

The *Collectio Avellana*
and Its Revivals

The *Collectio Avellana* and Its Revivals

Edited by

Rita Lizzi Testa and Giulia Marconi

Cambridge
Scholars
Publishing



The *Collectio Avellana* and Its Revivals

Edited by Rita Lizzi Testa and Giulia Marconi

This book first published 2019

Cambridge Scholars Publishing

Lady Stephenson Library, Newcastle upon Tyne, NE6 2PA, UK

British Library Cataloguing in Publication Data

A catalogue record for this book is available from the British Library

Copyright © 2019 by Rita Lizzi Testa, Giulia Marconi and contributors

All rights for this book reserved. No part of this book may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the prior permission of the copyright owner.

ISBN (10): 1-5275-2150-8

ISBN (13): 978-1-5275-2150-6

TABLE OF CONTENTS

Introduction.....viii
Rita Lizzi Testa

I. The *Collectio Avellana* and Its Materials

Chapter One.....2
The Power and the Doctrine from Gelasius to Vigile
Guido Clemente

Chapter Two.....13
The Collectio Avellana—Collecting Letters with a Reason?
Alexander W.H. Evers

Chapter Three.....29
*The Presence of Damasus, Ursinus and the Luciferians in the Collectio Avellana:
Stylistic or Thematic Reasons?*
Juana Torres

Chapter Four.....50
Maximus' Letters in the Collectio Avellana: A Comparative Study
Maria Victoria Escribano Paño

Chapter Five.....86
Il tardo pelagianesimo e la Collectio Avellana
Angelo Di Berardino

Chapter Six.....102
Anti-Pelagian Dossiers in Late Antique Canonical Collections
Mar Marcos

Chapter Seven.....123
*Multiplex perniciosa perversitas (Coll. Avell. Ep. 97): The Image of Pelagianism
in Gelasius' Letters in the Collectio Avellana*
Majastina Kahlos

Chapter Eight.....	138
<i>Contestations between Elites: Italo-Roman Senatorial Aristocrats and the Senate in the Collectio Avellana</i>	
Michele R. Salzman	
Chapter Nine.....	159
<i>Le relazioni tra Anastasio e Ormisda: l'apporto della Collectio Avellana</i>	
Silvia Margutti	
Chapter Ten.....	190
<i>Gewohnheiten der Diplomatie und die Wiederaufnahme des theologischen Dialogs durch Iustinus 518 n.Chr. (Coll. Avell. Epp. 141-148)</i>	
Joachim Szidat	
Chapter Eleven	210
<i>Preserving Female Voices: Female Letters in Late Antique Letter Collections</i>	
Julia Hillner	
Chapter Twelve.....	245
<i>A New Digital Critical Edition of the Collectio Avellana and the Other Canonical Collections: Some Suggestions</i>	
Paola Paolucci	
II. Between Imperial and Episcopal Chanceries: the <i>notarii</i> and the Compilers	
Chapter Thirteen.....	260
<i>Notes on the Diplomatic Aspects in the Documentation of the <i>scrinium Romanae ecclesiae</i></i>	
Rocco Ronzani	
Chapter Fourteen.....	280
<i>Damasus and the Papal <i>scrinium</i></i>	
Milena Raimondi	
Chapter Fifteen	302
<i>La <i>Collectio Avellana</i> e gli archivi: una questione aperta</i>	
Maria G. Castello	
Chapter Sixteen.....	318
<i>I <i>notarii</i> nella corte imperiale e in quella papale: il contributo della Collectio Avellana e delle altre fonti antiche (epigrafiche, letterarie, papirologiche)</i>	
Silvia Orlandi	

Chapter Seventeen.....	336
<i>The Compilation Process of Italian Canonical Collections during Antiquity</i>	
Dominic Moreau	
Chapter Eighteen.....	370
<i>Between Law and Literature: The Liber Pontificalis and Canonical Collections in Late Antiquity and Early Middle Ages</i>	
Antonio A. Verardi	
Chapter Nineteen.....	388
<i>A Canonical Latin Collection from Late Antiquity: The Pseudo-Iliberritan Series</i>	
Josep Vilella	
Chapter Twenty	425
<i>Virtues in a Time of War: Administrative Writing, Dialectic and the Gothic War</i>	
M. Shane Bjornlie	
Chapter Twenty One.....	463
<i>Dionigi il Piccolo e le Collectiones Dionysianae: raccolte e traduzioni</i>	
Teresa Sardella	
Chapter Twenty Two	487
<i>La Concordia canonum de Cresconius: un reexamen</i>	
Michel-Yves Perrin	
III. Medieval Revivals	
Chapter Twenty Three.....	508
<i>Minima Marginalia: Some Observations about the Two Oldest Manuscripts of the Collectio Avellana</i>	
Marco Palma and Raffaella Crociani	
Chapter Twenty Four.....	542
<i>A Late Antique Text in the Early Middle Ages: The Collectio Avellana in the Eleventh-Twelfth Century</i>	
Giulia Marconi	
General Bibliography	564
Contributors	642

INTRODUCTION

RITA LIZZI TESTA

The *Collectio Avellana* (*CA*), due to the richness and variety of its content, is one of the canonical collections that is most cited by Late Antiquity scholars. Imperial rescripts, reports of urban prefects, letters of bishops, exchanges of letters between popes and emperors, some of which are preserved solely in this compilation, constitute an exceptional documentary collection for researchers of various sectors of antiquity, no less because the texts are available in the excellent edition of Günther, the most recent editor of the *CA* for the Vienna Corpus.¹ Not all those who draw on the documents of the *CA*, however, know the history of this collection and the fascinating questions that it poses to the scholar. Being numbered among the canonical collections, despite not containing many conciliary canons,² it first interested canonists. After the reform of ecclesiastical studies initiated by the Apostolic Constitution *Deus scientiarum Dominus* (1931) and the subsequent *Ordinationes*

¹ Of the 244 documents contained in the *CA*, 200 are transmitted only in this compilation: Otto Günther, ed., *Epistulae imperatorum, pontificum, aliorum inde ab a. CCCLXVII usque to a. DLIII datae, Avellana quae dicitur collectio*. I. *Prolegomena. Epistulae I-CIV*, II. *Epistulae CV-CCXXXVIII. Appendices. Indices* (Prague, Wien, Leipzig: F. Tempisky and G. Freytag, 1895-1898). The latter, a Latin translation of Epiphanius of Salamina's treaty on the allegorical interpretation of the 12 buds of the pectoral of the high priest of the Jews, was certainly added later.

