical - biblical aspect of the poem. I think that the lection *qui* (v. 11), as reported by the manuscript, may be accepted. The lection *qui* – we mean *Christus* as the subject for *detulit* (v. 12) – confirm the author’s intention for underlining the role of Christ even in the

events that have preceded and caused his incarnation, as in conformity with the christological matrix of the Old Testament inspiring the *De lege*. After the *incipit* (vv. 1-7) in the *De nativitate* there is a short genealogy for Jesus Christ (vv. 8-10) where the divine matrix of any quoted event is remarked. At v. 11 it is revealed the Divine Person to whom all the preparatory events for the incarnation of the Word and for the incarnation itself must be led back, and definitely all the events of the salvation mystery: the *omnia miracula*. This way *Christus* (v. 11), a grammatical subject for *detulit* (v. 12), becomes the second and last detail, after what had been expressed at v. 1 (*actus evangelii confirmant gesta priora*), as a revelation for the christological vision at the ground of the poem, which otherwise is difficult to be identified.

Giovanni Luchetti

La raccolta di iura: gestazione di un progetto.

La legislazione imperiale fra il luglio del 530 e l'aprile del 531 » 157

ABSTRACT. This paper analyzes the *const. ad senatum* of July 22nd, 530 which comprised the provisions currently included in *CI. 2, 44 (45), 4, CI. 3, 38, 12, CI. 5, 4, 24, CI. 6, 25, 7 (6), CI. 8, 41 (42), 8, CI. 4, 65, 35 and CI. 11, 48 (47), 21* (the last two lack of *subscriptio*, but they are attributed to the same date by Krüger). Considering the objective textual data that we currently have available, we hypothesize the existence of a close connection between the issuance of the *const. ad senatum* of July 22nd, 530 and the actual beginning of the *Quinquaginta decisiones* project. The latter should be considered to be originally aimed at the settlement of single controversial issues – both of classical and non-classical origin – whose solution was perceived as necessary to remove the *prolixitas litium*. The testimony of the Turin Gloss no. 370 (*adp-tivi*) on the *I. 3, 1, 2* cannot be validly invoked to support the thesis that was made a collection of the *Quinquaginta decisiones*. Indeed, under the application of so called formal criterion, the possibility to account for *CI. 8, 47 (48), 10* as one of the *decisiones* should be excluded.

Claudio Moreschini

Motivi romanzeschi e interessi cristiani nelle Recognitiones

dello Pseudo Clemente tradotte da Rufino » 179

ABSTRACT. An examination of Rufinus' translation of the *Pseudoclementina* (i.e. the *Recognitiones*), in order to find out the topics

of the Greek Novel, in which the Christian readers of fourth century A.D. could be interested: the plot, the characters of the ancient predication (St. Peter, Simon Magus) and the ideals of the Christian ethic (chastity, praise of widowhood) of Rufinus' age.

Antonio V. Nazzaro

Paolino di Nola e il pellegrinaggio al Santuario di san Felice . . . » 197

ABSTRACT. Although Christianity was a religion originally founded on a sense of time rather than place, but some Christians conceived an interest in visiting the location where the Bible narratives were set. During the fourth century the journeys to Palestine became more common. Constantine, who there erected wonderful churches, and his mother Elena, who visited the Holy Land in search of the True Cross of Christ, popularised the idea of pilgrimage. But the Holy Land was not the only goal for pilgrims. Throughout the Mediterranean world holy men (as Felix of Nola) and women, living or deceased, also became objects of devotion. A common reason for making such a journey was the need for physical healing, which might be achieved by making votive offerings or by carrying home a clay token. This paper has studied the rural pilgrimages to shrine of Felix, a third-century cleric and *confessor*, who had already been the object of devotion before Paulinus' arrival. But the shrine's reputation significantly expanded under the care of the Nolan poet, who every year (14 January) celebrated the anniversary of the saint's death by making hexametric poems in his honour (*carmina natalicia*). The careful reading of these poems, which inform us about the rural pilgrimages, the miracles which Saint works by means of animals, the animal sacrifices as well as the meat presented to pilgrims gives prominence to catechetical as well as missionary action of Paulinus. His pilgrims were mostly uncouth and illiterate countrymen, who got tied up with half-pagan worship. Paulinus benevolently agreed with their popular religiousness and integrated it in his Christian *Weltanschauung*. After all that, the successful pastoral project of Paulinus is founded on the impulse given to Felician worship, on the Nolan basilicas' construction and, above all, on the bringing out the value of pilgrimages by means of poetic celebration.

Settimio di Salvo

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ABSTRACT. As opposed to the prevailing opinion, it is argued that

also for the donation the juridical regime from Constantin to Justinian has been strongly influenced by the Christian ideology. This is true not only with regard to the kind of donation but also in relation to its contents, for example, the retraction *per ingratitudinem* and for the *querela inofficiosae donationis*.

Pubblicazioni recenti

Autori