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IURIS SCRIPTA HISTORICA – KVAB

XXX

IUS COMMUNE GRAECO-ROMANUM
ESSAYS IN HONOUR OF
PROF. DR. LAURENT WAEKENS

WOUTER DRUWÉ
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REDEMPTION BETWEEN LAW AND THEOLOGY.
THE THEOLOGICAL TRANSLATION OF THE ROMAN
REDEMPTIO IN THE PATRISTICS

Tiziana FAITINI

This paper examines the conceptualisation of redemption developed by the Early Christian authors – Origen and Ambrose in particular – and demonstrates the extent to which it was defined by the doctrinal tradition and practice surrounding the juridical institution of the redemption of prisoners. This connection is far more than a simple question of lexical borrowing and sheds light on the fact that the theological conception of redemption was associated not just with a single, resolutive event, but with a complex web of relationships that permeated the social, political and economic spheres. Over its history, in fact, the concept of ‘redemption’ became a fabric full of nuances, in which different threads from different spheres were entwined. Its analysis provides a vivid example of the close, reciprocal intertwining of theological and juridical concepts and practices that has characterised Western tradition,¹ and allows us to see how Graeco-Roman law contributed to the shaping of theological interpretations and, through them, to the conceptualisation of social, economic and political interactions.

1. The juridical institution of *redemptio*

In the classical Latin context, the term *redemptio* – etymologically derived from the verb *emo* and evoking the action of ‘acquisition’, or rather, ‘reacquisition’ – mainly referred to the juridical institution that clarified the methods and consequences of the payment of ransoms for Roman prisoners in enemy hands, according to a custom

¹ For an introduction to the extensive bibliography on political theology, and the historical intertwining of theology and politics, see H. OTTMANN, “Politische Theologie als Begriffsgeschichte”, in: V. GERHARDT (ed.), *Der Begriff der Politik, Bedingungen und Gründe politischen Handelns*, Stuttgart, 1990, p. 169–188; M. NICOLETTI and L. SARTORI, *Teologia politica*, Bologna, 1991; R. HEPP, “Theologie, politische”, in: J. RITTER (ed.), *Historisches Wörterbuch der Philosophie*, Basel, 1998, vol. 10, p. 1105-1112; C. MEIER, “Was ist politische Theologie?”, in: J. ASSMANN (ed.), *Politische Theologie zwischen Ägypten und Israel*, München, 1995, p. 3-18; P. SCOTT and W.T. CAVANAUGH (eds.), *The Blackwell Companion to Political Theology*, Malden Mass, 2004.

that can clearly be traced back to Ancient Greece and other ancient societies.² As is well known, this institution was an element of the *ius postliminium*, the discipline that protected the *status* of Roman citizens who had been held beyond the borders of the *civitas* and then returned to their homeland. After suffering the temporary suspension of their civil rights and liberty, and being reduced to the *status servitutis*, they regained their *libertas*.³

In this context, the *redemptor* is the person who ‘*emit hominem ab hostibus*’. Although the institution is already attested in the Republican period and the Senate was involved in the repatriation of the *milites*, it was only during the reign of Severus that a legally binding relation was created between the *redemptus* and the *redemptor*, introduced, perhaps, with the aim of increasing the number of prisoners of war redeemed through commercial exchanges, and furthering the interests of the *redemptor*. The *redemptus* thus found himself indebted to his *redemptor*, who had paid his ransom; this debt could be paid either in service or money. In other words, the *captivus* who, before his imprisonment had been a *servus*, immediately became, due to his redemption, the property of the person who had redeemed him, unless his previous *dominus* took possession of him again by repaying the *redemptor*. On the other hand, men who had previously been free, on their return *in civitatem*, had their liberty and citizenship restored (after having lost them, in accordance with *ius postliminium*, during their imprisonment), but certain measures were introduced to create an economic tie between the redeemed person and the *familia* of his redeemer, in order to guarantee that the latter was repaid.⁴

² Think of the ransom of prisoners (*lytron/lytrosis*) mentioned by Plutarch (*Life of Solon*, 15) and Herodotus (*Histories*, 5.77). See L. BURCKHARDT, “Lytron”, in: H. CANKIC, H. SCHNEIDER and M. LANDFESTER (eds.), *Der Neue Pauly*, http://dx.doi.org.kuleuven.ezproxy.kuleuven.be/10.1163/1574-9347_dnp_e715200, accessed 2 August 2018, and P. DUCREY, “Aspects juridiques de la victoire et du traitement des vaincus”, in: J. P. VERNANT (ed.), *Problèmes de la guerre en Grèce ancienne*, Paris, 1968, p. 231-243.

³ On the juridical aspects see, among others, L. AMIRANTE, *Redemptio ab hostibus*, in: A. AZARA and E. LULA (eds.), *Novissimo Digesto Italiano*, Torino, 1976, vol. 14, p. 1102-1104; M.V. SANNA, *Ricerche in tema di ‘redemptio ad hostibus’*, Cagliari, 1998; S. BARBATI, “Sui presupposti di applicazione e la natura giuridica degli effetti del *postliminium*”, *Atti dell’Accademia Romanistica Costantiniana* 20 (2014), p. 587-813. A historical contextualisation in Y. RIVIÈRE, “Captivité et retour de captivité dans la Rome impériale”, *Les Cahiers du Centre de Recherches Historiques* 42 (2008), <http://ccrh.revues.org/3446>, accessed 2 August 2018. On the opposition between *status servitutis* and *status libertatis*, and its influence on the development of civil law, see L. WÆLKENS, *Amne adverso, Roman legal heritage in European culture*, Leuven, 2015, ch. 2.

⁴ For instance, D. 49.15.15 states that the heirs to a *redemptus* have to repay the *redemptor* of the latter before getting their legacy. A redeemed citizen became a free *alumnus* of his *redemptor*’s family, to whom he was economically tied until his debt was repaid. See L. WÆLKENS, “La *redemptio ab hostibus* e la *redemptio a domino* nel diritto romano”, in: T. FAITINI and M. NICOLETTI (eds.), *Redimere e riscattare. La redemptio tra teologia e politica* [Politica e religione. Annuario di teologia politica], Brescia, 2017, p. 75-90. See also S. BARBATI, “La *redemptio ab hostibus* e lo status del *redemptus*”, in: C. LORENZI and M. NAVARRA (eds.), *Frontiere della romanità nel mondo tardo antico. Appartenenza, contiguità, alterità. Trasformazione e prassi*, Napoli, 2016, p. 133-254.

In peace time, *redemptio* came to be associated with the area of what we would term private law, to indicate the return to liberty of a citizen who had previously had to sell himself into servitude to a *dominus* in order to pay overwhelming debts. This *redemptio a domino* also required the payment of a price or the liquidation of a debt. This was possible through the intervention of a third party, who then became the new *dominus* of the *servus*, or through a gradual repayment made directly by the *servus* to his *dominus*: the wages gained by the *servus* were recorded within the household accounts of the *familia* that he had voluntarily joined.⁵

We see that the *redemptio*, far from being a discrete event, or signifying a simple change of *status*, shaped an entire network of social, economic and political relationships. It is precisely this mechanism that we will be attempting to track in early Christian theology, which extensively elaborated upon the concept of *redemptio* to grasp the salvific action of Jesus.