² *CA* 99 (*Gesta de nomine Acaci*) and *CA* 103 (*Gesta de absolutione Miseni*) are exceptional among the texts of the collection, being reports of Synodal meetings: this detail has been also noted by Kate Cooper and Julia Hillner, eds., *Religion, Dynasty and Patronage in Early Christian Rome 300-900* (Cambridge: Cambridge University Press, 2007), 70, n. 41.

of the Congregation for Seminaries (1931), knowledge of the sources acquired considerable importance. Since, in fact, the history of canon law was divided into three main areas (*historia fontium*, *historia scientiae*, *historia institutorum*), scholars started to study also those ancient texts that contained behavioural and doctrinal norms, later taken up into canon law.³ Ancient historians, on the other hand, started to deal with the *CA* relatively later, within the framework of more general research work either on canonical collections⁴ or on particular events of the relations between Church and Empire, or between the See of Rome and other episcopal seats.⁵

³ The great development of studies in this field, a real renaissance for Brian Edwin Ferme, *Introduction to the History of the Sources of Canon Law* (Milan: Mursia, 1998), 22, is linked to the works of Alphonse Van Hove, *Prolegomena. Commentarium Lovaniense in codicem iuris canonici*, I, 1 (Rome: Mechlinae H. Dessain 1945²), Alfonso M. Stickler, *Historia iuris canonici Latini*, I: *Historia fontium* (Turin: Tip. F.lli Pozzo Salvati, Gros Monti e C., 1950), Willibald M. Plöchl, *Geschichte des Kirchenrechts* (Wien, Munich: Herold, 1953-1969), and Jean Gaudemet, *Le sources du droit de l'église en occident du II^e au VII^e siècle* (Paris: Editions du Cerf, 1985), that have transformed Canon Law into a real science (Péter Erdő, "La storiografia del diritto canonico medievale all'alba del terzo millennio. Aspetti di un messaggio attuale," *Ius ecclesiae* 13 [2001]: 3-22). The promulgation of the new *Canon Law Code*, with the Apostolic Constitution *Sacrae Disciplinae Leges* of 1983, that in various passages signals the importance of the study of the history of Canon Law, including its establishment in the remote past, has encouraged the production of a multitude of syntheses in the field: Gian Luigi Falchi and Brian Edwin Ferme, *Introduzione allo studio delle fonti dell'Utrumque Ius* (Vatican City: Lateran University Press, 2006), 25.

⁴ The commented edition of *Publizistische Sammlungen zum acacianischen Schisma* by Eduard Schwartz 1934 remains fundamental for *CA* research. A useful support to research on the canonic collections is the updated inventory of those produced in Italy between mid fifth and the sixth century A.D. It constitutes the first result of a new research project on the *CA*, presented in Bologna in 2014 with a view to producing a monograph in the journal *Cristianesimo nella Storia*, whose premises and aims are clarified in the introductory notes: Rita Lizzi Testa, "La *Collectio Avellana* e le collezioni canoniche romane e italiane del V-VI secolo: un progetto di ricerca," con *Appendice* a cura di Giulia Marconi e Silvia Margutti, *Cristianesimo nella Storia* 35 (2014): 103-236.

⁵ Exemplary in that sense is the volume by Eckhard Wirbelauer, *Zwei Päpste in Rom: der Konflikt zwischen Laurentius und Symmachus* (Munich: Tuduv, 1993). Publishing a critical first edition of the documents produced during the schism between Pope Symmachus and Laurentius, the scholar established the foundation for the historical analysis of the most important canonical collections of the fifth-sixth centuries, suggesting possible

Only recently did this exceptional collection of late antique sources—whose first modern editor defined without emphasis *corpus insigne* for the quantity, quality and long chronological span (from the fourth to sixth century) of the documents preserved therein⁶—become an autonomous subject of research. After two International Conferences, organised in Rome, above all to examine questions regarding the historical context and the political significance of some of the *CA* texts,⁷ a Seminar was organised in Perugia, Gubbio and in the Monastery of Santa Croce at Fonte Avellana in September 2016.⁸ Some contributions to this latter International Meeting, which brought the process of the formation of the *CA* to the forefront, have been collected in a first brief publication.⁹ Interesting discussions followed the papers given at the Seminar, and they have allowed the formulation of hypotheses regarding the period in which the collection (or at least parts of it) took shape

chronologies in their formation stages, the exchanges and the relationship between the different compilations. Philippe Blaudeau, *Le siège de Rome et l'Orient (448-536): étude géo-ecclésiologique* (Rome: École française de Rome, 2012), also dedicates the first chapter of his volume on the See of Rome and the East (p. 13-133) to the sources (almost all derived from canonical collections) that allow the reconstruction of the geopolitical dynamics of inter-ecclesial relations between the fourth and sixth centuries.

⁶ Günther, *Epistulae*, II.

⁷ The first, *Emperors, Bishops, Senators: the Significance of the Collectio Avellana 367-553 AD*, Rome 1-2 April 2011, is now in print, entitled *Religion, Power, and Politics in Late Antiquity: Bishops, Emperors, and Senators in the Collectio Avellana 367-553 AD*, eds. Alexander Evers and Bernard Stolte. The second was entitled: *East and West, Constantinople and Rome: Empire and Church in the Collectio Avellana 367-553 AD*, Roma 5-6 April 2013.

⁸ The Seminar “*La Collectio Avellana e le altre Collezioni canoniche di ambiente italico: formazione, contenuti e contesti. Seminario Internazionale*” (Perugia-Gubbio, 21-24 September 2016) was organised thanks to co-funding by the Foundation of the Cassa di Risparmio di Perugia, the Department of Letters of Perugia, the Siro Moretti-Costanzi Foundation of Perugia, and the Foundation for Religious Science Giovanni XXIII of Bologna.

⁹ Rita Lizzi Testa, ed., *La Collectio Avellana tra tardoantico e altomedioevo*, monographic issue of *Cristianesimo nella Storia* 39.1 (2018).

and the personality of its author. Important confirmations on both subjects are found in the essays collected in this volume.

1. When the *Collectio Avellana* was compiled

The *CA* is a literary product of the late Antiquity, notwithstanding the long chronological span in which the formation of the collection should be placed.¹⁰ The texts are transcribed in their integrity, as in the ancient collections—defined “non-systematic”—of the fifth-ninth centuries. Such a feature, in particular, distinguishes it from the so-called “systematic” collections that, after some early examples in the fifth-sixth centuries, became widespread as of the high Middle Ages.¹¹ In the latter, decretals or citations from the Councils were organised in logical order, to respond to the needs of the canonist intent on solving specific cases.¹² An analysis of the structure of the *CA* (Evers) confirms its late antique dating. For the way in which the texts are inserted, with no respect for chronology, preferring different and not always decipherable principles,¹³ it recalls the most important ancient collections of letters. Modern editors often order them in chronological sequence but in their original structure they were organised by addressee or by theme, following the principle of artistic variety and juxtaposition.¹⁴

¹⁰ The *terminus post quem* is represented by the letter sent on 14th May 553 to Justinian by Pope Vigilius with the *Constitutum de tribus capitulis* (the latest document contained in it), while the *terminus ante quem* is given by its two most ancient manuscripts of XI–XII centuries.

¹¹ Together with the author of the *Statuta ecclesiae antiqua*, Ferrandus of Cathage was one of the first to create this type of collections: see, in this volume the essay by Perrin on the relationship between the *Breviarium* and Cresconius’ work.

¹² Gerard Fransen, *Les collections canoniques* (Turnhout: Brepols, 1973), 13–20.

¹³ See Rita Lizzi Testa, “La *Collectio Avellana*: il suo compilatore e i suoi fruitori, tra Tardoantico e Alto Medioevo,” in Lizzi Testa, *La Collectio Avellana* 12–27, for the organisation given to section *CA* 82–*CA* 93.

¹⁴ Roy Gibson, “On the Nature of Ancient Letter Collections,” *Journal of Roman Studies* 102 (2012): 56–78. Cfr. Cristiana Sogno, Bradley K. Storin, and Edward J. Watts, eds.,

The study of other contemporary literary products offers a comparison through analogy and contrast. *Liber Pontificalis* reflects the same social-cultural environment, in which at least the first stage of the *CA* matured. The comparison appears useful to verify how, in the same period, analogous materials could be selected and organised in different ways and several draftings. In contrast to what Duchesne imagined, it has been suggested here (Verardi) that three versions of the future *Liber* were produced at the same time, between 514 and 535 AD. The collection of canons traditionally attributed to the Council of Elvira is, in turn, exemplary of the operations of assembly and disassembly that could be practised on ecclesiastic normative material. According to Vilella, the assembling was done in the same period in which the *CA* was compiled, so the scholar's contribution is useful in order to better understand what aims compiling techniques were pursuing in the sixth century. Like *Liber Pontificalis*, also the *Variae* are a product of the Gothic War, whether Cassiodorus revised and assembled this collection of letters between 538 and 540 (according to current opinion), or whether he responded with them from Constantinople to the outcome of the Gothic War and to Justinian's ways of governing, as Bjornlie believes. *Liber Pontificalis* and Cassiodorus' *Variae*, even in their heterogeneity, responded to the sense of frustration and disorientation that the profound institutional and political changes in progress caused in the ruling classes (ecclesiastical and secular, with little difference, both being of similar social background). The *CA* is studied here as an example of the ability of sixth century political culture to react creatively to the crisis (Bjornlie).

The assumption that the *Variae* (or one of their final versions?) reflect the torments of the people taking refuge in Constantinople after 540 compels us

to attempt an even closer comparison with the *CA*, whose final composition occurred certainly later than 553 (date of its last document), even though some of its sections could have been put together previously. A valuable comparison with the other canonical collections compiled in Italy between the fourth and sixth centuries, as suggested by Moreau, shows that it does not in fact belong to the great era of the Roman *publizistische Sammlungen* (from 440, possible dating of the first of the collections reaching us, up until 530), but to a phase of the Italic compiling process that was inaugurated by the Roman Council of 531, and that, towards the end of the century, saw the production of many North Italian collections.

Two other essays in the volume help determine the features of this particular collection: the one dedicated to the canonical production of Dionysius Exiguus (Sardella) and that on *Concordia canonum* by Cresconius (Perrin). The compiler of the *CA* worked very differently from both of them. Dionysius' *Praefationes* clarify the *iter* of his *Collectiones*. He produced three successive editions of a collection of apostolic and conciliar canons which, according to Cassiodorus (*Inst.* I, 23), Stephen, Bishop of Salona, had asked him to compile. He collected the decretals of popes Siricius and Anastasius under Pope Symmachus and probably upon the wish of Julian, presbyter of the church of St Anastasia of Rome to whom they are dedicated.¹⁵ Under commission of Pope Hormisdas, finally, he gathered the Greek synodal canons in a Greek-Latin collection, of which only the preface survives. Although the historiographic tradition does not agree on a description of this highly complex handwritten material, it is clear that Dionysius constantly worked on commission. Also Cresconius declares he wrote upon the invitation of Bishop Liberinus, explicitly to compensate for

¹⁵ He put it together with a second edition of the first *Codex canonum ecclesiasticorum*, forming the so-called Dionysiana.

the inadequacies of the *Breviarium* of Ferrandus of Carthage. Perrin recalls their reasons: since Ferrandus merely indicated the references to the canons, without providing their texts, the *Breviarium* was no longer sufficient for the *indocti, quorum est maxima multitudo* (“uneducated people, of which the multitude is great”).¹⁶ Conversely the compiler of the *CA*, did not work on commission but (I believe) for himself. An analysis of some sections of the work does give the impression that the *CA* is a sort of draft. It was not meant to be a collection to be published and circulated as such, which would have perhaps implied numerous reviews in order to organise the material, as in the case of Dionysius’ canonical work. It was put together by a man who wanted to have first-hand documentation, consisting of complete texts, found in the original in various archives. He also worked on it at different times, like Dionysius, with aims that changed with the circumstances.

2. The compiler of the *CA*: a hypothesis

Assuming that the material of the *CA* was assembled on a number of different occasions after 530 AD and until the end of the sixth century, I suggested elsewhere that Cassiodorus himself was to some extent implicated in compiling some parts of the collection.¹⁷ The first section for example

¹⁶ The motivation expressed in the *praefatio* of Cresconius, to which Perrin rightly gives importance, seems to me significantly indicative that the canonical collections were also used as school textbooks, as well as helping the bishops in exercising their function as judges. *Indocti* is from Augustine’s works (*de catechizandis rudibus* 8, 12, 1-2), from a context in which the neophytes are distinguished according to their cultural preparation: Rita Lizzi Testa, “Tradizione e innovazione nella scuola tardoantica: Note introduttive,” in *Pratiche didattiche tra centro e periferia nel mediterraneo tardoantico. Atti del Convegno Internazionale (Università La Sapienza, Roma, 13-15 maggio 2015)*, eds. Gianfranco Agosti and Daniele Bianconi (forthcoming).