Before turning our attention to the Patristic sources, we should remember that in the sphere of *ius civile* the institution of *redemptio* maintained its juridical valence in subsequent centuries, as attested by, for example, the ordinary Gloss on the title *De captivis et postliminio reversis et redemptis ab hostibus* of the *Digest* (49.15). With regard to canon law, the institution was evoked within at least two particular circumstances. First, in relation to the prohibition on ordaining unfree men as priests, the canonists established that once someone – his servitude notwithstanding – had been ordained, his previous *dominus* was entitled to receive moneys as reparation.⁶ Second, one of the exceptions to the general prohibition, in canon law, on the alienation of church property was made in relation to its use for the redemption of prisoners. This tradition originated in a decision made by Ambrose of Milan (recounted in his *De officiis*) to take responsibility for selling the Cathedral’s sacred vessels in order to redeem Christians who had been imprisoned during the battle of Adrianople, which ended with an overwhelming victory for the Goths in 378⁷ – a decision

⁵ See L. WAELKENS, “La personne dans le travail en servitude du droit romain antique et médiéval”, in: J.-M. TUFFÉRY-ANDRIEU and F. LARONZE, *Les normes du travail: une affaire de personnes?*, Brussels, 2016, p. 33-51; S. HEINEMEYER, *Der Freikauf des Sklaven mit eigenem Geld, Redemptio suis nummis*, Berlin, 2013; on the financial accounting within the *familia*, see also L. WAELKENS, “L’origine romaine des obligations naturelles”, *Revue historique de droit français et étranger* 90 (2012), p. 318-321.

⁶ See P. LANDAU, “Frei und Unfrei in der Kanonistik des 12. und 13. Jahrhunderts am Beispiel der Ordination der Unfreien”, in: J. FRIED (ed.), *Die abendländische Freiheit vom 10. zum 14. Jahrhundert. Der Wirkungszusammenhang von Idee und Wirklichkeit im europäischen Vergleich*, Sigmaringen, 1991, p. 177-96, and R. HELMHOLZ, *The Spirit of classical Canon Law*, Athens (GA), 1996, ch. 3, p. 61 et seqq. The case had already been dealt with by C. 1.3.36.1.

⁷ See AMBROSE, “De officiis”, II.28.136-39, in: I.G. KRABINGER and G. BANTERLE (eds.), *Sancti Ambrosii Episcopi Mediolanensis Opera*, Roma, 1977, p. 260-262, where a parallel between the *redemptio captivorum* and the *redemptio* by Christ is drawn to justify the sale. Similarly, see *Ibidem*, II.15.70-71, p. 222, which concludes: ‘*Praecipua est igitur liberalitas redimere captivos – et maxime ab hoste barbaro qui nihil deferat humanitatis ad misericordiam.*’

that would find its way into the *Decretum*.⁸ The redemption of prisoners in the actual sense had been – by the way – deemed a pious *officium* by Cicero, whose *De officiis* Ambrose evidently intended to rewrite in the light of the Christian revelation.⁹

Sticking to the literal sense of *redemptio*, it is also significant that at the time of the Third Crusade and the fall of Jerusalem (1187), a group of *viri redemptores* coalesced around the figure of Jean de Matha (1154-1213) and declared themselves the liberators of their Christian brothers imprisoned by the Saracen enemy. The *regula* of the order of the Holy Trinity, approved by Innocent III in 1198 with the bull *Operante divine dispositioni*, explicitly established the *redemptio captivorum* as one of its goals and provided that the property be divided into three parts, one for the support of religious communities, one for charity, and the last for the redemption of Christian prisoners; for this purpose, Innocent III, who had consistently supported the Order since its founding, allowed the Trinitarians to have business dealings with the Saracens¹⁰.

This brief sketch reveals the extent to which the memory of the actual juridical valence of *redemptio* continued to flourish at the heart of the *res publica christiana*. We must now ask ourselves to what extent and in what ways the juridical apparatus of redemption, limited by definition to the concrete case of prisoners of war and debtors, interacted with the theological concept expressed in the biblical texts, giving rise to a conceptualisation that is considerably broader in both its object and its scope: the conceptuality developed in relation to redemption, in fact, involves, in various ways, the entire network of social, economic and political relations in Western society.¹¹ The theological translation of redemption – which occurred during the Early Christian period – is clearly key to our understanding of this interaction. The following pages will therefore analyse some of the most important of the many relevant examples to be found in the Patristic texts.

⁸ See C.12 q.2 c.14-15, analysed by R. HELMHOLZ, *The Spirit of classical Canon Law*, p. 81.

⁹ See CICERO, *De officiis*, II.18.63, together with SENECA, *De Beneficiis*, II.21.

¹⁰ See G. CIPOLLONE, *Cristianità – Islam. Cattività e liberazione in nome di Dio. Il tempo di Innocenzo III dopo il 1187*, Roma, 2003, ch. VI, p. 393-394 and 406-410.

¹¹ Suffice it to evoke the classic analysis provided in 1938 by Eric VOEGELIN's *Political Religions* (English translation by T. J. DI NAPOLI, Lewiston, 1986), and the philosophical interpretation given, in 1940, by Walter BENJAMIN's "On the concept of history" (English translation in H. EILAND and M.W. JENNINGS (eds.), *Selected writings*, vol. 4: 1938-1940, Cambridge, 2003, p. 389-400; see also his fragment "Capitalism as Religion", in: M. BULLOCK and M.W. JENNINGS (eds.), *Selected Writings*, vol. 1: 1913-1926, Cambridge, 2002, p. 288-291). A fascinating insight into the political and social implications of the concept of *redemption* is provided by M. NICOLETTI, "Politik und Erlösung", in: P. KOSLOWSKI (ed.), *Endangst und Erlösung 2. Rechtfertigung, Vergeltung, Vergebung in Philosophie und Theologie*, München, 2012, p. 133-148.

2. *Redemptio* and redemption in the Patristics

The full semantic spectrum of commerce, of ransom, of the liberation of slaves and prisoners, is used in the New Testament – especially in the letters of Paul and Peter – to describe the actions of Jesus.¹² The New Testament authors are already fully aware of the juridical valence of the concept of the *lytron* (which becomes *redemptio* in Latin versions), introduced to characterise the state of humanity and the salvation attained through the Passion of Christ. This valence is fully explored by some of the earliest authors, who construct their own interpretations of the biblical story of salvation, weaving a dense web of internal references and fully exploiting the complexities – juridical included – of the concepts used.