¹⁷ Rita Lizzi Testa, *Rome Elects her Bishop: The Collectio Avellana and Cassiodorus’ Variae Compared*, in Evers and Stolte, *Religion, Power, and Politics in Late Antiquity* (forthcoming); ead., “La *Collectio Avellana*,” 28-32; Hillner, in this volume, well summarises the different hypotheses of Wirbelauer and Blaudeau on the compiler of the *CA*.

collects documentation on two of the most serious Roman schisms of the fourth-fifth centuries AD: the Damasus-Ursinus conflict and the one between Boniface and Eulalius. In the sixth century AD, they were regarded as exemplary episodes, because they had been regulated according to the ecclesiastical custom (*mos*) and Roman laws, and because they appeared very similar to some contemporary electoral crises. In particular, the Damasus/Ursinus' division showed—albeit in a new form—socio-political dynamics comparable to the Laurentian Crisis. Moreover, it had been resolved, in an original way, providing useful details with which to challenge the appointment of the new pope by the predecessor, a practice that Felix IV and Boniface II had tried blatantly to impose. Cassiodorus may have wanted to gather a plentiful legislative documentation when, chosen as Praetorian Prefect of Italy in 533 AD, he was charged by Athalaric to write an Edict to regulate episcopal elections, following the spiritual degradation and the economic ruin in which also the last electoral campaign (after the death of Boniface II) had thrown the Church, forcing the Senate to issue a decree *de ambitu*.¹⁸ Ordering the clerics to rely on the King's judgement (*iudicium regis*), Cassiodorus' Edict punished ecclesiastical suffrage and also provided new rules for the election of the Bishop of Rome. None of the previous constitutions had established that the judgement of the king had to be resorted to if the dispute was not resolved, and before it led to public riots.¹⁹ Instead, it was just this type of intervention that was supported by the

¹⁸ Cass. *Var.* IX, 15, 2, on which Rita Lizzi Testa, “Cassiodoro, *Variae* IX, 15 (Il re Atalarico a papa Giovanni),” in *Cassiodoro, Varie. IV (libri VIII, IX, X)*, eds. Andrea Giardina, Giovanni Alberto Ceconi, and Ignazio Tantillo, with the assistance of Fabrizio Oppedisano (Rome: L'Erma di Bretschneider, 2016), 92-97 (tr.); 339-57 (comm.).

¹⁹ The edict, which should have regulated the episcopal elections of Rome, established also a mechanism for the elections of all the metropolitans and bishops, thus indirectly recognising to the Bishop of the Apostolic Seat a power of jurisdiction over the whole Empire: Lizzi Testa, “Cassiodorus, *Variae* IX, 15,” 346-47, and 355-57.

documents collected in the first section of the *CA* (1-40), following the Roman Imperial tradition of the fourth-fifth centuries AD. The compiler had therefore chosen them because they showed that, in the ‘antique’ period and under legitimate Roman emperors, institutional forces charged with maintaining order, such as the Urban Prefect and his Vicar, were called upon to act in divisive electoral situations, when the Emperor’s intervention became decisive.²⁰

Another group of documents of the *CA* refers to Cassiodorus; those of the section (*CA* 82-93), that was probably the last to enter the collection. It contains the exchange of letters of Popes John II, Agapetus and Vigilius with Emperor Justinian, as a self-standing group among the letters of Pope Gelasius. Despite the odd order of the texts, it is clear from their content that the compiler was interested in understanding whether the doctrinal thinking of each of those bishops concurred with that of Gelasius or whether it had undergone deviations following the doctrinal interventions of Justinian. It is relevant to note, in particular, which documents of Pope Vigilius are recorded in the collection. The compiler decided to use only Vigilius’ *Constitutum* (*CA* 83), leaving out both the retraction the Pope wrote on 23 February 554 AD and the *Indicatum* that Vigilius had delivered to the patriarch Maena on 3 April 548 AD,²¹ prior to the first *Constitutum*. This leads

²⁰ The content of the first section of the *CA* could, in my opinion, have corroborated Cassiodorus’ edict. The latter redeemed Theoderic because of the way in which, probably thanks to the suggestions of Cassiodorus, he had recommended Felix IV as the new Pope, resolving a new electoral crisis in 525 AD.

²¹ As he was hesitating, Vigilius was forcibly carried to Constantinople, where he handed the *Indicatum* to Maena and where, redeclaring the validity of Chalcedon, he condemned the Three Chapters. Faced with the violent reactions from the West, the Pope then withdrew his paper, requested the convocation of a ecumenical council and while waiting, composed the *Constitutum* of 14 May 553 AD, the only one conserved in the collection (*CA* 83): Claire Sotinel, “Pontifical Authority and Imperial Power in the Reign of Justinian: Pope Vigilius,” *Mélanges de l’École française de Rome. Antiquité* 104 (1992): 439-63 = ead., *Church and Society in late Antique Italy and Beyond* (Farnham,

us to believe that the compiler wanted to use the only document in which that Pope—having retracted the *Iudicatum*—had thereby declared many doctrinal propositions as false on a theological level, above all those of Theodore of Mopsuestia, but refused to condemn him *post mortem* together with Theodoret of Cyrrus and Ibas of Edessa (the Three Chapters), as in fact the Emperor and the Monophysites would have wanted and as he himself had done in texts left out of the collection. The compiler's aim therefore, was to redeem Vigilius' action, demonstrating that his Christology conformed to that of the other bishops of Rome, in particular to Agapetus'. Indeed, both the letter that Agapetus had written to Justinian on 18 March 536 AD (*CA* 82 = *CA* 91) and the first exchange of letters between Pope Vigilius and the Emperor after the former's ascent to the pontificate (*CA* 92),²² are included in the collection. In the former, Agapetus praised Justinian's *professio fidei* not because he admitted *auctoritas praedicationis* among the laity, but because he approved of the Emperor's zeal in attesting to a faith, which fully conformed to the rules of the Holy Fathers. As for Vigilius, in his letter, he was glad to see that God had conceded to the Emperor, not just an imperial soul but a priestly one too,²³ but he exhorted him not to undertake anything new in matters of faith, limiting himself to apply only the decisions taken by the Councils of Nicaea, Constantinople, Ephesus and Chalcedon.²⁴

Burlington: Ashgate, 2010), 1-25; ead., “*Vigilio*,” in *Enciclopedia dei Papi* (Rome: Istituto della Enciclopedia italiana, 2000), 512-29; ead., “Bishop Vigilius of Rome and the *Collectio Avellana*,” in Evers and Stolte, *Religion, Power, and Politics in Late Antiquity* (forthcoming).

²² The letter, which Justinian had sent to Vigilius in 540 AD through the *comes domesticorum* Domnicus, who reached Ravenna to negotiate the surrender of Vitiges, is not preserved and its content is reconstructed by the papal reply, which is conserved in *CA* 92.

²³ *CA* 92, 348, ll. 18-21: *Unde nos in domino nimium convenit gloriari, quod non imperialem solum sed etiam sacerdotalem vobis animum concedere sua miseratione dignatus est.*

²⁴ *CA* 92, 349-351.

Thus, the compiler of the *CA* would seem to belong to that group of seculars and ecclesiastics fleeing from an Italy devastated by the Gothic War, who converged upon Constantinople at different times and stayed close to Pope Vigilius while the Three Chapters' crisis grew.²⁵ Only from Vigilius in Constantinople, and not from others, could the compiler have received in real time that first *Constitutum*, which, by Justinian's decision, was never disseminated. If we therefore consider section *CA* (82-93), it is clear that the compiler only included the texts that portrayed Pope Vigilius as a fervent defender of the Three Chapters. Precisely by referring to it, in the early days of the pontificate of the following Pope Pelagius I (556-561), a part of the educated elite, having returned from Constantinople, tried to keep the centrality of the Petrine See alive, with a view to achieving a reconciliation with the Italian churches which, in growing numbers, were separating themselves from Rome.

Some further elements, usually neglected, lead us to think of Cassiodorus as compiler also of this last part of the *CA*: some manuscripts of the last canonical collections of the sixth century come from *Vivarium*; here some African clerics found refuge, maintaining their opposition to the condemnation of the Three Chapters; at *Vivarium*, between 550 AD and 580 AD and under the supervision of Cassiodorus, the Latin translation of the Codex Encyclius was produced, a collection commissioned by Emperor Leo in 457 to defend the Council of Chalcedon from the accusation of Nestorianism,²⁶ which Pelagius II used himself in 585-586 AD, to challenge the partisans of the schism of the Three Chapters; in the final drafting of the

²⁵ Also based on recent approaches, the doctrinal position of Cassiodorus at Constantinople did not differ from that of Pope Vigilius: Peter Van Nuffelen and Lieve Van Hoof, "The Historiography of Crisis: Jordanes, Cassiodorus and Justinian in Mid Sixth-Century Constantinople," *Journal of Roman History* 107 (2017): 13.

²⁶ Paul Fries and Tiran Nersoyan, eds., *Christ in East and West*, Macon (Atlanta: Mercer, 1987), 66-70.

Institutiones, the ancient official of the Ostrogothic kings mentioned only four of the ecumenical councils—the same over which Monophysites and Chalcedonians had split during the crisis of the Three Chapters—omitting the fifth of Constantinople, which had initiated that schism.²⁷

3. New confirmations and further questions

The *CA* contains many more documents than those mentioned until now. To verify what has been hypothesized so far, in the first part of this volume the investigation has widened to include some of the most singular texts that it preserves. A strict stylistic analysis (Torres) scrutinises both the fierce pro-Ursinian pamphlet against Damasus, and the appeal that two Luciferians made to the Court of Constantinople against the same unpopular Bishop of Rome, and compares them with the other eleven imperial rescripts associated with that schism (*CA* 1-13).²⁸ This analysis confirms that the compiler explicitly included them for their content, being attracted to the problem of the disputed episcopal elections of Rome, which is also found at the centre of the documentary section relating to the schism between Boniface and Eulalius in 418-419 AD (*CA* 14-37).

The two subsequent texts (*CA* 39-40) are the only documents of Magnus Maximus to have been preserved. His provisions were in fact annulled after Theodosius I had eliminated him, having officially declared him a usurper.²⁹ As is clear from the superscription of *CA* 40 (*Epistola Maximi tyranni to Valentinianum Aug. iuniorem Contra Arrianos et Manichaeos*), the compiler

²⁷ Cass. *Institutiones* I, 11. Cfr. Fabio Troncarelli, Vivarium. *I libri, il destino* (Turnhout: Brepols, 1998), 40; 35; see also Moreau in this volume.

²⁸ *CA* 4, on the election of Pope Siricius, and *CA* 3 on the enlargement of the Basilica of Saint Paul Outside the Walls are not relevant to such schism. On the possible reasons why these two texts were also included in the collection, see Lizzi Testa, "La *Collectio Avellana*," 32-36.

²⁹ *CTb* 15, 14, 6 (22 Sept. 388), 7 (10 Oct. 388), and 8 (14 Jan. 389) rescinded Maximus' decisions and provisions.

considered both letters to be useful documents to indicate which imperial provisions had been issued in the fourth century AD against heretics (Escribano). They showed how even a usurper had acted against heresies and in conflicts between ecclesiastics, respecting the conciliar resolutions rather than legislating autonomously.

The group of anti-Pelagian letters and rescripts of the collection (*CA* 41-50) is very different from that preserved by the Quesnelliana and the collections deriving from it (Colbertina and Vaticana). This shows that Pelagian heresy was still alive during the fifth-sixth century (Di Berardino). The comparison between all these materials (Marcos) validates what Günther had already supposed: the compiler had at his disposal the documents of an African dossier, which could have been preserved in the archives of the Church of Carthage. This data now assumes relevance. Taking into account that many African exiles, who were hostile to the condemnation of the Three Chapters, which Justinian had forcibly imposed in the region, took refuge at Vivarium, the presence of such documentation in the *CA* points again to Cassiodorus as its possible collector. Why they were included is a question connected with the relations between the Roman See and the Church of Africa and more generally with the desire to affirm the authority of the bishop of Rome, showing him capable of resolving the ecclesiastical affairs of the West. Defining and instituting orthodoxy and heresy, in fact, was a question of power, as is clear from an analysis of the rhetoric with which Gelasius in two of his letters (*CA* 97-98) condemned Pelagianism (Kahlos). After the period of Pope Leo and of Gelasius, the last condemnation of that *multiplex perniciose perversitas* (multiple pernicious perversity) took place in the Second Council of Orange of 529, presided by Caesarius of Arles, but discussions on grace, free will and predestination, which that doctrinal current had given rise to, continued well beyond. Cassiodorus had been

influenced by those problems and did not fail to express his thoughts on the subject when he wrote to Pope John.³⁰

The milieu in which discussions of this kind continued to be held was indeed that of high-ranking officials, who actively collaborated with the Ostrogoth regime, and above all the Senate of Rome itself, since the assembly was in constant dialogue with the Urban Prefect, the Prefect of the Praetorium, the officials of Ravenna and the delegations of the Eastern court about the main problems related to governing the Urbs and to international relations. Issues, such as those posed by Pelagianism, were not simply doctrinal, as we would tend to consider them today, judging with our modern categories of separation of the affairs of State and Church. They raised serious political concerns within the governing bodies, because from the late fifth century AD Christianity had become the new civic religion, and schisms and heresies called for acts of prevention and /or repression of public unrest that could arise therefrom.