Some of the texts by Origen and Ambrose, in particular, are extremely explicit and allow us considerable insight into the ways in which the concept was adapted. Their analyses are not merely based on simple lexical borrowing, but on a structural analogy which is introduced and replicated in the explanation and the institutionalisation of the redemptive mechanism. The presence of a long exegetical tradition which explains the Passion of Christ – both the event itself, and its effects – according to a juridico-economic logic does not, of course, mean that this is necessarily the most appropriate theological interpretation, or the closest to the biblical text, whether the Old or the New Testament. This interpretation was, in fact, intensely debated and revised – from Augustine of Hippo to Anselm of Canterbury.¹³ Whatever its merits, it was elaborated at length and had a profound influence, and thus deserves a central place in the historical picture. Importantly, it provides a significant insight into how the Graeco-Roman law contributed to the shaping of theological interpretations and, through them, to the conceptualisation of social, economic and political relationships.

Let us now begin with Origen and his lengthy *Commentary* on Paul's Letter to the Romans, handed down to us in Rufino's translation. This text dwells frequently upon the subject of ransom and redemption, and allows us to follow Origen's train of thought as he worked out his interpretation of the concept, focusing upon the *public* dimension of *redemptio* (as understood in times of war and which

¹² See F. BÜCHSEL, "Lytron", in: G. KITTEL and G. FRIEDRICH (eds.), *Theologisches Wörterbuch zum Neuen Testament*, Stuttgart, 1933-1978, vol. 4, col. 340-356.

¹³ As for the Bible, see the framework offered by G. L. PRATO, "'Sarete riscattati senza denaro' (Is 52,3): la redenzione nell'Antico Testamento tra metafora teologica e linguaggio giuridico ibrido", in: T. FAITINI and M. NICOLETTI (eds.), *Redimere e riscattare*, p. 25-57, with further references, and S. LYONNET and L. SABOURIN, *Sin, Redemption and Sacrifice. A Biblical and Patristic Study*, Roma, 1998. For the history of the theological debate, in addition to the latter see at least J. RIVIÈRE, *Le dogme de la rédemption. Essai d'étude historique*, Paris, 1905; J. RIVIÈRE, "Rédemption", in: A. VACANT, E. MANGENOT and É. AMANN (eds.), *Dictionnaire de théologie catholique*, vol. 13/2, Paris, 1937, col. 1912-2004; H. E. W. TURNER, *The Patristic Doctrine of Redemption: A Study of the Development of Doctrine During the First Five Centuries*, Eugene, 1952; G. ANDERSON, *Sin: A History*, New Haven, 2009, p. 111-132. The theological interpretation of salvation in terms of ransom from the enemy is highlighted by W. ELERT, "Redemptio ab hostibus", *Theologische Literaturzeitung* 5/72 (1947), p. 265-70.

provided for the paying of a ransom to the enemy). The identity of the enemy with which he was concerned is quite evident. The Greek term *diabolos*, in the Septuagint, is used to translate the Hebrew *sātān*, the primary meaning of which, in the Old Testament, was “enemy”. While other accessions, according to which the devil is identified as a malevolent, persuasive seducer, were retained, this became the most common meaning of the term in the New Testament. The same is true for the Latin *diabolus*, which is a direct transliteration of the Greek and is more widespread than the transliteration from the Hebrew *satanas*¹⁴.

When dealing with the well-known text of Romans 3:24, referring to the believers ‘*justified by his grace as a gift, through the redemption that is in Christ Jesus*’,¹⁵ Origen looks long and hard at the concept of redemption, starting by observing that the term *redemptio* ‘*refers to that which is given to enemies for those whom they are keeping in captivity [quod datur hostibus pro his quos in captivitate detinent]*’ so that they can be restored to their “*original freedom*”.¹⁶ He then deduces that the same thing has happened to human beings:

‘Captives conquered by sin, as if by war, were being held fast, then, by the enemies of the human race. The Son of God came, who “has become for us” not only “wisdom from God and righteousness and holiness” but also “redemption”. He gave himself as the redemption price, that is to say, he handed himself over to the enemies and, what is more, poured out his own blood to those thirsting for it; and this is the redemption accomplished for those who believe, just as Peter also writes in his epistle when he says, “You were redeemed not with perishable silver or gold, but with the precious blood of the only begotten Son of God”.’¹⁷

The conclusion of this passage states that 1 Peter 1:18-19 is a key reference; its connection to Romans 3:24 will, indeed, be established by the ordinary Gloss.¹⁸

¹⁴ W. FOERSTER and G. VON RAD, “*Diabállo, Diábolos*”, in: G. KITTEL and G. FRIEDRICH (eds.), *Theologisches Wörterbuch zum Neuen Testament*, vol. 2, col. 69-80.

¹⁵ The New Revised Standard Version of the Bible is used. See D.F. TOLMIE, “Salvation As Redemption: The Use of ‘Redemption’ Metaphors in Pauline Literature”, in: J.G. VAN DER WATT (ed.), *Salvation in the New Testament. Perspectives on Soteriology*, Leiden, 2005, p. 247-269, for an analysis of this passage and of Paul’s lexicon.

¹⁶ ORIGEN, *In epistula Pauli ad Romanos explanationum libri I-IV*, ed. F. COCCHINI, Roma, 2014, vol. 1, III.7, p. 286-288; English translation in: T.P. SCHECK (ed.), *Commentary on the Epistle to the Romans. Books 1-5* [The Fathers of the Church, 103], Washington, 2009, p. 215. On Origen’s interpretation of the redemption see J.A. ALCAIN, *Cautiverio y redención del hombre en Origenes*, Bilbao, 1973, which distinguishes five different interpretations, among which a ‘commercial’ interpretation, based around economic sale (p. 177-222), and a ‘juridical’ one, given in terms of debt (p. 224-237).

¹⁷ ORIGEN, *Commentary on the Epistle to the Romans. Books 1-5*, III.7.14, p. 215.

¹⁸ See the Gloss on Romans 3:24: ‘*Unde non corruptibilibus auro et argento sed pretioso sanguine unigeniti Filii Dei. Id est pretium datum pro nobis*’ (M. MORARD (ed.), *Glossa ordinaria cum Biblia latina*, Glossae Scripturae Sacrae-electronicae (Gloss-e), IRHT-CNRS 2016, http://gloss-e.irht.cnrs.fr/php/editions_chapitre.php?livre=../sources/editions/GLOSS-liber60.xml&chapitre=60_3, accessed 2 August 2018).

The ransom in question is, as we see in Peter's Letter, none other than the '*precious blood of Christ*' and it is clear from these lines that this blood is going to be given to the enemies of mankind, here referred to in the plural. The identity of these enemies is understood implicitly, and elsewhere Origen reiterates that the reference is to '*the ruler of this world and the evil powers under him*' who '*captured and conquered*' men, and demanded that a ransom [*lytron*] be paid for their release.¹⁹

The language of captivity and the characterisation of the devil as *hostis* or *inimicus* will be made relatively explicit by, for example, Jerome²⁰ and, soon afterwards, by Chromatius of Aquileia, who, in some sermons, likens captivity under the barbarians to that under the devil.²¹ There are also a number of passages in Augustine which are extremely clear²². But let us stay with Origen's commentary on Romans. A little further on, in fact, we read:

'Through the sacrifice of himself he would make God propitious to men and through this he would manifest his own righteousness [*iustitiam suam*] as he forgives them their past sins, which they had contracted by serving the worst tyrants [*pessimis tyrannis serviendo*] at the time when God was tolerating and allowing this to be done. God allowed this so that afterwards, i.e. at this time, he would manifest his own righteousness. For at the consummation of the age, at the end of time, God disclosed his own

¹⁹ See Origen's fragment commenting on Ephesians 1:7, edited in J.A.F. GREGG, "The commentary of Origen upon the Epistle to the Ephesians", *Journal of Theological Studies* 3 (1901-02), p. 233-244, especially p. 238; English translation in R.E. HEINE (ed.), *The Commentaries of Origen and Jerome on St. Paul's Epistle to the Ephesians*, Oxford, 2002, p. 91.

²⁰ JEROME, *Commentarii in iv epistulas Paulinas. Ad Ephesios*, in: J.P. MIGNE (ed.), *Patrologia Latina*, Paris, 1844-55, vol. 26, col. 480: '*Ille redimitur qui captivus est, et in hostium veniens potestatem liber esse desivit: ita et nos quidam dicunt in hoc mundo esse captivos, et sub principibus et potestatibus iugo servitutis teneri, nec ante vincas catenis explicare manus, et oculos sursum attollere, nisi redemptor advenerit.*'

²¹ See CHROMATIUS OF AQUILEIA, *Sermo 12* (on Paul's Letter to the Romans): '*Si autem eum comparet quem habuit et amisit, non emere, sed redimere dicitur, quia suum redimit, et eum redimit quem habuerat. Unde romani qui de captivitate barbarica, dato pretio, liberantur, non empti, sed redempti dicuntur. [...] Incurrerat enim homo dudum dominationem diaboli, veluti barbaricam captivitatem, ut recedens a domino originali inimici fraude caperetur. Sed propterea redempti sumus sanguine christi, propterea de captivitate diaboli liberati, ut ad originalem dominum rediremus, a quo iam recedere non debemus, ne iterum captivitatem diaboli incurramus, et minime iam liberari mereamur*' (in: R. ETIEX and J. LÉMARIÉ (eds.), *Chromatii Aquilensis opera* [Corpus Christianorum Series Latina, 9A], Turnhout, 1974, p. 54-55; see also sermons 19 and 42).

²² See e.g. a long passage of AUGUSTINE, *Enarrationes in Psalmos* [Corpus Christianorum Series Latina, 39], ed. D.E. DEKKERS and I. FRAIPONT, Turnhout, 1956, In Ps. XCV.5, p. 1346-1347, where the whole process of *redemptio* from the captivity by the devil is described in detail: '*Tenebantur enim homines captivi sub diabolo, et daemonibus serviebant, sed redempti sunt a captivitate. Vendere se potuerunt, sed redimere non potuerunt. Venit redemptor, et dedit pretium; fudit sanguinem suum, emit orbem terrarum. Quaeritis quid emerit? Videte quid dederit, et invenite quid emerit. Sanguis christi, pretium est. Tanti quid valet? Quid, nisi totus orbis? Quid, nisi omnes gentes?*'

righteousness and, for the redemption price, gave him whom he made a propitiator [*redemptionem dedit eum, quem propitiatorem fecit*].²³

Here, it is justice that distinguishes the divine action explained by Origen, which he contrasts with the power exercised by the devil. The devil is an appalling tyrant, as, indeed, he would continue to be conceived in subsequent political thought – wonderfully portrayed by Ambrogio Lorenzetti in his fresco on the walls of the Palazzo Pubblico in Siena.²⁴ This, however, does not detract from the fact that, according to Origen, the devil has rights, and is fully entitled to a ransom: it is justice, indeed, which both explains and guarantees the mechanism of redemption as Origen conceives it. The devil’s revendication is exercised by ‘*lawful right [iure aequissimo]*’,²⁵ as Augustine will put it, in a long and clear passage of his *Libero arbitrio*, testifying to the enduring influence of Origen’s interpretation although, as is well-known, Augustine endeavours to reformulate it.

Another Greek Church Father, Gregory of Nyssa, fully endorses Origen’s interpretation. On the question of the *iura diaboli* and the quality of justice that guides God in his recognition of these rights in order to fulfil his plan of salvation, Gregory’s *Great Catechism* is probably the most important text we have. To act justly, Gregory argues, is intrinsic to divine wisdom. And justice is not the exercise of arbitrary, tyrannical, sway over Satan. To explain this, the author draws a parallel with the case of individuals who voluntarily sell themselves into servitude to a *dominus* in order to pay their debts:

‘They who have bartered away their freedom for money are the slaves [*douloi*] of those who have purchased them, for they have constituted themselves their own sellers, and it is not allowable either for themselves or anyone else in their behalf to call freedom to their aid [...]. If anyone out of regard for the person who has so sold himself should use violence against him who has bought him, he will clearly be acting unjustly in thus

²³ ORIGEN, *In epistula Pauli ad Romanos*, III.5, p. 288; English translation in: T.P. SCHECK (ed.), *Commentary on the Epistle to the Romans. Books 6-10* [The Fathers of the Church, 104], Washington, 2009.

²⁴ On Lorenzetti’s frescoes see at least Q. SKINNER, *Visions of Politics*, Cambridge, 2002, vol. 2, ch. 3 and 4.

²⁵ AUGUSTINE, *The problem of free choice*, ed. M. PONTIFEX, Westminster, 1955, III, 10.31, p. 173. The complete passage is: ‘*Servata est ergo in utroque peccato iustitia domini punientis. Nam et illud appensum est aequitatis examine ut nec ipsius diaboli potestati negaretur homo quem sibi male suadendo subiecerat. Iniquum enim erat ut ei quem ceperat non dominaretur. Nec fieri ullo modo potest ut dei summi et veri perfecta iustitia, quae usquequaque pertenditur, deserat etiam ordinandas ruinas peccantium. [...] Atque Verbum Dei unicus Dei Filius, diabolum quem semper sub legibus suis habuit et habebit, homine indutus etiam homini subiugavit: nihil ei extorquens violento dominatu, sed superans eum lege iustitiae; ut quoniam femina decepta et deiecto per feminam viro omnem prolem primi hominis tamquam peccatricem legibus mortis, malitiosa quidem nocendi cupiditate sed tamen iure aequissimo, vindicabat, tamdiu potestas eius valeret, donec interficeret iustum*’ (Id., *De libero arbitrio*, III, 10.29 and 31, in: W.M. GREEN (ed.), *Aurelii Augustini Opera* [Corpus Christianorum Series Latina, 29], Pars II/2, Turnhout, 1970, p. 293-294).

arbitrarily rescuing one who has been legally purchased as a slave, whereas, if he wishes to pay a price to get such a one away, there is no law to prevent that. On the same principle, now that we had voluntarily bartered away our freedom, it was requisite that no arbitrary method of recovery, but the one consonant with justice should be devised.²⁶

In Gregory's view, God is 'making the redemption of the captive a matter of contractual exchange [*synallagmatiken (...) lytrosin*]', which 'exhibits his justice'²⁷. The payment of the ransom that the devil – as the rightful owner – claims is therefore obligatory under the terms of the redemption contract. The redemption implies a coming to terms with Satan, who is a party in the case.