The need to look at the texts collected in the *CA*, taking into account the profound interaction between religion and secular power, is brilliantly motivated in Clemente's essay, not surprisingly placed as the first one in this first section. Salzman suggested a new and valid approach to the study of the responsibilities that the senators once again took up, as individuals and as members of the senate, particularly during the Ostrogoth reign. Her essay, examining among other things the image that the *CA* documents convey of the Senate, the senatorial elite and the Italic aristocracy, helps illustrate how much its compiler was involved in the senatorial politics of support for the Ostrogothic regime. It is for this reason too that it is difficult to agree with

³⁰ Cass. *Var.* XI, 2, on which Rita Lizzi Testa, "Cassiodoro, *Variae* XI, 2 (Il prefetto al pretorio Senatore a papa Giovanni)," in *Cassiodoro, Varie. V (Libri XI, XII)*, eds. Andrea Gardina, Giovanni Alberto Cecconi, and Ignazio Tantillo, with the assistance of Fabrizio Oppedisano (Rome: L'Erma di Bretschneider, 2015), 21-23 (tr.); 152-64 (comm.), spec. 157-59.

the idea, recently expressed, that “the *Collectio* has an anti-Ostrogothic thematic unity”.³¹

With respect to Rome’s relations—as episcopal see and seat of the Senate—with the East, the copious letters of Pope Hormisdas still require further historical study. Some essays in the volume offer important glimpses for fresh research. In the *CA* there are two *Indiculi* delivered by Pope Hormisdas to the legates sent to Constantinople: the first time in 515 AD (*CA* 116), when the Acacian schism was still unresolved, then in 519 AD (*CA* 158), after a reconciliation with the more accommodating Justinus. The two texts raise the curtain on the world of late antique journeys and diplomacy (Margutti), to be compared with the better explored ones of later centuries.³² The pope warned his legates of the risks they could incur: being robbed of the secret documents they carried, possible misrepresentation of news and consequent pressure on the emperor by officials and clerics hostile to the pope; being held at discretion for too long, or even being imprisoned; being poisoned before reaching the Court or in Constantinople itself, before completion of their mission.³³ We still know too little of diplomatic journeys

³¹ Dana Iuliana Viezure, “*Collectio Avellana* and the Unspoken Ostrogoths: Historical Reconstruction in the Sixth Century,” in *Shifting Genres in Late Antiquity*, eds. Geoffrey Greatrex and Hugh Elton, with the assistance of Lucas McMahon (Surrey and Burlington: Routledge, 2015), 93-103.

³² Maria Pia Alberzoni and Pascal Montaubin, eds., *Legati, delegati e l’impresa d’Oltremare, secoli XII-XIII* (Turnhout: Brepols, 2015).

³³ Although relations between Rome and Constantinople were more relaxed than in 515 AD, when the legation led by Ennodius of Pavia had produced no results, the ambassadors of 519 had with them the *libellus fidei* that emperor and patriarch had to sign to officially end the schism. They were also the bearers of the request by Hormisdas to erase from the diptychs the names not only of Acacius and his successors in the schism but even of the emperors Zeno and Anastasius, thus condemning bishops and sovereigns *post mortem*. *CA* 158, 606, ll. 18-22. On the affair, Rita Lizzi Testa, “Principi e usurpatori a messa: la preghiera per l’imperatore nella liturgia cristiana tardoantica,” in *Usurpatori in età tardoantica: organizzazione, finanze e strategie del consenso, convegno internazionale (École française de Rome, Roma 17-18 febbraio 2017)*, forthcoming.

between East and West in late Antiquity. These were normally undertaken by the legates at their own expense, lasting for months and implying various halts and exposure to unpredictable risks because, in politically fibrillating periods, alliances between the bishoprics of the lands they travelled changed dramatically as did international relations between East and West.³⁴ The *CA* offers truly valuable material also on this topic.

Among these, some rare documents are letters that the new emperor Justinus exchanged with Pope Hormisdas immediately after he was elected Emperor on 10 July 518 AD (*CA* 141-148). Although it was diplomatic practice to send letters communicating one's own ascent to the throne, few examples are preserved, and those of the collection throw light on the procedure with which an Oriental ruler (probably from emperor Marcian onward) deemed it necessary to inform of his own election not only the institutional leaders of the Western government but also the bishop of Rome (Szidat). In this specific case, the letters of the new Eastern emperor and some of his collaborators were all the more important, because they reopened diplomatic contacts between the Bishop of Rome and the emperor—interrupted two years earlier—and started again the theological dialogue. Several letters were necessary to this end, because doctrinal questions were addressed in specific letters not only by Justinus (*CA* 143), but also by the patriarch of Constantinople (*CA* 146) and by Justinian (*CA* 147). To fully appreciate this dossier, one would like to know more about Gratus, *magister scrinii memoriae* of Constantinople,³⁵ whom the pope hastened to request as

³⁴ On the burdensome expenses involved, Cass. *Var.* XII, 20, on which Rita Lizzi Testa, “Cassiodoro, *Variae* XII, 20 (Il prefetto al pretorio Senatore ai clarissimi Tommaso e Pietro arcari),” in *Flavio Magno Aurelio Cassiodoro Senatore, Varie*. V (libri XI-XII), 102-3 (testo e trad.); 278-84 (comm.).

³⁵ *PLRE* II, 519, on which see Massimiliano Vitiello, *Momenti di Roma ostrogota*. Aduentus, *feste, politica* (Stuttgart: Franz Steiner, 2005), 78; Detlef Liebs, *Hofjuristen der*

mediator and whom Justinus, even before the papal request reached the Court, had already dispatched to Rome with the letters of the patriarch and his nephew. Justinian, then, made a point of informing the pope that Gratus was one of his dearest friends (*Gratum virum sublimem unanimum mihi amicum*).³⁶ The office of *magister memoriae* held by Gratus does not in itself explain the important role that the man played in this situation. It was the *magister officiorum*'s duty to welcome embassies, arrange visits and maintain relations with foreign delegations, ordinary citizens and senators.³⁷ Nor was the *magister memoriae*, apparently, responsible for the documentation collected in the *scrinia* (Castello), but Gratus, whatever his office, having received a special commission from the emperor, had the authority to have the prior correspondence with the Bishop of Rome handed over to him by the person in charge of the *scrinium epistolarum*. Apart from that, one would like to know more about Gratus' aristocratic affiliations and the relations he kept with the group of Latin-speaking Italics, who had resided in Constantinople since before the exodus of Western senators and aristocrats during and after the Gothic war.

Of these we know the most illustrious exponent, Anicia Iuliana, descendant of the Theodosian dynasty—as she was the granddaughter of Valentinian III and Licinia Eudoxia—and of one of the most renowned families of the late antique Roman aristocracy, being the daughter of Anicius Olybrius.³⁸ The *CA* conserves three of her letters (*CA* 164, 179, 198) that she exchanged with Pope Hormisdas, and this is rare to find in late antique

römischen Kaiser bis Justinian (Munich: Verlag der Bayerischen Akademie der Wissenschaften in Kommission beim Verlag C. H. Beck, 2010), 146.

³⁶ *CA* 147, p. 593, ll. 7-8.

³⁷ Cass. *Var.* VI, 6, on which Francesco Maria Petrini, “Cassiodoro. *Variae* VI, 6 (Formula della dignità magisteriale),” in *Flavio Magno Aurelio Cassiodoro Senatore, Varie. III* (libri VI-VII), eds. Andrea Giardina, Giovanni A. Cecconi, Ignazio Tantillo, with the assistance of Fabrizio Oppedisano, 14-15 (testo e trad.); 132-36 (comm.).

³⁸ *PLRE* II, s.v. Anicia Iuliana 3, 635-636, and stemma 3, 1309.

collections of letters. They are compared, in this volume, with the other “female voices” preserved in late antique letter anthologies and in the *CA* in particular (Hillner). They emanated from a group of Roman and Italic aristocrats, identified only in part, and it would be useful to explore the previous suggestions of Arnaldo Momigliano and more recent interventions by Lellia Cracco Ruggini and Giuseppe Zecchini on their cultural and political role in Constantinople, also in the pre-Justinian period.³⁹

The exchange of letters of some women present in this community, as preserved by the *CA*, suggests that the group, despite possible different individual choices, hardly conformed to the politics of the rulers of Constantinople. This did not happen under Anastasius, when Anicia Iuliana's husband was in vain acclaimed emperor in place of the ruler,⁴⁰ nor under Justinian, when Anicia Iuliana's son, Olybrius, did avoid the death sentence (imposed instead on Hypatius and Pompeius), but was exiled (as Probus)

³⁹ Arnaldo Momigliano, “Cassiodorus and Italian culture of his time,” *Proceedings of the British Academy* 41 (1955): 207-45 = id., *Secondo contributo alla storia degli studi classici* (Rome: Edizioni di storia e letteratura, 1960), 191-229; id., “Gli Anicii e la storiografia latina del VI secolo d. C.,” in id., *Secondo contributo*, 231-53; Lellia Cracco Ruggini, “Nobiltà romana e potere nell’età di Boezio,” in *Atti del Congresso internazionale di studi boeziani* (Pavia, 5-8 ottobre 1980), ed. Luca Obertello (Rome: Herder, 1981), 73-96 = in *La parte migliore del genere umano. Aristocrazia, potere e ideologia nell’Occidente tardoantico*, ed. Sergio Roda (Turin: Scriptorium, 1994), 105-40; ead., “The Anicii in Roma and provinces,” *Mélanges de l’École française de Rome. Moyen Âge* 100 (1988): 69-85; Giuseppe Zecchini, “I Gesta de Xysti Purgatione e le fazioni aristocratiche a Roma alla metà del V secolo,” *Rivista di storia della chiesa in Italia* 34 (1980), 60-74; id., “La politica degli Anicii nel V secolo,” in Obertello, *Atti del Congresso internazionale di studi boeziani*, 123-38; id., “La politica religiosa di Aezio,” in *Religione e politica nel mondo antico*, ed. Marta Sordi (Milan: Vita & Pensiero, 1981), 250-77; id., *Aezio. L’ultima difesa dell’Occidente romano* (Rome: L’Erma di Bretschneider, 1983). Lastly, Brian Croke, *Count Marcellinus and his Chronicle* (Oxford: Oxford University Press, 2001), 86-93.

⁴⁰ *PLRE* II, s. v. *Fl. Areobindus Dagalaiphus Areobindus* 1, 143-44. That episode is described by Marc. Com. s. a. 512; *Ioh. Mal.* 407; *Chron. Pasch.* s. a. 512; *John. of Nikiou* 89, 65. We must wonder whether the name of Vitalianus, in *Theoph. AM* 6005, 159,16, appears in error for Areobindus, or if Theophanes interpreted his sources thinking that they should be wrong in quoting Areobindus, being Vitalianus responsible for many rebellions against Emperor Anastasius.

after the Nika Revolt.⁴¹ The Western senatorial aristocracy, still at the time of Justinus and Justinian, was hoping for Italic self-government overseen by the Senate of Rome (and materially guaranteed by Ostrogothic forces), being primarily concerned with maintaining its own leadership. Even the Latin nobility resident in Constantinople tended to pursue its own policy of autonomy vis-a-vis the Byzantine rulers and, to this end, some of its members tried to implement a cautious political mediation, such as that reflected in the women's letters of the collection. It would be important to verify how much their autonomy from the Eastern kings was strengthened through their ties with the members of the Senate of Rome and with the Bishops of the Petrine Seat. In fact, some "Italics" residing in Constantinople were ready to support not only popes like Hormisdas or Agapetus, defenders to the end of the Nicene-Chalcedonian doctrine, but also exasperating Hamlet-like bishops, such as Vigilius. Obviously all of this is of interest in order to explore the *CA* compiler's involvement with that community, given the above hypothesis of recognising Cassiodorus as the one who collected some of its texts at different times.

The *CA*, therefore, the more it is studied, the more it reveals itself to be a motherlode of materials of immense interest. To produce a new digital critical edition remains one of the main aims, precisely because of the opportunities this would provide to conduct a cross-examination with other canonical collections and other digitized texts. With this purpose in mind, important indications are given in this volume by Paolucci, who also offers a careful evaluation of the results that the digitization of other late antique works has already produced.

⁴¹ Alan Cameron, "The House of Anastasius," *Greek, Roman and Byzantine Studies* 19 (1978): 259-76.

4. Notaries, archives, compilations and compilers

To read the texts of the *CA*, establishing their relations with the other canonical collections and other late antique compilations, even in a hoped-for digital critical edition, may not yet be sufficient to reveal all of the mystery surrounding the work. Research must also be directed in other directions, multiplying approaches. A central issue is, for example, ascertaining who could physically have access to the materials that were collected therein, and where he could find them. For this reason, some essays of the volume address the diplomatic aspects of the *scrinium Romanae Ecclesiae* (Ronzani); the *exceptores* and *notarii* of the Damasian Church (Raimondi); the existence or otherwise of a general archive and the accessibility of a multitude of archives, both administrative and ecclesiastical (Castello); the epigraphic testimonies (and not only) of *notarii* (notaries) and *tribuni and notarii* (tribunes and notaries) of the imperial administration (Orlandi). These are important contributions, not only to improve our knowledge of the *CA*, but because research is still in progress on the archives of Late Antiquity, on their administrators and their users.