The immediate problem of this interpretation is clearly the almost Gnostic vision – the legitimization of a diabolic figure in opposition to, and on equal terms with, God – implied by the recognition of Satan's right to receive a ransom. We know that exegetics and theologians debated this objection vigorously, and, in the end, eschewed the theory of *iura diaboli*.²⁸ While this problematic interpretation is not particularly pertinent to our current topic, another – more relevant – difficulty also arises from the mechanism introduced by a juridical interpretation of the redemption. The question regards the status of the *redemptus* and the ties that bind him to his *redemptor*. The implication that someone redeemed by Christ thus entered into a *status servitutis* was clearly problematical from an exegetical point of view, given the explicit references in the New Testament to the freedom of the sons of God and the relationship of brotherhood and friendship that Jesus has with those called by God.²⁹ Origen, for instance, commenting on Romans 8:15 ('you did not receive a spirit of slavery to fall back into fear, but you have received a spirit of adoption') in his *Commentary*, solves the problem by distinguishing between two

²⁶ See GREGORY OF NYSSA, *Oratio catechetica magna Great Catechism*, 22, in J.P. MIGNE (ed.), *Patrologia Graeca*, Paris, 1857–66, vol. 45, col. 60-61; English translation in P. SCHAFF and H. WACE (eds.), *A Select Library of the Nicene and post-Nicene Fathers of the Christian Church*, vol. 5, Grand Rapids, 1893, p. 492-493, modified. On Gregory's theory of the rights of the devil see L.F. MATEO-SECO, "Devil", in: G. MASPERO and L.F. MATEO SECO (eds.), *The Brill Dictionary of Gregory of Nyssa*, Leiden, 2010, p. 223-226.

²⁷ GREGORY OF NYSSA, *Oratio catechetica magna*, 23, col. 64; English translation p. 493, modified.

²⁸ On the theory of the *iura diaboli* and the debate surrounding it from Late Antiquity to the Middle Ages see, among others, J. RIVIÈRE, *Le dogme de la rédemption*, p. 374 et seq.; S. LYONNET and L. SABOURIN, *Sin, Redemption and Sacrifice*, p. 207 et seq.; "The rule of Satan" in G.M. LUKKEN, *Original Sin in the Roman Liturgy. Research into the Theology of original Sin in the Roman Sacramentaria and the early Baptismal Liturgy*, Leiden, 1973, p. 157-199. On the medieval discussion of the issue, see B. PASCIUTA, "Il diavolo e il diritto: il *Processus Satanae* (XIV sec.)", in: X., *Il diavolo nel Medioevo. Atti del XLIX Convegno storico internazionale (Todi, 14-17 ottobre 2012)* [Centro italiano di studi sull'alto medioevo], Spoleto, 2013, p. 421-447.

²⁹ However, the passages in which Paul calls himself the 'slave of Christ' (among which 1 Corinthians 7:22) must also be taken into account in this regard. See the synthesis given by the entry *doulon* in C. SPICQ, *Lexique théologique du Nouveau Testament*, Paris, 1991, p. 391-397, in particular 392-393.

states: the ideal one is that of a son, free from fear, but, before this, man must experience servitude, and fear of his redeemer.³⁰

Ambrose, however, to whom we will now turn, explicitly accepted the juridical implications that established a link of dependence – debt or servitude – between the *redemptor* and the *redemptus*. The link between the coming of Christ and *redemptio* had been clear from the very moment of his birth, according to Ambrose, who, commenting on the universal census ordered by Augustus in his lengthy *Exposition* on the Gospel of Luke, reinterprets the event in explicitly juridical terms. This approach, in fact, runs through all of Ambrose’s work, providing further confirmation of his stature as a translator of an entire cultural inheritance: not only does he provide crucial insights into the development of the relationship between the Church and the Roman Empire in late antiquity, but he is also an essential figure for any historian of thought attempting to probe the constant interchange between theology and politics.³¹

His hermeneutical skill is at its most refined in his spiritual interpretation of the census organised by Quirinus, and in his declaration that it is a necessary act for those who wish to join the community of heaven. In Luke’s account of Jesus’ birth, the bishop of Milan finds all of the elements contractually necessary to validate the ‘*redempti[o] omnium*’:

‘The first enrolment was made when Cyrinus was governor, so that the Evangelist seems to have entered, as it were, the consul in this book as a token. For if consuls are entered in the lists of purchases [*adscribuntur tabulis emtionis*], how much more must the time be entered for the redemption of all [*redemptioni omnium*]! Thus, ye have everything which was customarily included in the contracts [*in contractibus*]: the name of the man holding the supreme power then, the day, the place, the cause. Witness, too, are wont to be used.’³²

³⁰ See ORIGEN, *In epistula Pauli ad Romanos*, VII.1, vol. 2, p. 218-224. On this see J. RIVIÈRE, *Le dogme de la rédemption*, p. 248-249, and J.A. ALCAIN, *Cautiverio y redención del hombre en Origenes*, p. 182, who highlights the inner tensions of Origen’s writings on this aspect. Similarly, Jerome’s text, quoted above in footnote 20, goes on to specify that redemption does not imply servitude to Christ.

³¹ On Ambrose’s use of Roman law, see J. GAUDEMET, “Droit séculier et droit de l’église chez Ambroise”, in: G. LAZZATI (ed.), *Ambrosius episcopus. Atti del Congresso internazionale di studi ambrosiani nel 16. centenario della elevazione di sant’Ambrogio alla cattedra episcopale. Milano, 2-7 dicembre 1974*, 2 vol., Milano, 1976, vol. 1, p. 286-315, especially p. 287-300; G. LAZZATI, *Le droit romain dans la littérature chrétienne occidentale du III^e au V^e siècle* [*Ius Romanum Medii Aevi*, I.3.b], Milano, 1978, p. 71-98, and B. MORONI, “Lessico teologico per un destinatario imperiale. Terminologia giuridico-amministrativa e cerimoniale di corte nel *De fide* di Sant’Ambrogio”, in: L.F. PIZZOLATO and M. RIZZI (eds.), *Nec timeo mori. Atti del Congresso internazionale di studi ambrosiani nel XVI centenario della morte di sant’Ambrogio*, Milano, 1998, p. 341-363, especially p. 343-345.

³² AMBROSE, *Expositionis Evangelii secundum Lucam libri I-V*, II.39, in: M. ADRIAEN and G. COPPA (eds.), *Sancti Ambrosii Episcopi Mediolanensis Opera* 11, 2 vol., Roma, 1978, vol. 1, p. 180; English translation by T. TOMKINSON, *Exposition of the Holy Gospel According to Saint Luke*, Etna

In these lines, which also appears in the ordinary Gloss to Luke 2:2,³³ redemption is clearly conceptualised as a contract, in the most literal sense – a sense which, for Ambrose, who had been an imperial functionary before becoming a bishop, seemed absolutely straightforward: it was all there – the place, the witnesses, the names of the governors were all given. The universal census, according to Ambrose, in its provision of ‘hard evidence’, fulfilled a need within the divine redemptive plan. There are further references to *redemptio* later on in the *Exposition*, where Ambrose, echoing John 8:34, remarks that man is sold because he sins and is a slave to sin: a condition of servitude which is afterwards redeemed through divine goodness.³⁴ This, however, establishes a clear relationship of dependence and debt between redeemer and redeemed, which is asserted throughout the *Exposition*.³⁵

This relationship is often made even more explicit in Ambrose’s writings. Men have changed their creditor, not discharged their debt.³⁶ The fact that the debt

California, 1998, §II.39, p. 51. On the interpretations of the census in Patristic and medieval exegeses see T. FAITINI, “Towards a Spiritual Empire: Christian Exegesis of the Universal Census at the Time of Jesus’ Birth”, in: S.J. BROWN, C. METHUEN and A. SPICER (eds.), *The Church and Empire* [Studies in Church History, 54], Cambridge, 2018, p. 16-30; see also the essays collected in *Censo, ceto, professione. Il censimento come problema teologico-politico* [Politica e religione. Annuario di teologia politica], Brescia, 2015.

³³ Gloss ‘Cyrino’ on Luke 2:2 (*Glossa ordinaria cum Biblia latina*, cit., http://gloss-e.irht.cnrs.fr/php/editions_chapitre.php?livre=../sources/editions/GLOSS-liber57.xml&chapitre=57_2, accessed 2 August 2018).

³⁴ AMBROSE, *Expositionis Evangelii secundum Lucam*, X.66, vol. 2, p. 444: ‘Omnis deinde qui facit peccatum servus est peccati. Peccatis inquit vestris venditi estis. Venditio propter peccata nostra, propter bonitatem autem dei redemptio peccatorum.’ See also, with reference to 1 Peter 1:18-19: Ibidem, VII.117, vol. 2, p. 178: ‘Etenim adversarius tamquam captiva mancipia vilioris pretio aestimationis addicit, at vero dominus tamquam speciosa servitia, quae ad imaginem et similitudinem sui fecit, idoneus sui operis aestimator magno pretio nos redemit, sicut sanctus apostolus dixit: emti enim estis pretio magno’.

³⁵ Ibidem, VI.25, vol. II, pp. 26-28: ‘Sed quis est populus iste, qui amplius debet, nisi nos, quibus amplius creditum est? Illis credita sunt eloquia dei, nobis creditur virginis partus. Habes talentum virginis partum, habes fidei centesimum fructum. Creditus est Emmanuhel nobiscum deus, credita domini crux mors resurrectio. Etsi Christus pro omnibus passus est, pro nobis tamen specialiter passus est, quia pro ecclesia passus est. Itaque non est dubium quod plus debeat qui plus accepit.’ Earlier, Ambrose defines the spiritual ‘money of the virtues’ through which the debt has to be repaid: ‘Non materiam faeneratori huic debemus pecuniam, sed meritum examina, aera virtutum, quarum meritum gravitatis pondere, iustitiae specie, sono confessionis expenditur’ (ibi, VI.24, vol. 2, p. 26).

³⁶ See this passage of *Epistula 1(41)*, §§7-8, in: O. FALLER and M. ZELZER (eds.), *Sancti Ambrosii epistulae et acta*, Vienna, 1968-1996, vol. 3, p. 149-50: ‘Nemo fenus suum patrimonio innocentiae suae poterat exsolvere, de meo une me liberarem habere non poteram, novum genus absolutiois meae detulit; ut creditorem mutarem, quia fenus unde solverem non habebam. Debitores autem nos non natura sed culpa fecerat; peccatis enim nostris aera gravia contraximus. ut essemus obnoxii qui eramus liberi. Debitor enim est qui aliquid accepit de feneratoris pecunia. Peccatum autem a diabolo est, tamquam in eius patrimonio has habet impius opes; sicut enim Christi divitiae virtutes sunt ita diaboli opes crimina sunt. Redegerat humanum genus in perpetuam captivitatem obnoxiae haereditatis gravi fenore quod obaeratus auctor ad posteros de fenerata successione transmiserat. Venit Dominus Iesus, mortem suam pro morte omnium obtulit, sanguinem suum pro sanguine fudit universorum. Mutavimus ergo creditorem, non evasimus.’ See also *Epistula 69(72)*, §8 (Ibidem, vol. 2, p. 182), which states that the creditor, i.e. the devil, must, of necessity, be repaid. This letter highlights

contracted with Christ is infinite, and cannot be repaid, does not exclude the need to make some sort of reparation:

‘We were distrained by the evil creditor for our sins. We signed the document of debt [*chirographum culpae*], we owed the penance of blood: the Lord Jesus came and gave his blood in the place of ours; but you cannot repay the blood. A good servant [*servus*] has to pay to his lord [*dominus*] the price he paid: if you cannot repay the price, you must at least prevent the price from seeming unworthy.’³⁷

The use here of the terms *servus/dominus*, and the need to recompense the *dominus* for the costs he has sustained, leave no room for argument. Noteworthy, too, is the reference to the *chirographum*, i.e. the promissory note of which Paul writes in the Letter to the Colossians 2:13-14 in relation to the inscription *Iesus Nazarenus Rex Iudaeorum* attached to the cross. Many other Christian authors – from Augustine to Jacob of Varazze and Raymond Lulle – would also elaborate upon Paul’s umpteenth juridical reference;³⁸ they deduced that Christ died to redeem the debt assumed and underwritten by the acceptance of the *chirographum*.³⁹ And for Ambrose it was simply logical to deduce that, in relation to a *Christus* who had become *dominus* and *redemptor*, the *redemptus* was a *servus*: ‘no one is a free man’, indeed, because men ‘are all freedmen [*liberti*] of Christ’. The juridical knowledge revealed by Paul’s terminology is openly asserted to conclude that ‘you who have been created are a slave, you who have been redeemed are a slave, and you owe servitude to Him as your Lord and Redeemer [*quasi domino servitutem debes et quasi redemptori*]’.⁴⁰

the pointlessness of circumcision, a thesis which had been very similarly argued by ORIGEN, *In epistula Pauli ad Romanos*, vol. 1, II.9, p. 208. 2,13: ‘*Si ergo pretio empti sumus, ut etiam Paulus astipulatur, ab alioque sine dubio empti sumus, cuius eramus servi, qui et pretium poposcit quod voluit, ut de potestate dimitteret quod tenebat. Tenebat autem nos diabolus, cui distracti fueramus peccatis nostris. Poposcit ergo pretium nostrum sanguinem Christi.*’

³⁷ AMBROSE, *De virginitate*, ed. I. CAZZANIGA, Torino, 1952, XIX.126, p. 100, my translation.