Some notes on the diplomatic aspects of the papal or Lateran *scrinium*—which served as a place of production, preservation and dispatch of documents—describe the main characteristics of the very first texts produced there (nature, form and materials used), such as the use of reference number (*superscriptio*), final greeting formula (*subscriptio*), and date—and reveal the role of the *scrinium* also as a register of collections of letters: the first missive preserved therein is considered to be the letter of Pope Liberius to Dionysius of Milan, Lucifer of Cagliari and Eusebius of Vercelli (Ronzani). While

archaeologists still have doubts on the origin of the Lateran *scrinium*,⁴² the literary testimonies are collected here and studied by Raimondi, who deserves credit for having examined familiar documents with new eyes. She was the first to recognize in the *exceptor* of the famous epigram of Damasus, originally set in the entrance to the basilica of San Lorenzo in Damaso (*ED* 57.1), a clear reference to the first office held by the Bishop of Rome's father. The term does a fine natural correspondence in the inscriptions of the *exceptores* (stenographers, often carrying out also the functions of notaries) of the public administration offices, or of the Senate. The career stages of Damasus' father (*exceptor*, *lector*, *levita*), therefore, allow the scholar to draw close parallels with what was happening at the same time in public administration. Studying the extent to which that ecclesiastical *scrinium* could have been reorganized when it expanded its functions in view of the increasing amounts of documentation received, sent and archived—looking at a presumed general administrative archive of Rome—is the object of Castello's research. With her investigation of local and general archives, their users and their managers, the scholar suggests that precisely the *schola notariorum* with their *primicerius* could have been the main counterpart of a Roman imperial archive. This is a good hypothesis, also based on the observation that the management of the papal *scrinium* was later entrusted to notaries under the responsibility of a *primicerius notariorum* (Castello).

The body of *notarii* progressively acquired importance after 367, when Valentinian I elevated them to the rank of *clarissimi*, so that in 381 *primicerius* and *secundicerius* were considered equivalent to *proconsules*, while the *exceptores* of

⁴² We lack the contribution of an archaeologist in this volume. Unfortunately, our colleague Paolo Liverani, who could have summarised the most recent data on the theme, during the dates of our Seminar on the *CA*, was engaged in the Conference on *The Lateran Basilica. A Conference held at the British School of Rome (19-21 September 2016)*, yet unpublished. From the Conference programme, however, no intervention on the *scrinium Lateranense* appears to have taken place.

the various *scrinia* (*memoriae*, *epistolarum* and *libellorum*) became *clarissimi* only in 410, when the *notarii* were already *spectabiles*. To these facts, already recognised by Teitler, a not only epigraphic research work (Orlandi) now adds other elements, above all on the ever-increasing need of fifth-sixth century secular and ecclesiastical society to employ good experts in tachygraphy, transcription and even conservation of documents. Especially in the public sphere (secular and ecclesiastical), the *notarii* came to manage “sensitive documents” of a confidential nature, so that they were chosen among trusted people, were raised in rank (tribunes and notaries) and came to carry out functions of control and mediation in particularly serious situations. Their role as “documentation functionaries” in a broader sense, which is the least attested to in the available documentation, makes them interesting figures for the study of the *CA*. It must not necessarily be assumed that all canonical compilations were always the work of *exceptores* or *notarii*, nor that they were always “cultured archivists of the ecclesial milieu,” as Günther thought of the author of the *CA*. Given, however, the limited accessibility of the papal *scrinium* and of the local and general archives to non-insiders, the *notarii* must have had a non-secondary function in compiling collections such as the *CA* and other properly canonical ones, because they acted as intermediaries between the collectors and the archived materials.

5. The *Collectio Avellana*'s transcribers and annotators in the High Middle Age

The *Collectio Avellana*, as is known, owes its name to an error by Pietro and Girolamo Ballerini. They called the collection *Avellana* because the two oldest manuscripts that preserve it were copied at a distance of a few decades in the XI-XII centuries but, compared to BAV ms. vat. lat. 3787 (devoid of any reference to possession and provenance), BAV ms. vat. lat. 4961—which in

the last sheet indicates with a note in capital letters its belonging to the Monastery of Santa Croce di Fonte Avellana and identifies the person who had acquired the code as *domnus* Damianus—seemed to them more authoritative and more ancient.⁴³ In 1895-1898 Günther, proceeding philologically, established instead that the Avellanite code (BAV ms.v. lat. 4961) had been copied from BAV ms. vat. lat. 3787. Thus, he called *V* the latter and *α* BAV ms. vat. lat. 4961, which is a direct apograph. A new autoptic observation of the two Vatican manuscripts has now confirmed that the relationship between the two codes, as identified by Günther, is correct, while his hypothesis of the existence of a third witness does not seem to be. The small traces, which the publisher had believed to have found in a minimal portion of the text of the *CA*, are not enough to support it (Crociani-Palma). Moreover, in rereading the two Vatican Manuscripts, it seemed appropriate to transcribe all the notes or comments that are present in the margins and white spaces of the two specimens, with particular attention to those attributable to eleventh or twelfth century hands. We believed, in fact, that it would be feasible to identify possible clients, users or simple high medieval readers of the collection from those notes and comments (Crociani-Palma, Appendix).

Interesting results emerged from the investigation. Being a copious collection of complete and first-hand sources—an increasingly rare characteristic in Medieval compilations, the absence of which Bishop

⁴³ Pietro and Girolamo Ballerini, *Sancti Leonis Magni Opera*, III: *Appendix ad Sancti Leonis Magni Opera, seu vetustissimus Codex canonum ecclesiasticorum et constitutorum Sanctae Sedis Apostolicae* (Venice: Simone Occhi, 1757), CLVIII-CLXVIII, spec. CLVIII-CLIX = *PL* LVI, 179-190, spec. 180. In particular, on the last sheet of BAV ms. vat. lat. 4961 two notes of different hands appear: *Iste liber est monasterii sancte Crucis fontis Avellane Engubini. Dioc.*, which for Mirella Ferrari, “Fonte Avellana, Polirone e la *Collectio Avellana*,” in *Studi in onore di Maria Grazia Albertini Ottolenghi*, eds. Marco Rossi, Alessandro Rovetta, and Francesco Tedeschi (Milan: Vita & Pensiero, 2013), 23-29, spec. 26, is of a fourteenth century and of another hand: *Hunc librum adquisivit domnus Damianus Sanctae Cruci*.