³⁸ On Paul’s use of juridical categories, see F. LYALL, *Slaves, Citizens, Sons. Legal Metaphors in the Epistles*, Grand Rapids, 1984, and, more recently, the (partial) account given by A. DU TOIT, “Forensic Metaphors in Romans and their soteriological significance”, in: J.G. VAN DER WATT (ed.), *Salvation in the New Testament*, p. 213-246.

³⁹ Different exegeses and meanings associated with the *chirographum* are summarised by G.M. LUKKEN, *Original Sin in the Roman Liturgy*, p. 177-180. A number of exegetical interpretations highlighting its economic implications are discussed in R.C. MUELLER, “*Eva a dyabolo peccatum mutuavit. Peccato originale, prestito usurario e redemptio*”, in: D. QUAGLIONI, G. TODESCHINI and G.M. VARANINI (eds.), *Credito e usura fra teologia, diritto e amministrazione: linguaggi a confronto (sec. XII-XVI)*, Roma, 2005, p. 227-245; V. TONEATTO, *Les banquiers du Seigneur. Évêques et moines face à la richesse (IV^e-début IX^e siècle)*, Rennes, 2012, p. 173-177.

⁴⁰ AMBROSE, *De Iacob et vita beata*, I.3.12, in: C. SCHENKL and R. PALLA (eds.), *Sancti Ambrosii Episcopi Mediolanensis Opera 3*, Roma, 1982, p. 242-244; English translation in: M.P. MCHUGH (ed.), *Seven exegetical works* [The Fathers of the Church, 65], Washington, 1972, p. 127-128. The passage comments upon 1 Corinthians 7:22.

Two other passages in the commentary on Paul's letters which were, until the sixteenth century, attributed to Ambrose, thus ensuring the significance of their influence on medieval doctrine, are equally insistent upon this point. Again commenting on the Letter to the Romans, the pseudo-Ambrose says that men do not owe obedience to Adam, who, as the original sinner, bequeathed death to his descendants: they must instead follow Christ's law and revere their redeemer. What is more, he continues, men are actually '*servants in the control and power of the Redeemer [domini [...] quasi servos in condicione et dominio redemptori]*'.⁴¹

The hermeneutical difficulties that Christian thinkers got themselves into as they tried to reconcile the stratification of the biblical text with their own cultural and juridical mindset are manifest in the uncertainties and somewhat forced nature of their readings. Nevertheless, these readings demonstrate the extent to which the original juridical institution – together with the web of relationships, above all that between *redemptor* and *redemptus*, that it resulted in and governed – was interpreted and reinterpreted and sometimes turned upside down in the process of making it theological, although it never ceased to be a point of reference.

These considerations on the *status* of servitude and debt in relation to Christ the Redeemer evoke the *private law* aspect of *redemptio*, i.e. that of the debt slavery, which was ended by the *redemptio a domino*. On this subject, the above passages from Ambrose appear quite transparent and may also bring to mind the fact that some of Tertullian's writings were equally clear.⁴² There is, however, a passage which better renders both the lucidity and the creativity of the conceptual transposition – and was also the beginning of a reading of human activity in monetary terms which undoubtedly had a significant impact on Christian moral thought: the long exegetical passage is from Origen's homily on Exodus, translated by Rufino. The sixth homily, in particular, commenting on the flight of the Jews, pursued by the Egyptians, describes the triumphant crossing of the Red Sea and dwells on the text of Exodus 15:16, which, praising the power of God, contrasts the enemy with '*the people you acquired*'. The need to explain this purchase began a long aside on

⁴¹ AMBROSIAS, *In Epistulam ad Romanos*, XIV.8, in: H.I. VOGELS (ed.), *Ambrosiastri qui dicitur commentarius in epistulas paulinas*, Pars prima, Vienna, 1966, recensio γ, p. 439; English translation in: G.L. BRAY (ed.), *Commentaries on Romans and 1-2 Corinthians*, Downers Grove, 2009, p. 105. See also *Ibidem*, VIII.12.

⁴² See TERTULLIAN, *De fuga in persecutione* 12.3, in: A. GERLO (ed.), *Tertulliani opera*, pars II: *Opera montanistica* [Corpus Christianorum Series Latina, 2], Turnhout, 1954, p. 1150: '*Sol cessit diem emptionis nostrae. Apud inferos remancipatio nostra est et stipulatio nostra in caelis [...]. Et Dominus quidem illum redemit ab angelis munditientibus, <a> potestatibus, a spiritalibus nequitiae, a tenebris huius aevi, a iudicio aeterno, a morte perpetua; tu autem pro eo pacisceris cum delatore vel milite vel furunculo aliquo praeside sub tunica et sinum, quod aiunt, ut furtivo, quem coram toto mundo Christus emit, immo et manumisit!*' See the analysis proposed by J. RIVIÈRE, "Tertullien et les droits du démon", *Revue des Sciences Religieuses* 2/6 (1926), p. 199-216, especially p. 211-214. Tertullian's use of juridical categories is constant, although his precision is debated (see R. MARTINI, "Tertulliano giurista e Tertulliano padre della Chiesa", *Studia et documenta historiae et iuris* 41 (1975), p. 78-124, and J. GAUDEMET, *Le droit romain dans la littérature chrétienne occidentale du III^e au V^e siècle*, p. 15-32).

Origen's interpretation of the Old Testament episode, and launched the discussion that concerns us here.

Men belong to God from the moment of their conception, writes Origen, since he is their Creator. The need for him to buy them is only explained by the fact that they '*belong[ed] to another*', having sold themselves to Satan because of their sins.⁴³ And, he explains, this happens because each sin corresponds to a coin received from the devil:

'Murder is the money of the devil [...] - You have committed murder; you have received the devil's money. Adultery is the money of the devil [...]. You have committed adultery; you have received a coin from the devil. Theft, false testimony, greediness, violence, all these are the devil's property and treasure for such money proceeds from his mint. With this money, therefore, he buys those whom he buys and makes all of those his slaves [*efficit sibi servos*] who have received however insignificant a coin from his property of this kind. [...] He may also present this money which we enumerated above to some of us and make those his own again, and again write for them documents of slavery and bound sureties of sin [*tabulas servitutis et peccati chirographa*] and mingle those whom he made his slaves for the price of sin with the servants of God.'⁴⁴

The preacher here conjures up an extremely literal system of moral accounting: Origen's reasoning – which is later echoed by Ambrose⁴⁵ – associates the sum of money received by the devil with the debt contracted with him, which makes men his slaves. This is why Christ has to redeem men, by paying the price of their sins with his blood; this, Origen concludes, is why God himself has to buy his own people.⁴⁶ These lines clearly reveal the extent to which the Passion was conceptualised as a financial transaction. It was interpreted as the payment of a ransom and, therefore, the acknowledgement of a loan which every believer must value in order to comprehend the sum of his debt to Christ.⁴⁷

⁴³ Cfr. ORIGEN, *Homiliae in Exodum*, ed. M. SIMONETTI, Roma, 2005, VI §9, p. 190: '*Dei igitur sumus, secundum quod ab eo creati sumus; effecti vero sumus servi diaboli, secundum quod peccatis nostris venundati sumus. Veniens autem Christus redemit nos, cum serviremus illi Domino, cui nosmet ipsos peccando vendidimus. Et ita videtur tamquam suos quidem recepisse, quos creaverat, tamquam alienos autem acquisisse, qui alienum sibi dominum peccando quaesiverant*'; English translation in: R.E. HEINE (ed.), *Homilies on Genesis and Exodus*, Washington, 2002, p. 295.

⁴⁴ ORIGEN, *Homiliae in Exodum*, VI §9, p. 190-92; English translation in: R.E. HEINE (ed.), *Homilies on Genesis and Exodus*, p. 296.

⁴⁵ See e.g. AMBROSE, *De Iacob et vita beata*, I.3.10, p. 240 and the passages quoted above in footnotes 35 and 36.

⁴⁶ ORIGEN, *Homiliae in Exodum*, VI §9, p. 192: '*Paulo latius progressi sumus, dum volumus exponere, quomodo Deus quae sua sunt, dicatur acquirere et redimere Christus sanguine pretioso, quos emerat diabolus vili mercede peccati.*'

⁴⁷ See the analysis of Augustine's homily n. 130 proposed by V. TONEATTO, *Les banquiers du Seigneur*, p. 175.

3. In conclusion. Towards the Middle Ages

We thus see that the implications of the juridical institution that has inspired our investigation were extensively elaborated by the Christian authors in their endeavour to understand, through a sort of structural analogy, Christ's act of redemption. The most directly public and political aspect of the *redemptio ab hostibus* proved the most suitable terrain upon which to construct the institutions and identity of the Christian community, of which the contrast between the Kingdoms of Heaven and Hell and the coexistence, in history, of two cities under two different rulers, is an integral part. On the other hand, the private implications of the institution also provided the Early Christian exegetical experts with much to write about. The Passion was presented by them as an economic transaction, which also involved an actual dynamic of debt – even servitude – between redeemer and redeemed.

The economic aspect of the Early Christian discourse cannot be denied, nor, indeed, can the influence of this discourse on the conceptualisation of Western economic practice. The latter, moreover, was extensively debated by the very earliest Christian authors, resulting in the evaluation and regulation of the economic activity within the light of the charity which governed the Christian community. The opportunity to redeem and liberate one's soul through the appropriate use and bequeathing of one's material wealth was also investigated.⁴⁸ The conceptual link between *redemptio* and *paenitentia*, which had evident practical implications, is noteworthy here. This link, in fact, involves the penitential practices which meticulously regulated the lives of the faithful according to a discipline which, although conceived within a predominantly ecclesiastic and monastic environment, gradually extended to involve (at least in theory) the whole *societas christiana*.⁴⁹ The penitential books which became common in the Early Middle Ages, in particular, provide us with an eloquent example of the link between *redemptio* and *paenitentia*, because of both their rigorous juridico-economic logic and the concepts they used in fixing penitential tariffs for specific sins.⁵⁰ The tariffs – expressed in fasting periods over weeks and years – *redeemed* the sins of the penitent, and could then themselves be *redeemed* (i.e. substituted) by reciting psalms and singing hymns:

⁴⁸ See P. BROWN, *The Ransom of the Soul. Afterlife and Wealth in Early Western Christianity*, London, 2015, who contextualises the last wills *pro redemptione animae* which blossomed during the Early Middle Ages. See also G. TODESCHINI, *Il prezzo della salvezza. Lessici medievali del pensiero economico*, Roma, 1994, p. 119-143.

⁴⁹ On the social relevance of confession after the Fourth Lateran Council (1215), see T. N. TENTLER, "The 'Summa' for confessors as an instrument of social control", in: H. A. OBERMAN and C. TRINKAUS (eds.), *The pursuit of holiness in late medieval and Renaissance religion. Papers from the University of Michigan conference*, Leiden, 1974, p. 103-137, P. PRODI, *Una storia della giustizia. Dal pluralismo dei fori al moderno dualismo tra coscienza e diritto*, Bologna, 2000, p. 87-92, and R. RUSCONI, *L'ordine dei peccati. La confessione tra Medioevo e età moderna*, Bologna, 2002.

⁵⁰ On this genre see C. VOGEL, *Les "libri poenitentiales"*, Turnhout, 1978, and the historiographical discussion by R. MEENS, "The historiography of Early Medieval Penance", in: A. FIREY (ed.), *A New History of Penance*, Leiden, 2003, p. 73-96.

the term *redemptio* was also used in both these senses. Moreover, the *redemptor* of a penitent who was not able to fast – or, more often, to recite the psalms in Latin – could also be a pious person to whom the former donated money. This practice provided the religious communities with a certain wealth which should only have been used to help the poor and – in a sort of circle of *redemptiones* – to *redeem* prisoners.⁵¹

After Anselm's extensive elaboration of the theory of the incarnation as vicarious satisfaction, at the turn of the twelfth century, the interpretation of redemption in public terms, as a ransom paid to the devil, the ultimate enemy, gradually decreased in importance. Nevertheless, reference to the private debt dynamic between redeemer and redeemed remained a constant in Christian discourse. William of Auvergne, for example, in some of his homilies, conceptualises God's redemption through extensive reference to the semantics of social and feudal relationships, with which his audience was, of course, familiar, and highlights the servile bondage linking the faithful to their redeemer.⁵² In the thirteenth century, we thus find again an eloquent testament to the enduring efficacy of the Graeco-Roman law apparatus applied to theological discourse, demonstrating the extent to which *redemptio* was able to express itself in matrices of social, political and economic relationships and how the concept of redemption, far from merely corresponding with one isolated event, had, over time, become central to a web of diverse relations.

⁵¹ See T. POLLOCK-OAKLEY, "Les commutations et les rédemptions dans les pénitentiels du continent", *Revue historique de droit français* 18 (1939), p. 39-57, and C. VOGEL, "Composition legale et commutation dans le système de la pénitence tarifée", *Revue de droit canonique*, essay in three parts in the issue 8 (1958), p. 289-318, and 9 (1959), p. 1-39 and 341-359.

⁵² See for instance GUILLELMUS ALVERNUS, *Sermones de tempore* [Corpus Christianorum Continuatio Mediaevalis, 230A], ed. F. MORENZONI, Turnhout, 2011, *sermo* 287A, p. 567: '*Item tria sunt servicia que soli Deo debemus. Quia ab illo tenemus quicquid habemus, ei debemus servitium feudale; et quia ipsius solius bonis pascimur et vestimur et vivimus et huiusmodi, debemus ei servitium famulare; et quia ab eo empti sumus et redempti, debemus ei servitium servile.*'